

OCTOBER 16, 1991

OLYMPIA, WASHINGTON

ISSUE 91-20



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This issue contains documents officially  
filed not later than October 2, 1991

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

## PUBLIC INSPECTION OF DOCUMENTS

A copy of each document filed with the code reviser's office, pursuant to chapter 34.05 RCW, is available for public inspection during normal office hours. The code reviser's office is located on the ground floor of the Legislative Building in Olympia. Office hours are from 8 a.m. to 5 p.m., Monday through Friday, except legal holidays. Telephone inquiries concerning material in the Register or the Washington Administrative Code (WAC) may be made by calling (206) 753-7470 (SCAN 234-7470).

## REPUBLICATION OF OFFICIAL DOCUMENTS

All documents appearing in the Washington State Register are prepared and printed at public expense. There are no restrictions on the republication of official documents appearing in the Washington State Register. All news services are especially encouraged to give wide publicity to all documents printed in the Washington State Register.

## 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 October 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 eleven point seven five percent (11.75%) for the fourth 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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*Chairman, Statute Law Committee*

**Dennis W. Cooper**  
*Code Reviser*

**Gary Reid**  
*Chief Assistant Code Reviser*

**Kerry S. Radcliff**  
*Editor*

**Joyce Matzen**  
*Subscription Clerk*

## 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.

1991 – 1992

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
91-16	Jul 10	Jul 24	Aug 7	Aug 21	Sep 10
91-17	Jul 24	Aug 7	Aug 21	Sep 4	Sep 24
91-18	Aug 7	Aug 21	Sep 4	Sep 18	Oct 8
91-19	Aug 21	Sep 4	Sep 18	Oct 2	Oct 22
91-20	Sep 4	Sep 18	Oct 2	Oct 16	Nov 5
91-21	Sep 25	Oct 9	Oct 23	Nov 6	Nov 26
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
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92-01	Nov 21	Dec 5	Dec 19, 1991	Jan 2, 1992	Jan 22
92-02	Dec 5	Dec 19, 1991	Jan 2, 1992	Jan 15	Feb 4
92-03	Dec 26, 1991	Jan 8, 1992	Jan 22	Feb 5	Feb 25
92-04	Jan 8	Jan 22	Feb 5	Feb 19	Mar 10
92-05	Jan 22	Feb 5	Feb 19	Mar 4	Mar 24
92-06	Feb 5	Feb 19	Mar 4	Mar 18	Apr 7
92-07	Feb 19	Mar 4	Mar 18	Apr 1	Apr 21
92-08	Mar 4	Mar 18	Apr 1	Apr 15	May 5
92-09	Mar 25	Apr 8	Apr 22	May 6	May 26
92-10	Apr 8	Apr 22	May 6	May 20	Jun 9
92-11	Apr 22	May 6	May 20	Jun 3	Jun 23
92-12	May 6	May 20	Jun 3	Jun 17	Jul 7
92-13	May 20	Jun 3	Jun 17	Jul 1	Jul 21
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92-15	Jun 24	Jul 8	Jul 22	Aug 5	Aug 25
92-16	Jul 8	Jul 22	Aug 5	Aug 19	Sep 8
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92-19	Aug 26	Sep 9	Sep 23	Oct 7	Oct 27
92-20	Sep 9	Sep 23	Oct 7	Oct 21	Nov 10
92-21	Sep 23	Oct 7	Oct 21	Nov 4	Nov 24
92-22	Oct 7	Oct 21	Nov 4	Nov 18	Dec 8
92-23	Oct 21	Nov 4	Nov 18	Dec 2	Dec 22
92-24	Nov 4	Nov 18	Dec 2	Dec 16	Jan 5, 1993

<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.

**WSR 91-19-093****PERMANENT RULES****GAMBLING COMMISSION**

[Order 227—Filed September 18, 1991, 11:09 a.m.]

Date of Adoption: September 13, 1991.

**Purpose:** To comply with a legislative change to RCW 9.46.0331 allowing expanded locations for the operation of amusement games.

**Citation of Existing Rules Affected by this Order:** Repealing WAC 230-20-380 and 230-20-698; and amending WAC 230-04-110, 230-04-120, 230-04-124, 230-04-201, 230-08-060, 230-08-180, 230-08-240, 230-12-220, 230-20-605, 230-20-630, and 230-20-670.

Statutory Authority for Adoption: RCW 9.46.070.

Other Authority: RCW 9.46.0331.

Pursuant to notice filed as WSR 91-15-039 on July 17, 1991.

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

September 17, 1991

Sharon M. Tolton

Rules Coordinator

**NEW SECTION**

**WAC 230-02-510 AMUSEMENT DEVICE DEFINED.** An amusement device is any mechanical, electro-mechanical, or electronic device through which the operation results in a game or contest which:

- (1) Is played only for entertainment;
- (2) Allows the player to actively participate;
- (3) The outcome of the game or contest depends in a material degree upon the skill of the player; and
- (4) The outcome is not in control of any person other than the player or players.

**NEW SECTION**

**WAC 230-02-515 SCHOOL HOURS DEFINED.** School hours are defined as 8:00 a.m. through 3:00 p.m., Monday through Friday, using the operating schedule of the public school district in which the activity is located. **PROVIDED,** That upon written permission of the commission director, school hours may be adjusted to allow participants in school sponsored activities to utilize amusement games at licensed locations.

**NEW SECTION**

**WAC 230-02-520 SCHOOL-AGED MINORS DEFINED.** School-aged minors are defined as persons who have not reached an age of 18 years.

**NEW SECTION**

**WAC 230-04-138 COMMERCIAL AMUSEMENT GAMES—AUTHORIZED LOCATIONS.** (1) Amusement games may only be conducted by commercial amusement game licensees when operated as a part of, and/or upon the site of:

- (a) Any agricultural fair as authorized under chapter 15.76 or 36.37 RCW; or
- (b) A civic center of a county, city or town; or

(c) A world's fair or similar exposition which is approved by the Bureau of International Expositions at Paris, France; or

(d) A community-wide civic festival held not more than once annually and sponsored or approved by the city, town, or county in which it is held; or

(e) A commercial exposition organized and sponsored by an organization or association representing the retail sales and service operators conducting business in a shopping center or other commercial area developed and operating for retail sales and service, but only upon a parking lot or similar area located in said shopping center or commercial area for a period of no more than 17 consecutive days by any licensee during any calendar year; or

(f) An amusement park. An amusement park is a group of activities, at a permanent location, to which people go to be entertained through a combination of various mechanical or aquatic rides, theatrical productions, motion picture and/or slide show presentation with food and drink service. The amusement park must include at least five different mechanical or aquatic rides, three additional activities and the gross receipts must be primarily from these amusement activities.

(g) Within a regional shopping center. A regional shopping center is a shopping center developed and operated for retail sales and service by retail sales and service operators and consisting of more than six hundred thousand gross square feet not including parking areas. Amusement games conducted as a part of, and upon the site of, a regional shopping center shall not be subject to the prohibition on leases of premises based on a percentage of gambling receipts set forth in RCW 9.46.120; or

(h) Any location that possesses a valid license from the Washington State Liquor Control Board and prohibits minors on their premises; or

(i) Movie theaters, bowling alleys, miniature golf course facilities, skating facilities, and amusement centers. For the purposes of this section an amusement center shall be defined as a permanent location whose primary source of income is from the operation of 10 or more amusement devices; or

(j) Any business whose primary activity is to provide food service for on premises consumption and who offers family entertainment which includes at least three of the following activities: amusement devices; theatrical productions; mechanical rides; motion pictures; and slide show presentations.

(2) No amusement games may be conducted in any location except in conformance with local zoning, fire, health, and similar regulations.

(3) No amusement games may be conducted in any location(s) without first having obtained written permission to do so from the person or organization owning the premises or property where the activity will be operated. If the games are conducted as a part of or in conjunction with any of the activities set out in section (1)(a), (b), (c), (d), or (e), written permission must be obtained from the person or organization sponsoring the activity.

(4) All rental agreements relating to use of a premises or site to conduct amusement games must be submitted to the commission as a part of the application.

(5) Any operator licensed to conduct Class B or above amusement games may enter into a contract with the business owner of any of the locations set out in subsections (1)(f), (g), (h), (i), or (j) above to locate and operate amusement games upon their premises if the business is licensed to conduct amusement games. All such contracts must be written and specific in terms, setting out the time of the contract, amount of rent or consideration, rent due dates, and all expenses to be borne by each party. All contracts regarding the operation of amusement games must be on file with the commission prior to location and operation of the activity. Violations of terms of the contract by an amusement game operator may be grounds for suspension or revocation of their license.

#### NEW SECTION

##### WAC 230-20-680 COMMERCIAL AMUSEMENT GAMES—OPERATION RESTRICTIONS.

(1) No person shall operate commercial amusement games in any location except under the following conditions:

(a) The operation of amusement games must be closely monitored and controlled to ensure all games are operated in accordance with all provisions of this WAC title;

(b) The players are protected from fraud and game manipulation; and

(c) All games and/or machines are maintained in proper condition to ensure the operation is as approved by WAC 230-20-605.

(2) All locations where school-aged minors are allowed to play must be supervised by an adult during all hours of operation. The adult supervisor will ensure that school-age minors are prohibited from entry and/or playing amusement games in locations authorized by WAC 230-04-138 (1)(g), (i), or (j) during school hours and after 10:00 p.m. on any day: PROVIDED, That school-aged minors are prohibited from entry into licensed amusement game/locations in regional shopping centers after the normal shopping area closing hours on Sunday through Thursday.

#### REPEALER

WAC 230-20-380 PERSONS OBTAINING A SPECIAL AMUSEMENT GAME LICENSE TO CONDUCT ONLY AT LIMITED LOCATIONS.

#### REPEALER

WAC 230-20-698 ELECTRONIC CRANE AMUSEMENT GAMES—SPECIAL AUTHORIZATION.

AMENDATORY SECTION (Amending Order 201, filed 11/27/89, effective 12/28/89)

WAC 230-04-110 LICENSING OF MANUFACTURERS. (1) A manufacturer shall obtain a license from the commission prior to manufacturing, selling or supplying to any person(s) within this state, or for use within this state, one or more of the following devices:

- (a) Punchboards;
- (b) Pull tabs; and
- (c) Devices for the dispensing of pull tabs((:)); ~~((and~~
- ~~(d) Electronic cranes.))~~

(2) The applicant shall include upon the application form supplied by the commission, the following information, as well as all other information and materials which are elsewhere required under these rules:

(a) The name and address of the applicant;

(b) The name and address of each of its separate locations manufacturing such devices;

(c) The name and home address of all owners of the manufacturing business if the business is not a corporation. If the business is a corporation, the name and address of each of the officers and each of the directors of the corporation and of each stockholder owning ten percent or more of any class of stock in the corporation;

(d) A full description of each separate type of punchboard, pull tab, or device for the dispensing of pull tabs(~~(; or electronic crane))~~ which the applicant seeks to manufacture or to market in this state; and

(e) The brand name under which each device is sold;

(3) If the applicant is a foreign manufacturer, then the full name, business and home address of the agent who is a resident of this state designated pursuant to WAC 230-12-300;

(4) A list of all distributors of such devices, punchboards or pull tabs, and of all businesses or organizations located within the state of Washington in which the licensee has some financial interest and the details of that financial interest. For the purpose of this subsection, the term financial interest shall include, among all other interests, indebtedness from the licensee to the other person, or vice versa, in excess of five hundred dollars.

(5) The applicant shall notify the commission within thirty days of any change in the information submitted on or with the application form. The applicant shall comply with all applicable laws of the United States and the state of Washington and all applicable rules of this commission.

AMENDATORY SECTION (Amending Order 201 [224], filed 11/27/89 [7/17/91], effective 12/28/89 [8/17/91])

WAC 230-04-120 LICENSING OF DISTRIBUTORS. (1) Prior to selling or supplying to any person within the state of Washington or for use within the state of Washington, a distributor shall first obtain a license from the commission for one or more of the following separate licensed activities:

(a) Punchboards;

(b) Pull tabs;

(c) Devices for the dispensing of pull tabs; and

(d) Any gambling equipment or paraphernalia for use in connection with licensed fund raising events, or recreational gaming activity((:)); ~~((and~~

~~(e) Electronic cranes.))~~

(2) The applicant shall include upon the application form supplied by the commission, the following information, as well as all other information and materials required elsewhere in these rules:

(a) The full name and address of the applicant;

(b) The business name and address of each of the separate locations operated by the distributor;

(c) The name and home address of all owners if the business is not a corporation. If the business is a corporation, the name and address of each of the officers, each director, and each stockholder having ten percent or more of the shares of any class of stock in the corporation;

(d) A full description of each type of punchboard, pull tab, or device for the dispensing of pull tabs(~~(, or electronic cranes)~~) that the distributor intends to market in this state or for use in this state;

(3) For each such device, the brand name under which it will be sold;

(4) If the applicant is a distributor located out of state, then the name, business and home address of the agent who is a resident of this state designated by the applicant pursuant to WAC 230-12-300;

(5) A list of all manufacturers of such devices and all businesses or organizations located in the state of Washington in which the applicant has some financial interest. For the purposes of this subsection, the term financial interest shall include, among all other interests, an indebtedness from the other person to the applicant, or vice versa, in excess of five hundred dollars.

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

**AMENDATORY SECTION** (Amending Order 201, filed 11/27/89, effective 12/28/89)

WAC 230-04-124 LICENSING OF MANUFACTURERS AND DISTRIBUTORS REPRESENTATIVES. (1) Prior to selling or supplying to any person gambling equipment(~~(;)~~) or gambling paraphernalia (~~(or electronic cranes)~~) for use in connection with licensed gambling activities, a representative or agent of a licensed manufacturer or distributor shall first obtain a license from the commission.

(2) A sole owner, partner, major officer and/or owner of a substantial interest in a corporation licensed as a manufacturer or distributor shall not be required to be additionally licensed as a representative to engage in the selling or supplying of the manufacturer's or distributor's products or services. Office, clerical or warehouse personnel employed by the manufacturer or distributor

who have contact with the public and potential customers occasionally and only by telephone or at the manufacturer's or distributor's own premises when working under the immediate and direct supervision of the owner, a partner, or major officer of a corporation, shall also be exempt from this licensing requirement. A manager or supervisor who is not a sole owner, partner or a major officer or owner of a substantial interest in a licensed manufacturer or distributor and whose duties and responsibilities include the supervision of selling, supplying and/or the promotion of the manufacturer's or distributor's products shall be licensed as required by this rule prior to performing such functions. A manufacturer or distributor shall not allow an unlicensed person to represent them in such transactions and shall take all measures necessary to prevent an unlicensed person from doing so.

(3) On or before the first day he or she actually performs work as a representative, a person shall submit a complete application for a license to the commission. The application shall not be deemed complete until all questions on the application form and attachments are fully and truthfully answered and the form, with all attachments and the required fee, has been delivered to the commission office during regular business hours (or actually deposited in the United States mail properly addressed to the commission).

(4) The manufacturer or distributor for which the representative will work shall sign the application of each such representative acknowledging that the applicant will be representing them with their full knowledge and consent.

(5) In addition to the above requirements, an applicant applying for a license as a distributor's representative shall:

(a) Complete a training course provided by the commission within 30 days after the first day worked; and

(b) Represent only one licensed distributor at a time and shall not represent a manufacturer: Provided, that this rule shall not bar the distributor's representative from representing his own distributor who is also licensed as a manufacturer.

**AMENDATORY SECTION** (Amending Order 224, filed 7/17/91, effective 8/17/91)

WAC 230-04-201 FEES. Tables 1 and 2 contain the fees that shall be paid to the commission for gambling licenses, permits, miscellaneous changes, and special investigative and inspection services.

Table 1. (For bona fide nonprofit/charitable organizations)

LICENSE TYPE	DEFINITION	FEE
1. AMUSEMENT GAMES	(Fee based on annual gross receipts)	
Class A	Up to \$ 5,000	\$ 50
Class B	Up to \$ 15,000	150
Class C	Up to \$ 25,000	250

<u>LICENSE TYPE</u>		<u>DEFINITION</u>	<u>FEE</u>	
	Class D	Up to \$ 50,000	400	
	Class E	over \$ 50,000	700	
2.	<b>BINGO GROUP</b>			
	<b>CLASS</b>	(Fee based on annual gross gambling receipts)		
	I	Up to \$15,000	\$ 50	
	Class A	\$ 15,001 to 50,000	150	
	Class B	\$ 50,001 to 100,000	300	
	Class C	\$ 100,001 to 300,000	800	
	Class D	\$ 300,001 to 500,000	1,350	
	Class E	\$ 500,001 to 1,000,000	2,700	
	Class F	\$ 1,000,001 to 1,500,000	3,900	
	II	Class G	\$ 1,500,001 to 2,000,000	5,200
		Class H	\$ 2,000,001 to 2,500,000	6,500
		Class I	\$ 2,500,001 to 3,000,000	7,800
		Class J	\$ 3,000,001 to 3,500,000	8,750
	III	Class K	\$ 3,500,001 to 4,000,000	10,000
		Class L	Over \$4,000,000	11,250
	Class M			
3.	<b>BINGO GAME MANAGER</b>	Original	\$ 150	
		Renewal	75	
4.	<b>CARD GAMES</b>			
	Class A	General (fee to play charged)	\$ 500	
	Class B	Limited card games – to hearts, rummy, mah-jongg, pitch, pinochle, and/or cribbage – (fee to play charged)	150	
	Class C	Tournament only – no more than ten consec. days per tournament	50	
	Class D	General (no fee to play charged)	50	
	Class R	Primarily for recreation (WAC 230-04-199)	25	
5.	<b>CHANGES</b>			
	NAME	(See WAC 230-04-310)	\$ 25	
	LOCATION	(See WAC 230-04-320)	25	
	FRE	(Reno Nite date(s)/time(s)) (See WAC 230-04-325)	25	
	LICENSE CLASS	(See WAC 230-04-260) New class fee, less previous fee paid, plus	25	
	DUPLICATE LICENSE REPLACEMENT	(See WAC 230-04-290)	25	
	IDENTIFICATION STAMPS	(See WAC 230-30-016)	25	
6.	<b>FUND RAISING EVENT</b>			
	Class A	One event not more than 24 consec. hrs.	\$ 300	
	Class B	One event not more than 72 consec. hrs.	500	
	Class C	Additional participant in joint event (not lead organization)	150	
	Class D	Fund Raising Event Equipment Distributor – Rents or leases, equipment for fund raising event or recreational gaming activity more than 4 times per year.	200	
	Class E	Fund Raising Event Equipment Distributor – Rents or leases equipment for fund raising event or recreational gaming activity more than 10 times per year.	500	



LICENSE TYPE	DEFINITION	FEE																																																												
<p>NOTE: Charitable and nonprofit organizations licensed to conduct fund raising events may rent equipment up to four occasions without getting licensed as a distributor.</p>																																																														
7. PERMITS	<p>Agricultural fair/special property bingo One location and event only (see WAC 230-04-191) Recreational gaming activity permit (RGA) (see WAC 230-25-330 and 230-02-505)</p>	<p>\$ 25 50</p>																																																												
8. PUNCHBOARDS/ PULL TABS	<p>(Fee based on annual gross gambling receipts) (One Time Variance)</p> <table border="0"> <tr> <td>Class A</td> <td>Up to \$ 50,000</td> <td>\$ 5,000</td> <td>\$ 475</td> </tr> <tr> <td>Class B</td> <td>Up to \$ 100,000</td> <td>\$ 5,000</td> <td>850</td> </tr> <tr> <td>Class C</td> <td>Up to \$ 200,000</td> <td>\$10,000</td> <td>1,600</td> </tr> <tr> <td>Class D</td> <td>Up to \$ 300,000</td> <td>\$10,000</td> <td>2,325</td> </tr> <tr> <td>Class E</td> <td>Up to \$ 400,000</td> <td>\$10,000</td> <td>3,000</td> </tr> <tr> <td>Class F</td> <td>Up to \$ 500,000</td> <td>\$10,000</td> <td>3,625</td> </tr> <tr> <td>Class G</td> <td>Up to \$ 600,000</td> <td>\$10,000</td> <td>4,200</td> </tr> <tr> <td>Class H</td> <td>Up to \$ 700,000</td> <td>\$10,000</td> <td>4,725</td> </tr> <tr> <td>Class I</td> <td>Up to \$ 800,000</td> <td>\$10,000</td> <td>5,200</td> </tr> <tr> <td>Class J</td> <td>Up to \$ 1,000,000</td> <td>\$20,000</td> <td>5,900</td> </tr> <tr> <td>Class K</td> <td>Up to \$ 1,250,000</td> <td>\$25,000</td> <td>6,550</td> </tr> <tr> <td>Class L</td> <td>Up to \$ 1,500,000</td> <td>\$25,000</td> <td>7,150</td> </tr> <tr> <td>Class M</td> <td>Up to \$ 1,750,000</td> <td>\$25,000</td> <td>7,650</td> </tr> <tr> <td>Class N</td> <td>Up to \$ 2,000,000</td> <td>\$25,000</td> <td>8,100</td> </tr> <tr> <td>Class O</td> <td>Over \$2,000,000</td> <td>Non(=)Applicable</td> <td>8,900</td> </tr> </table> <p>A licensee will be allowed a one-time variance for each license class without having to upgrade or pay the penalties set forth in WAC 230-04-260; Provided, a licensee utilizing the variance shall be required to upgrade upon recertification.</p>	Class A	Up to \$ 50,000	\$ 5,000	\$ 475	Class B	Up to \$ 100,000	\$ 5,000	850	Class C	Up to \$ 200,000	\$10,000	1,600	Class D	Up to \$ 300,000	\$10,000	2,325	Class E	Up to \$ 400,000	\$10,000	3,000	Class F	Up to \$ 500,000	\$10,000	3,625	Class G	Up to \$ 600,000	\$10,000	4,200	Class H	Up to \$ 700,000	\$10,000	4,725	Class I	Up to \$ 800,000	\$10,000	5,200	Class J	Up to \$ 1,000,000	\$20,000	5,900	Class K	Up to \$ 1,250,000	\$25,000	6,550	Class L	Up to \$ 1,500,000	\$25,000	7,150	Class M	Up to \$ 1,750,000	\$25,000	7,650	Class N	Up to \$ 2,000,000	\$25,000	8,100	Class O	Over \$2,000,000	Non(=)Applicable	8,900	
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10. SEPARATE PREMISES BINGO	Occasion (see WAC 230-04-300)	\$ 25																																																												
11. SPECIAL FEES INVESTIGATION IDENTIFICATION AND INSPECTION STAMP EXCEEDING LICENSE CLASS	<p>(See WAC 230-04-240)</p> <p>(See WAC 230-30-015 and 230-30-030)</p> <p>(See WAC 230-04-260)</p> <p>In addition to all normal license fees, a licensee may be assessed an exceeding class fee for a present or previous license year, not to exceed 50% of the difference between the present class fee and the new license class or \$1,000, whichever is less.</p>	<p>As required</p> <p>As required</p> <p>As required</p>																																																												

<u>LICENSE TYPE</u>	<u>DEFINITION</u>	<u>FEE</u>
12. SIX-MONTH PAYMENT PLAN	<p>The commission may allow an applicant renewing an annual license or an applicant applying for an additional license with a fee of \$800 or above, to pay a license fee in two payments.</p> <p>SIX-MONTH PAYMENT PLAN PROCEDURE:                      The administrative processing fee, plus the first half of the annual license fee must be submitted at the time of application/renewal. The second half payment must be submitted and received in the commission's Olympia headquarters office, prior to the expiration date of the first six-month period: Provided, That participants electing the six-month payment plan will be limited to 50% of the authorized class limitation for annual gross receipts during the first six-month period. Licensees exceeding 50% of the authorized level shall be required to upgrade to the appropriate license class as required by WAC 230-04-260 and pay the full upgrade fee, plus \$25.00.</p>	\$ 25

Table 2. (For commercial stimulant/profit seeking organizations)

<u>LICENSE TYPE</u>	<u>DEFINITION</u>	<u>FEE</u>
1. CARD GAMES		
Class B	(Fee to play charged) limited card games – to hearts, rummy, pitch, pinochle, mah-jongg, and/or cribbage	\$ 150
Class C	Tournament only, no more than ten consec. days per tournament	150
Class D	General (no fee to play charged)	50
Class E	General (fee to play charged)	
E-1	One table only	350
E-2	Up to two tables	600
E-3	Up to three tables	1,000
E-4	Up to four tables	2,000
E-5	Up to five tables	3,000
2. CHANGES		
NAME	(See WAC 230-04-310)	\$ 25
LOCATION	(See WAC 230-04-320)	25
BUSINESS CLASSIFICATION	(Same owners – see WAC 230-04-340(3))	50
LICENSE CLASS	(See WAC 230-04-260) New class fee, less previous fee paid, plus	25
DUPLICATE LICENSE	(See WAC 230-04-290)	25
OWNERSHIP OF STOCK REPLACEMENT	(See WAC 230-04-340(1))	50
IDENTIFICATION STAMPS	(See WAC 230-30-016)	25
LICENSE TRANSFERS	(See WAC 230-04-125, 230-04-340 and 230-04-350)	50
3. DISTRIBUTOR	(Fee based on annual gross sales of gambling related supplies and equipment)	
(a) Class A	Non(=P)punchboard/Pull Tab Only	\$ 500
Class B	Up to \$250,000	\$1,000

LICENSE TYPE	DEFINITION	FEE
Class C	\$250,001 to \$500,000	\$1,500
Class D	\$500,001 to \$1,000,000	\$2,000
Class E	\$1,000,001 to \$2,500,000	\$2,600
Class F	Over \$2,500,000	\$3,200
<p>In addition to the annual fee, the ((€)) commission will assess all applicants the actual costs incurred in conducting the initial investigation and inspection necessary for certification.</p>		
<b>(b) Fund Raising Event Equipment Distributor</b>		
Class A	Rents or leases equipment for fund raising event or recreational gaming activity up to ten times per year.	\$ 200
Class B	Rents or leases equipment for fund raising event or recreational gaming activity more than ten times per year.	\$ 500
4. DISTRIBUTOR'S REPRESENTATIVE	Original Renewal	\$ 200 125
<del>(( ))</del>		
<del>5. ELECTRONIC CRANE SEPARATE ((PREMISES))</del>	<del>(For locations only see WAC 230-04-190))</del>	
	<del>((Original))</del>	<del>(( \$ 250 ))</del>
	<del>((Renewal))</del>	<del>(( 150 ))</del>
<del>6. MANUFACTURER</del>	<del>(Fee based on annual gross sales of gambling related supplies and equipment)</del>	
5. Class A	Machines ((Θ)) only	\$ 500
Class B	Up to \$250,000	\$1,000
Class C	\$250,001 to \$500,000	\$1,500
Class D	\$500,001 to \$1,000,000	\$2,000
Class E	\$1,000,001 to \$2,500,000	\$2,600
Class F	Over \$2,500,000	\$3,200
<p>In addition to the annual fee, the ((€)) commission will assess all applicants the actual costs incurred in conducting the initial investigation and inspection necessary for certification.</p>		
<del>7. MANUFACTURER'S REPRESENTATIVE</del>	Original Renewal	\$ 200 125
<del>8. PERMITS</del>	Agricultural fair/special property bingo	
7. Class A	One location and event only (see WAC 230-04-191)	\$ 25
Class B	Annual permit for specified different events and locations (see WAC 230-04-193)	150
<del>9. PUBLIC CARDROOM EMPLOYEE</del>	Original Renewal	\$ 150 75
<del>10. PUNCHBOARDS/ PULL TABS</del>	<del>(Fee based on annual gross gambling receipts)</del>	
9. Class A	Up to \$ 50,000	(One ((F)) time ((V)) variance) \$ 5,000 \$ 475
Class B	Up to \$ 100,000	\$ 5,000 850
Class C	Up to \$ 200,000	\$10,000 1,600

<u>LICENSE TYPE</u>	<u>DEFINITION</u>	<u>FEE</u>
Class D	Up to \$ 300,000	\$10,000 2,325
Class E	Up to \$ 400,000	\$10,000 3,000
Class F	Up to \$ 500,000	\$10,000 3,625
Class G	Up to \$ 600,000	\$10,000 4,200
Class H	Up to \$ 700,000	\$10,000 4,725
Class I	Up to \$ 800,000	\$10,000 5,200
Class J	Up to \$ 1,000,000	\$20,000 5,900
Class K	Up to \$ 1,250,000	\$25,000 6,550
Class L	Up to \$ 1,500,000	\$25,000 7,150
Class M	Up to \$ 1,750,000	\$25,000 7,650
Class N	Up to \$ 2,000,000	\$25,000 8,100
Class O	Over \$2,000,000	Non( <del>(=A)</del> )applicable 8,900

A licensee will be allowed a one-time variance for each license class without having to upgrade or pay the penalties set forth in WAC 230-04-260; Provided, a licensee utilizing the variance shall be required to upgrade upon recertification.

<del>((11:))</del> <b>SPECIAL FEES</b>		
<u>10.</u> INVESTIGATION	(See WAC 230-04-240)	As ( <del>(R)</del> ) <u>required</u>
IDENTIFICATION AND INSPECTION STAMP	(See WAC 230-30-015 and 230-30-030)	As ( <del>(R)</del> ) <u>required</u>
EXCEEDING LICENSE CLASS	(See WAC 230-04-260) In addition to all normal license fees, a licensee may be assessed an exceeding class fee for a present or previous license year, not to exceed 50% of the difference between the present class fee and the new license class or \$1,000, whichever is less.	As ( <del>(R)</del> ) <u>required</u>
<u>REVIEW/EVALUATION/APPROVAL OF AMUSEMENT GAMES OR DEVICES</u>	(See WAC 230-20-605)	<u>\$ 100</u>

<del>((12:))</del> <b>SPECIAL LOCATION/ ELECTRONIC CRANE OPERATOR AMUSEMENT GAMES)</b>	(Fee based on annual gross receipts)	
<u>11.</u> <b>COMMERCIAL AMUSEMENT GAMES</b>		
<u>*Class A</u>	Up to \$10,000	<u>**\$250/100</u>
Class ( <del>(A)</del> ) <u>B</u>	Up to \$50,000	<u>\$ 500</u>
Class ( <del>(B)</del> ) <u>C</u>	( <del>(\$ 50,001 to \$ 100,000)</del> ) <u>Up to \$ 100,000</u>	<u>900</u>
Class ( <del>(C)</del> ) <u>D</u>	( <del>(100,001 to 250,000)</del> ) <u>Up to \$ 250,000</u>	<u>2,000</u>
Class ( <del>(D)</del> ) <u>E</u>	( <del>(250,001 to 500,000)</del> ) <u>Up to \$500,000</u>	<u>3,500</u>
Class ( <del>(E)</del> ) <u>F</u>	( <del>(500,001 to 1,000,000)</del> ) <u>Up to \$1,000,000</u>	<u>6,000</u>
Class ( <del>(F)</del> ) <u>G</u>	( <del>(Over 1,000,000)</del> ) <u>Up to \$1,500,000</u>	<u>7,500</u>
Class <u>H</u>	Up to \$2,000,000	<u>10,000</u>
Class <u>I</u>	Over \$2,000,000	<u>12,000</u>

\* Restricts Class A amusement games to only one location for the original license fee of \$250.

\*\*Provides for the submission of a reduced fee of \$100 when:

- Renewing an annual license;
- Applying for an additional license(s); and/or
- Applying for multiple licenses.

<del>((13:))</del> <b>SIX-MONTH PAYMENT PLAN</b>	The commission may allow an applicant renewing an annual license or an applicant applying for an additional license with a fee of \$800 or above, to pay a license fee in two payments.	<u>\$ 25</u>
<u>12.</u>	<b>SIX-MONTH PAYMENT PLAN PROCEDURE:</b>	

LICENSE TYPEDEFINITIONFEE

The administrative processing fee, plus the first half of the annual license fee must be submitted at the time of application/renewal. The second half payment must be submitted and received in the commission's Olympia headquarters office, prior to the expiration date of the first six-month period: Provided, That participants electing the six-month payment plan will be limited to 50% of the authorized class limitation for annual gross receipts during the first six-month period. Licensees exceeding 50% of the authorized level shall be required to upgrade to the appropriate license class as required by WAC 230-04-260 and pay the full upgrade fee, plus \$25.00.

AMENDATORY SECTION (Amending Order 201, filed 11/27/89, effective 12/28/89)

WAC 230-08-060 (~~(ELECTRONIC CRANE)~~) COMMERCIAL AMUSEMENT GAME RECORDS. Licensees for the operation of (~~(electronic crane)~~) commercial amusement games shall be required to prepare a detailed record for each (~~(machine)~~) game or concession operated. (~~(Licensees who do not own electronic crane games are exempt from all portions of this rule.)~~) This record shall be recorded using a prescribed format provided by the commission((Each record)) and shall include the following:

~~((1) Cash withdrawal record. A separate cash withdrawal record shall be maintained for each game and shall include the following entries for each cash withdrawal:~~

- ~~(a) Date;~~
- ~~(b) Ending "coin-in" meter reading;~~
- ~~(c) Beginning "coin-in" meter reading;~~
- ~~(d) Cost per play;~~
- ~~(e) Expected cash;~~
- ~~(f) Actual cash removed.~~

~~(2) Prize reconciliation record. The prize reconciliation record shall include at a minimum the following information:~~

- ~~(a) The number of prizes in each machine at the beginning of each month;~~
- ~~(b) The average cost of each prize in each machine;~~
- ~~(c) The number of prizes purchased during the period and the average cost of each prize purchased;~~
- ~~(d) A physical count of the number of prizes on hand at the end of the period and the average cost of each prize on hand; and~~
- ~~(e) The total number of prizes awarded and the average cost of each prize awarded.))~~

(1) The gross gambling receipts collected from each separate amusement game supported by proper receipting records. The minimum records shall contain an entry for each withdrawal of receipts from a game. For amusement games with coin-in meters the minimum entry will be the coin-in meter reading at the time of each withdrawal of receipts of a game;

(2) The number and actual cost of merchandise prizes awarded. The minimum records shall contain an entry of the number and actual cost of prizes each time prizes are added to the inventory of a game or concession and when disbursements are made for prizes;

(3) For amusement games that issue tickets for the redemption of prizes the minimum entry shall be a log of the beginning/ending ticket numbers at the end of the month for each game; and

(4) Full details on all expenses including:

(a) All cash disbursements;

(b) The number and actual cost of all prizes purchased;

(c) All other expenses directly related to the conduct of amusement games; and

(d) All disbursements of receipts to locations authorized by WAC 230-04-138.

These records shall be maintained for a period of not less than three years.

AMENDATORY SECTION (Amending Order 201, filed 11/27/89, effective 12/28/89)

WAC 230-08-180 QUARTERLY ACTIVITY REPORTS BY ((ELECTRONIC CRANE)) COMMERCIAL AMUSEMENT GAME OPERATORS.

(License Class C and above) (1) Each licensee for the operation of ((electronic crane)) commercial amusement games class C and above shall submit an activity report to the commission concerning the operation of the licensed activity and other matters set forth below during each of the following periods of the year:

- (a) January 1st through March 31st;
- (b) April 1st through June 30th;
- (c) July 1st through September 30th; and
- (d) October 1st through December 31st.

(2) The report form shall be furnished by the commission and the completed report shall be received in the office of the commission or postmarked no later than ((30)) 60 days following the end of the period for which it is made.

(3) The report shall be signed by the highest ranking executive officer or their designee. If the report is prepared by someone other than the licensee or their employee, then the preparer's name and business telephone number must be provided.

(4) If the licensee does not renew his license, then he shall file a report for the period between the previous report filed and the expiration date of his license.

(5) The report shall be completed in accordance with the related instructions furnished with the report. The report shall include the following:

(a) The total gross gambling receipts;

(b) The total cost to the licensee of all prizes (~~(paid out)~~) awarded;

(c) Full details of all expenses related to the purchase and operation of (~~(electronic crane)~~) amusement games;

(d) Total net gambling income;

~~((c) The number of machines by denomination of price of play at the end of the period;))~~

(6) In addition to the above, (~~(electronic crane)~~) commercial amusement game operators operating (~~(electronic cranes)~~) amusement games at (~~separate premises~~) locations set forth in WAC 230-04-138 shall provide:

(a) The business name and address of each location ;

~~((b) The number of machines by each denomination of price of play at the end of the reporting period;))~~

~~((c))~~ (b) The total gross gambling receipts;

~~((d))~~ (c) The amount of funds distributed to (~~(the separate premise)~~) each licensee.

AMENDATORY SECTION (Amending Order 147, filed 2/22/85)

WAC 230-08-240 ANNUAL ACTIVITY REPORTS BY (~~(SPECIAL LOCATION)) COMMERCIAL AMUSEMENT GAME ((LICENSEES OTHER THAN BONA FIDE CHARITABLE OR NON-PROFIT ORGANIZATIONS:)) OPERATORS CLASS A AND B. Each licensee to conduct commercial amusement games class A and B ((at special locations, other than bona fide charitable or nonprofit organizations;)) shall submit an activity report to the commission concerning the operation of those amusement games and other matters set forth below for each (~~(calendar)) license year.~~~~

The report form shall be furnished by the commission and the completed report shall be received in the office of the commission or postmarked no later than (~~(February 28th of the)) thirty days following ((calendar year)) license expiration date.~~

The report shall be signed by the highest ranking executive officer or his designee. If the report is prepared by someone other than the licensee or his employee then the preparer shall also sign the report. The report shall be completed in accordance with the related instructions furnished with the report. The report shall include(; among other items;)) the following:

(1) The total gross gambling receipts from amusement games (~~(by location)~~);

(2) The total (~~(cash prizes actually paid out and the total of the)) cost to the licensee of all merchandise~~

prizes actually (~~(paid out)) awarded~~ for amusement games (~~(by location)~~);

(3) The net gambling receipts from amusement games;

(4) Full details on all expenses directly related to conducting such amusement games;

(5) The net gambling income from amusement games; and

(6) The gross receipts from the rental or leasing of space for any licensed gambling activity.

AMENDATORY SECTION (Amending Order 58, filed 8/17/76)

WAC 230-12-220 AGREEMENT REQUIRING PAYMENT BY LICENSEE BASED UPON PERCENTAGE OF RECEIPTS FROM AUTHORIZED ACTIVITY—PROHIBITED. No bona fide charitable or nonprofit organization or any other person, association or organization shall conduct any activity authorized under chapter 9.46 RCW (~~(9-46-030)~~), or any amendments thereto, upon any premises if the lease, license, contract, or any other arrangement under which the right to use the premises for the conduct of the activity is obtained requires an unreasonable rental or other payment to another, or such rental or other payment is to be paid by the licensee wholly or partly, on the basis of a percentage of the receipts or profits derived from such gambling activity. PROVIDED, That amusement games conducted as a part of, and upon the site of, a regional shopping center are exempted from the percentage of receipts or profits restriction of this section and RCW 9.46.120(2).

AMENDATORY SECTION (Amending Order 201, filed 11/27/89, effective 12/28/89)

WAC 230-20-605 TYPES OF AMUSEMENT GAMES AUTHORIZED. The commission hereby authorizes the following amusement games whether coin operated or not, to be operated by persons possessing a (~~(special location)) commercial amusement games license, or bona fide charitable or nonprofit organizations possessing a license issued by the gambling commission or when conducted as authorized by RCW 9.46.0321 at an authorized location. ((For clarification, games will be classified as either "nondispensing" (operator awards prize or redeems tickets or tokens for prize) or "self-dispensing" (game awards merchandise prize:))~~

~~((1) Nondispensing amusement games:))~~

~~((a))~~ (1) Fish pond (duck pond). The player "catches" a fish or other object floating in a pond of water by using a pole, hand, net or string. All fish or objects are marked on the bottom indicating the size of prize the player wins. The player is awarded a prize every time and the player must be allowed to continue playing until a prize is won. When played at school carnivals, the game may be played without the pond of water and the operator of the game may assist the player by attaching a prize to the pole, hand, net or string.

~~((b))~~ (2) Hoop or ring toss. The player must toss a hoop(s) or ring(s) over a target which may consist of

bottles, pegs, blocks, or prizes. The operator must specifically advise the player as to the degree that the hoop(s) or ring(s) must go over the target. All hoops of the same color used at an individual stand must be the same size. All targets used at an individual booth must be the same size or the operator must advise the player by posting signs or using color codes denoting the different sizes.

((☞)) (3) Dart games. The target area for all dart games must be of a material capable of being penetrated and retaining a metal tip dart. The target area will be in the rear of the stand and will be at least three feet but not more than fifteen feet from the foul line. Target must be stationary at all times.

((☛)) (a) Balloon (poparoo) (balloon smash). The targets are inflated balloons. The player throws one or more darts to burst a predetermined number of balloons. If the predetermined number of balloons are burst by the dart(s), the player receives the prize indicated.

((☛)) (b) Dart throw. The targets are various sizes and shapes located on the target area. The player must throw dart(s) individually at the target. The player must hit and the dart must stick in a predetermined target to win the prize as designated.

((☛)) (c) Tic tac toe dart. The target is a tic tac toe board located in the target area. The player throws darts at the target and wins a designated prize when the thrown darts line up in a row in the target. The darts may line up vertically, horizontally or diagonally to win.

((☛)) (d) Add um up darts. The target consists of numbered squares located in the target area. Prizes are awarded based on the total score obtained by the player by throwing and sticking the darts in the numbered squares. All darts stuck on lines will receive a rethrow. The player has the right to add up the score of the darts thrown.

((☛)) (4) Ball tosses. In all ball toss games, the balls used at a specific stand must be of the same weight and size. Targets must be of the same weight and size or the operator must color code the targets and advise the player of the difference in targets by posting a sign or providing a duplicate of the target showing the limitations or restrictions readily visible to the player.

((☛)) (a) Milk bottle toss. The player tosses or throws ball(s) at simulated milk bottles. The player wins by either tipping over or knocking bottles off the raised platform as designated by the operator. The bottles may be constructed of wood, metal or plastic or a combination of the above three. Operators may vary the number of bottles and balls used in each game. No floating or loose weights in bottles shall be allowed. The weight of individual bottles shall not exceed seven and one-half pounds.

((☛)) (b) Milk can (Mexican hat, cone). The player tosses a ball(s) into the opening of a milk can or a fiber glassed Mexican hat turned upside down or through a cone to win.

((☛)) (c) Football toss (tire toss). The player tosses or throws a football(s) through a stationary tire or hoop to win.

((☛)) (d) Basketball toss/throw. The player tosses or throws a basketball(s) through a basketball type hoop to win.

((☛)) (e) Bushel baskets. The player tosses a ball(s) into a bushel type basket mounted on a stationary backdrop at a fixed angle. The ball(s) must stay in the basket to win. All rim shots will be allowed except the operator may designate the top 6 inches of the basket rim by color and disallow ball(s) striking this area as winning tosses.

((☛)) (f) Cat-ball-toss (star/diamond toss). The player tosses a ball(s) into a simulated cat's mouth or a round, diamond or star shaped hole to win.

((☛)) (g) Ping pong toss. The player tosses ping pong balls into dishes, saucers, cups or ashtrays floating in water. A predetermined number of balls must remain in the dishes, saucers, cups or ashtrays for the player to win. The dishes, saucers, cups or ashtrays must have water covering the bottom of the surface which is facing up.

((☛)) (h) Fish bowl game. The player tosses ping pong balls into a water-filled fish bowl to win.

((☛)) (i) Volley ball toss (soccer ball). The player tosses a volley or soccer ball(s) into a keg type container mounted on a stationary backdrop at a fixed angle. The ball(s) must stay in the keg to win a prize. Rim shots are authorized as stated in paragraph (e) above for bushel baskets.

((☛)) (j) Goblet ball (whiffle ball). The player tosses a whiffle ball(s) into a target area of glass or plastic goblets. Located in the colored goblets which determine the type of prize the player wins. At least 33 percent of the goblets in the target area must be winners. The ball(s) must stay in the goblet to win a prize.

((☛)) (k) Break the plate/bottle. The player tosses or throws a ball(s) at a plate, phonograph record or bottle. The type of prize won is determined by the number of targets broken by the player.

((☛)) (l) Punk rack. The targets for this game are rows of dolls or cats on a ledge at the rear of the stand. The dolls or cats must be filled with sawdust, styrofoam, cotton or other like material which provides a firm base for the ball to strike. The hair protruding from the side of the dolls or cats shall not exceed three inches. The prize is determined by how many dolls or cats the player knocks over or off the ledge as posted by the operator.

((☛)) (m) Teeth game. The target consists of a large face with wooden teeth. The prize is determined by how many teeth the player knocks down by throwing a ball(s).

((☛)) (n) Toilet game (doniker). The player tosses or throws a ball or other object through a toilet seat, which is located at the rear of the stand, to win.

((☛)) (o) (Coke roll). The player rolls a ball(s) down an alley with the object of knocking over two coke bottles standing at the end of the alley. The player must tip over both bottles to win. Bottles shall be placed on predetermined spots painted on the surface of the alley.

((☛)) (p) Rolldown. The player rolls ball(s) down an alley with the object of putting the ball(s) in numbered slots at the end of the alley. The scores represented by the balls in each numbered slot are added up at

the conclusion of the game. Scores above or below a predetermined score win. The alley surface shall at all times be smooth and free from defects.

((~~(xvii)~~)) (q) Fascination (I got it). A group game which involves competition among the players. The target area consists of twenty-five holes and the player tosses or rolls a ball into one of the holes. The object of the game is to get five balls in a row either vertically, horizontally or diagonally. The first player to accomplish this is the winner. Prize size is determined by the number of players participating in each game.

((~~(xviii)~~)) (r) Pokereno. The target area consists of twenty-five squares with each square given the value of a poker card. The player rolls or tosses five balls to land in the squares. The operator has predetermined winning poker hands and the player wins when balls land in the squares that duplicate the operators selection.

((~~(xiv)~~)) (s) Batter-up. The player uses a whiffle ball bat to swing and strike whiffle balls which are pitched at medium speed from a pitching machine. The player wins when he "hits" a ball into the "home run" shelf. The "home run" shelf is located at the back of the batting cage approximately fifteen feet from the player.

((~~(xxi)~~)) (t) Sky bowling. Two bowling pins are set on predetermined painted spots on a shelf. A ball is attached to a chain suspended from a stationary support at least 6 inches to the right or left of the bowling pins. The object is to swing the ball, miss the pins with the ball as it goes forward and knock the pins over as the ball returns.

((~~(xxii)~~)) (u) Clown rolldown. A ball is tossed through the open mouth of a moving clown or animal head. The ball then rolls down a chute to numbered slots to the rear of the clown or animal head. The scores represented by the balls in each numbered slot are added up at the conclusion of the game. Prizes are awarded on the points achieved.

((~~(xxiii)~~)) (v) Skee ball. The player rolls a ball(s) up the mechanical bowling alley into targets. A computer adds up the scores and predetermined scores win.

((~~(xxiv)~~)) (w) Speedball radar game. Player gets four balls. Player throws three balls through radar to establish speeds and to estimate at what speed fourth ball will pass through radar. Player wins prize if he accurately estimates speed of the fourth ball. Radar must be mounted and stationary.

((~~(e)~~)) (5) Shooting games. These games are conducted by the player using a weapon of some type to shoot at a target in the rear of the stand. The safety requirement of the local city or county ordinances must be observed by the operator and player. The target may be stationary or mobile.

((~~(f)~~)) (a) Short range (shooting gallery) includes where the player is given four rounds to shoot at a spot target 1/4 inches or less in diameter. The player wins when the spot target is completely shot out, or the player is given five rounds to shoot one round each at five triangular, round or square targets, 1/2 square inch. The prize is determined by the number of targets struck by the player, or the player is given five rounds to shoot one round each at five triangular, round or square targets, 1/2 square inch. Within each target is a bull's eye and

the player must hit the bull's eye without touching outer surface of the target. The prize won is determined by the number of bull's eyes correctly hit.

((~~(fii)~~)) (b) Shoot-out-the-star (machine gun). The player, using an automatic air pellet gun, is given 100 pellets to shoot at a star shaped target. The player must shoot out all of the target to win. The star cannot be more than one and one quarter inch from point to point.

((~~(fiiv)~~)) (c) Water racer. This group game involves competition with the player winning a prize based on the number of players competing. The player, using a water pistol, shoots the water into a target. The water striking the target causes a balloon to inflate or advances an object to ring a bell. The player bursting the balloon or ringing the bell first is the winner.

((~~(fir)~~)) (d) Rapid fire. This group game involves competition among players similar to the water racer described in (c) above. The player uses an electronic pistol to shoot at a target. Hits on the target give the player a score and the first player to reach a predetermined score is the winner.

((~~(fv)~~)) (e) Cork gallery. The player uses a cork gun or similar device to propel objects which could include, but are not limited to, corks, suction cup darts, or styrofoam balls, to shoot at targets located on a shelf or bull's-eye type target. The player must hit the bull's-eye or knock the target over or off the shelf to win a prize. The prize is determined by the target knocked over or off the shelf or by the number of targets knocked over or off the shelf, or by the player accomplishing other tasks as stated in the posted rules. When suction cup darts or other darts are used and fail to stay on or in the target, the player will receive the play over. The base of each target shall be uniform front and rear.

((~~(fv)~~)) (f) Boomball. The player uses a cannon with compressed air to propel balls into a target area. The targets have varied point value and if the ball remains in the target, a computer adds up the scores. Prizes are awarded based on the points achieved.

((~~(f)~~)) (6) Coin pitchers.

((~~(fi)~~)) (a) Spot pitch (lucky strike). The player pitches a coin at colored spots located on a table in the center of the stand. The coin must touch or stay inside of a spot to win a prize.

((~~(fi)~~)) (b) Plate pitch. The player pitches a coin onto a glass plate to win a prize as designated.

((~~(fi)~~)) (c) Glass pitch (bowl). The player pitches a coin into or onto dishes, glasses, etc. If the coin remains in one of the top "target" glass items then the player wins that item.

((~~(g)~~)) (7) Miscellaneous games.

((~~(fi)~~)) (a) Skill chute (bulldozer) (penny fall). The player inserts a coin or token into a chute aiming the coin or token so that it will fall in front of a continuous sweeper, (bulldozer). If the coin or token is aimed correctly, the sweeper (bulldozer) will push additional tokens or prizes into a hole or chute which sends them to the player. Tokens are exchanged for prizes. If there is a hidden ledge, tip or similar obstruction which inhibits the passage of tokens or prizes into the hole or chute which sends them to the player, then the operator must post a sign to advise the players.



((fii)) (b) Tip-em-up bottle. The player is provided with a pole and a string which has a hoop or ring attached at the end. The player, using the pole with ring, must raise a bottle lying on its side to an upright position to win.

((fiit)) (c) Hi-striker. The player, using a wooden maul, must strike a lever target which causes a metal weight to rise on a guide line or track and ring a bell. The player must ring the bell a predetermined number of times to win a prize.

((fiiv)) (d) Rope ladder. Player must climb up a rope ladder, which is anchored at both ends by a swivel and ring a bell or buzzer to win a prize.

((fiiv)) (e) Whac-a-mole. A group game which has a target surface with 5 holes - animated "moles" pop up and down at random. Whac (hit) as many moles as possible with a mallet. First player to hit a predetermined number of moles wins.

((fiiv)) (f) Dip bowling game. Player rolls a bowling type ball over hump in track. If ball stays on the back side of hump, the player wins.

((fiiv)) (g) Horse race derby. A group game. Players advance their horse by shooting or rolling a ball in target area. The faster and more skillful one shoots or rolls his ball, the faster his horse will run. First horse to finish line wins.

((fiiv)) (h) Shuffleboard. Player pushes a puck(s) down a shuffleboard alley to knock over poly pins at end of alley. Player wins by knocking down all the pins.

((fiix)) (i) Bean bag. The player tosses or throws a bean bag or a simulated bean bag at cans, bottles or other objects on a raised platform. The player wins a prize when he either knocks the object(s) off the raised platform or tips the targets over.

((fiix)) (j) Soccer kick. The player kicks a soccer ball(s) through a hole(s) in the target area to win.

((fiix)) (k) Frog game. Plastic frog or similar object sits on a small end of teeter totter. The opposite end of the teeter totter is struck with a mallet causing the frog to fly off the teeter totter. If the frog lands in a pail or similar receptacle, the player wins a prize.

((fiix)) (l) Cover the spot. The object of the game is for player to drop 5 circular discs onto a circular spot, completely covering the spot. The diameter of each of the discs utilized to cover the spot will be a minimum of 64% of the diameter of the spot to be covered. The spot to be covered shall be painted or drawn on a permanent, solid material such as metal or wood, or may be a round opened lighted circle. The spot and each disc shall have a uniform diameter.

((fiix)) (m) Pocket billiards. Using a regulation pocket billiard table, a player must run a consecutive number of balls to win a prize. The number of balls shall be set by the operator.

((2) ~~Self-dispensing amusement games. All self-dispensing amusement games must have nonresettable coin in meters. The following games are authorized;~~)

((a)) (n) Digger. The player turns a crank on a mechanical crane to pick up a prize. If the player picks up a prize then the player wins that prize. There can be no stops on the digger or, if there are stops, all prizes must

be the same. All prizes must be capable of being picked up by the crane.

((fb)) (o) Electronic crane games. The player uses a joystick and/or push buttons to maneuver the crane into a position to retrieve a prize. All games must meet the following conditions:

(i) At least twenty seconds playing time per operation thereof;

(ii) The crane must be capable of reaching, picking up and dispensing all prizes within the machine.

(iii) The crane cabinet must be level so that when the crane's head descends, it makes a vertical descent to the bottom of its travel, this being perpendicular to the bottom of the prize access area and parallel to the cabinet sides.

(iv) The controls for the crane must be clearly labelled as to function and signs posted giving instructions on crane play to the player. ((as follows:

(a) Time of play;

(b) Functional limitations of machine;

(c) Weight limit of prizes in machine;

(d) Weight limit of machine;

(e) Dimensional limit of machine;

(f) Dimensional limits on prizes;

(g) Dimensional limits on claw; and

(h) Cost per play.

(v) ~~The device may not contain any controls, devices, switches or adjustments which allow the changing of any play characteristics or modes by the operator, but may have service adjustments within the device which allow maintenance of operation within the tolerances for the device as set by the manufacturer and as approved by the commission. All adjustable parameters associated with game play must be wire strapped and that portion of the circuit board marked with a colored, urethane seal coating.~~

(vi) ~~All EPROMS and circuit boards must be sealed in place and have identifying codes on them which readily identify their source and Washington use certification. All such circuit boards and EPROMS must be contained within the separate sealed compartment accessible only to service and commission personnel as set forth in (v) above.~~

(vii) ~~The device must be certified as capable of picking up four ounces, but may be certified as picking up greater weights.~~

(viii) ~~The claw must close completely or have no more than a 1/4" gap between prongs when closing is completed.~~

(ix) ~~The device must have a hard wired non-resettable coin in meter, the removal or disconnecting of which stops the play of the machine. The meter must be certified as accurate to within plus or minus 1 coin in 1,000 plays.)~~

((x)) (v) The device must have a coin acceptor capable of taking money for one play and may have an additional acceptor to include paper money not to exceed the cost of five plays.

((xi) ~~It must be demonstrated that voltage to the claw provides sufficient power to clamp and hold the certified weight and is maintained at a line voltage of~~

~~115 VAC plus or minus 10 volts AC during all plays, continuous or repeated.~~

~~(xii) The power cord to the solenoid must not significantly effect a player's skill factor by causing the claw mechanism to descend into the prize area in a nonperpendicular manner.~~

~~(xiii) The claw assembly must be a sealed unit without adjustments.~~

~~(xiv) The game must provide a locked coin/currency container within the device to collect the monies received from plays.)~~

~~((xv)) (vi) Prizes must be loose and shall not be packed, arranged or lodged in the machine in any way which would prevent the prize from being picked up by the claw.~~

~~((3)) Any additional games, or a modification of the games authorized above, must be submitted to the commission staff in writing PRIOR to using the new or modified game in the state. The written request shall include proposed rules of play, game specifications and pictures of the game or modification. A demonstration of the game must be provided to the staff, upon request, in ((Olympia)) Lacey or at such place as designated by the commission staff. ((Manufacturers of electronic crane games must submit a crane of each variety, model, brand or type which they will sell or use in Washington state for review, analysis and approval prior to selling or using said cranes in Washington state.)) A fee will be assessed by the commission to offset the cost of review and analysis as required. ((Said review shall include submission of copies of all schematics, programs and program chips for the device in a form as provided by the commission, additionally, once approved, one device from each licensed manufacturer shall be selected by the commission staff at random from in play devices for review and analysis every other year as if it were a new device being submitted for approval, the cost of which shall be assessed against the manufacturer by the commission. Excess fees submitted shall be returned at the completion of the review and analysis.))~~

After review, the director may temporarily authorize the use of a new or modified game, in writing, subject to final approval by 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 201, filed 11/27/89, effective 12/28/89)

WAC 230-20-630 AMUSEMENT GAMES—FEES, RULES, PRIZES AND VARIATIONS IN OBJECTS TO BE POSTED—FEES TO BE PAID IN CASH OR SCRIPT—PRIZES NOT TO DIFFER FROM THOSE POSTED. (1) No person shall conduct any amusement game at any location within the state of Washington unless there is posted in a conspicuous place, readily visible to persons playing the game, a sign(s) made of permanent material, such as wood, poster board, metal or plastic with lettering at least one and one-half inches in height that contains the following information:

- (a) Fees charged for playing;
- (b) The rules by which the game is to be played;
- (c) Prizes to be won;
- (d) Any variation in the size or weight of objects utilized in the game which is not readily visible to the player; and
- (e) The name of the operator and an assigned concession number.

(2) Licensed amusement game operators shall assign each concession a number and a list of all concessions and their assigned numbers shall be kept available in the show office.

(3) No amusement games shall be conducted wherein the price charged for playing said game is paid other than in cash, or in an amount other than that posted upon the premises of said game. The term "cash" as used herein shall include checks. In addition, the operator may accept as consideration, tokens, script or tickets, but only under the following conditions:

(a) The value of each token, ticket or item of script, as measured by the equivalent amount of cash which a player would have to present in lieu of said token, ticket or script, must be indicated on the face thereof;

(b) Said tokens, tickets or script are not redeemable for cash;

(c) Said tickets or script shall bear the name of the operator or sponsor.

(4) No amusement games shall be conducted within the state of Washington wherein the prize to be given to a prospective winner is other than that posted upon the premises of said game: Provided, however, That after an individual player has won two or more prizes, an operator may offer said player the opportunity to exchange said prizes for one or more other prizes, but only if the prize to be received by the player in exchange was on display during the play of the game. Any prize system which requires forfeiture of previously won prize(s) in exchange for another play is prohibited. Operators of amusement games may utilize a scheme for distribution of prizes wherein the winners of individual prizes receive tickets, which are subsequently redeemable in combination with other tickets won for a merchandise prize. ((Provided further that no prize offered in an electronic crane game shall exceed a cost of \$20.00 and the step up prizes shall not exceed a cost of \$100.00 to the electronic crane operator. In locations which allow children under the age of eighteen to play, no step up prizes shall be allowed for electronic crane games.))

#### AMENDATORY SECTION (Amending Order 201, filed 11/27/89, effective 12/28/89)

WAC 230-20-670 ((ELECTRONIC CRANE)) COMMERCIAL AMUSEMENT GAMES—((APPROVED LOCATIONS)) OPERATING REQUIREMENTS. ((1) Persons other than bona fide charitable or bona fide nonprofit organizations may operate electronic crane amusement games at the following locations if licensed by the commission:

- (a) Those locations that possess a valid license from the Washington state liquor board and prohibit minors on their premises; and

~~(b) Those locations that are frequented by children under the age of eighteen to participate in activities other than the playing of amusement devices, limited to movie theaters, bowling alleys, and miniature golf course facilities, and~~

~~(c) Those locations that operate adult-supervised family amusement centers located in enclosed shopping malls which prohibit children under the age of eighteen from playing licensed, self-dispensing amusement games during school hours, maintain full-time personnel whose responsibilities include maintaining security and daily machine maintenance, and which close at the same time as surrounding businesses within the enclosed shopping mall:~~

~~(2) Each location where electronic cranes are operated, other than a single premises, operated and under the control of the holder of an electronic crane operator's license, shall be required to obtain an "electronic crane separate premises" license. It shall be the responsibility of the electronic crane operator to ensure that each premises is licensed with the commission prior to operating electronic cranes at that location:~~

~~(3) A person licensed as an electronic crane operator may enter into a contract with separate premise licensees to operate electronic cranes on their premises. The contract must be written and specific in terms, setting out the time of the contract, amount of rent or consideration, rent due dates, and all expenses to be borne by each party: PROVIDED, That the amount of rent/consideration may be based on a percentage of revenue generated by the activity if the method of distribution is specific. All contracts regarding the operation of electronic cranes shall be submitted to the commission and become a part of the license file. Violations of the terms of the contract by an electronic crane operator shall be grounds for suspension or revocation of their license:~~

~~(4) The maximum fee to play shall be up to \$1.00 per game at the locations specified in (1)(a) above, and up to 25 cents at the locations specified in (1)(b) and (c) above:))~~

~~(1) Each location where commercial amusement games are operated shall be required to obtain a commercial amusement game license.~~

~~(2) A person licensed as a commercial amusement game operator may enter into a contract with licensees to operate amusement games on their premises. The contract must be written and specific in terms, setting out the time of the contract, revenue sharing plan and all expenses to be borne by each party: PROVIDED, That the revenue sharing plan may be based on a percentage of revenue generated by the activity if the method of distribution is specific. All contracts regarding the operation of amusement games shall be submitted to the commission and become part of the licensee file.~~

~~(3) It shall be the responsibility of the commercial amusement game operator providing the games to ensure that each premises is licensed with the commission prior to operating at that location.~~

**WSR 91-20-001**  
**PROPOSED RULES**  
**ECONOMIC DEVELOPMENT**  
**FINANCE AUTHORITY**

[Filed September 19, 1991, 11:26 a.m.]

Original Notice.

Title of Rule: Policies, operations and procedures.

Purpose: Establishment of officers of the board of the authority, operation of meetings, voting requirements at meetings, authority for official actions of the board, public participation in meetings, and recordkeeping.

Statutory Authority for Adoption: RCW 43.163.100(18).

Statute Being Implemented: Chapter 43.163 RCW.

Summary: Offices of chair, vice-chair and secretary are established. The state treasurer, as ex officio board member, is secretary. Meetings of the authority are open to the public. Executive sessions are permitted. A majority of quorum is required for actions of the board. Resolutions for bond issues also require signature of the chair and the secretary. Public participation is allowed.

Reasons Supporting Proposal: A bond resolution has been brought before the board. Rules are necessary to adopt such a resolution. The bonds are required to fund a program of the board.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Dr. Jerry Viscione, Board Member, Seattle University, (206) 296-5700.

Name of Proponent: Washington Economic Development Finance Authority, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: The authority has filed the rules under emergency procedures and will make them permanent under this filing.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rules establish three officers of the authority: Chair, vice-chair and secretary. The secretary is the state treasurer, an ex officio member of the board. The rules provide for regular meetings open to the public and establish notice requirements consistent with statutes. The rules allow for executive sessions for certain matters, also consistent with applicable statutes. The rules allow the chair to recognize public members of the audience at a meeting to speak. The rules also establish quorum and majority rule standards and require the signature of the chair and the secretary for approval of bond issues and creation of special funds.

Proposal does not change existing rules. It would make permanent the identical rules previously approved and filed under emergency procedures.

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

Hearing Location: Greater Seattle Chamber of Commerce, Boardroom, First Floor, One Union Square, Sixth and University, Seattle, on December 6, 1991, at 10:00 a.m.

Submit Written Comments to: Dr. Jerry Viscione, Dean Albers School of Business, Seattle University,

Broadway and Madison, Seattle, Washington 98122, by  
November 29, 1991.

Date of Intended Adoption: December 6, 1991.

September 16, 1991

Jerry A. Viscione  
Board Member

CHAPTER 178-01 WAC  
POLICIES

NEW SECTION

WAC 178-01-010 OPERATIONS AND PROCEDURES. (1) Uniform procedure rules: Practice and procedure in and before the authority are governed by the uniform procedural rules codified in the Washington Administrative Code, WAC 1-08-005 through 1-08-590, as now or hereafter amended, which rules the authority adopts as its own, subject to any additional rules the authority may add from time to time. The authority reserves the right to make whatever determination is fair and equitable should any question not covered by its rules come before the authority, said determination to be in accordance with the spirit and intent of the law.

(2) Officers: The authority shall have the following officers each of whom are members of the board:

(a) Chair, who shall be designated by the governor,  
(b) Vice chair, who shall be elected by a majority of a quorum of the authority,

(c) Secretary, who shall be the treasurer of the state of Washington, an ex-officio member of the board.

(3) Authority meetings: The meetings of the authority shall be "regular meetings" as these designations are defined in chapter 42.30 RCW. They may be called at any time and place by the chair or a majority of the members of the authority. At least 24 hours notice of all special meetings shall be given by delivering personally or by mail to each member a written notice specifying the time and place of the meeting and a copy of the agenda prepared by the executive director in consultation with the chairman, and by giving such notice to the public as may be required by law. An executive session may be called by the chairman or by a majority of all members of the authority to consider the appointment, employment or dismissal of an officer or employee, and such other matters as are permitted by RCW 42.30.110.

(4) Quorum: Ten members shall constitute a quorum, and the act of a majority of the members present at any meeting, if there is a quorum, shall be deemed the act of the authority except as specified hereafter.

(5) Chair's voting rights: The chair shall have the right to vote on all matters before the authority, just as any other authority member.

(6) Minutes of meetings: Minutes shall be kept of the proceedings of the authority.

(7) Rules of order: The authority shall generally follow Robert's Rules of Order, newly revised, in conducting its business meetings.

(8) Form of authority action: The authority shall act on the basis of a resolution when authorizing issuance of bonds pursuant to RCW 43.163.130 and when otherwise taking official and formal action with respect to the creation of special funds and the issuance and sale of bonds for providing financing for an applicant. Such resolutions shall be adopted upon the affirmative vote of a majority of a quorum of the members of the authority and shall be signed by the secretary. In all other instances the authority may act on the basis of a motion. Motions shall be adopted upon the affirmative vote of a majority of a quorum of members present at any meeting.

(9) Public participation in the meetings of the authority shall be allowed at the discretion of the chair who may recognize anyone in the audience who indicates a desire to speak at such meeting, provided that remarks by any individual person shall be limited to an amount of time granted by the chair.

WSR 91-20-002  
PERMANENT RULES  
DEPARTMENT OF LICENSING  
[Filed September 19, 1991, 1:14 p.m.]

Date of Adoption: September 6, 1991.

Purpose: To provide clarification and standard procedures for shorthand reporters examination application, examination appeal process, transcript preparation and to set professional standard for court reporters.

Citation of Existing Rules Affected by this Order: Amending WAC 308-14-085, 308-14-090, and 308-14-130; and new sections WAC 308-14-120 and 308-14-135.

Statutory Authority for Adoption: RCW 18.145.050 and 43.24.020.

Pursuant to notice filed as WSR 91-15-065 on July 19, 1991.

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

September 12, 1991

Simon Tee

Professional Licensing Manager

AMENDATORY SECTION (Amending WSR 90-20-008, filed 9/20/90, effective 10/21/90)

WAC 308-14-085 EXAMINATION. (1) The examination for "court reporter," "shorthand reporter," "certified court reporter," or "certified shorthand reporter" shall be ((the Washington state statutory examination beginning with the April 1990 examination)) an examination developed, administered, and graded by the department with the advice of the board or any examination prepared by a recognized person (institution, organization, corporation) approved by the department that meets the requirements stated in this regulation.

(2) Recognition of ((the Washington state statutory)) an examination as the Washington certification examination is conditioned upon the examination meeting the following requirements:

(a) Be a timed tape with content, speed, and quality approved by the department with the advice of the board, prior to use;

(b) The examination requires the applicant be able to report and transcribe at least two hundred words per minute of two-voice testimony for five consecutive minutes;

(c) At least ninety-five percent accuracy is needed to pass the examination;

((~~(c)~~)) (d) Be offered at least twice a year;

((~~(d)~~)) (e) The pass/fail scores of the state certification applicants are provided to the department within ((two)) four weeks of the date of the examination to include a complete list of all the applicants;

((~~(e)~~ Supply)) (f) Examinations statistics are supplied following each examination((:)); The number scheduled, passed, failed, and failed to appear; ((and

(f)) (g) The ((examination)) procedures for security and confidentiality of the examination and applicants must meet the requirements of the department of licensing ((are met)); and

(h) The department will be supplied with the examination tape and all the individual examination papers with grading marks and comments on them for review. The department reserves the final authority for examination results. The department may retain the examination papers for thirty days after final determination regarding scores to allow appeals and review of papers. Sixty days after the examination results are released all

examination papers will be destroyed, except those under appeal, which will be held until final disposition.

(3) The Washington state statutory examinations which were held April 1990, October 1990, and April 1991, are recognized as the qualifying examinations for state certification as a shorthand or court reporter.

(4) State applicants who have previously passed the Washington state department of licensing recognized examination within three years ((prior to)) of application may be issued certification without additional examination if certified documentation of the passed examination is provided.

(5) Applicants who have failed the examination may apply by submission of a re-examination application and the required fee.

AMENDATORY SECTION (Amending WSR 90-10-009, filed 4/20/90, effective 5/21/90)

WAC 308-14-090 APPLICATION. (1) Applications for temporary and permanent certification must be complete in every detail and submitted with the required fee. The applications for examination must be received at least eight weeks prior to the examination. Complete applications will contain the following information:

- (a) Name and address
- (b) Business name and address
- (c) Birth place and date
- (d) Social Security number
- (e) Educational background
- (f) Previous work experience in court reporting
- (g) List of references (references must have personal knowledge that the applicant has at least two years of court reporting experience)
- (h) Professional licensure/certification, including any action taken against the license or certificate
- (i) Personal affidavit
- (j) Copies of school transcripts and/or graduation certificate (if required).

(2) An applicant holding a temporary certificate must submit a complete updated application and fee for permanent certification. The application must be received at least eight weeks prior to the examination date.

#### NEW SECTION

WAC 308-14-120 EXAMINATION APPEAL PROCEDURES. (1) Any candidate who takes the state examination for licensure and does not pass the examination may request to review their papers.

(a) The department will not modify examination results unless the candidate presents clear and convincing evidence of error in the grading of the examination.

(b) The department will not consider any challenges to examination grading unless the total of the potentially revised score would result in issuance of certification.

(2) The procedure for requesting an informal review of examination results is as follows:

(a) The request must be in writing and must be received by the department within thirty days of the date on the letter of notification of examination results sent to the candidate.

(b) The following procedures apply to an appeal of the results of the examination.

(i) In addition to the written request required in (a) of this subsection, the candidate must appear personally in the department office in Olympia to review the examination. The candidate must contact the department to make an appointment for the exam review session with department staff.

(ii) Within fifteen days of the review the candidate, in writing, must specifically identify the challenged portions on the examination and must state the specific reason(s) why the candidate believes the results should be modified.

(iii) The candidate will be allowed one hour to review the examination.

(c) The department will review the examination and justification submitted by the candidate. The candidate will be notified in writing of the department's decision.

(d) Any candidate who is not satisfied with the results of the informal examination review may, within twenty days of the date on the notice of the department's informal review notification, request a formal hearing to challenge the examination results.

(3) The procedures for requesting a formal hearing are as follows:

(a) The candidate must complete the informal review process before requesting a formal hearing.

(b) The request for a formal hearing must be received by the department within twenty days of the date on the notice of the results of the department's informal review.

(c) The written request must specifically identify the challenged portion(s) of the examination and must state the specific reason(s) why the candidate believes the examination results should be modified.

(d) Candidates will receive at least twenty days notice of the time and place of the formal hearing.

(e) The hearing will be restricted to the specific portion(s) of the examination the candidate has identified in the request for formal hearing.

(f) The formal hearing will be conducted pursuant to the Administrative Procedure Act, chapter 34.05 RCW.

(g) The candidate will be notified in writing of the director's final decision.

AMENDATORY SECTION (Amending WSR 90-20-008, filed 9/20/90, effective 10/21/90)

WAC 308-14-130 STANDARDS OF PROFESSIONAL PRACTICE. All certified shorthand reporters (CSR) shall comply with the following professional standards except where differing standards are established by court or agency. Failure to comply with the following standards is deemed unprofessional conduct. Certified shorthand reporters shall:

(1) Include on all transcripts, business cards, and advertisements their CSR reference number.

(2) Prepare transcripts in accordance with the transcript preparation guidelines established by WAC 308-14-135 or court.

(3) Preserve and file their shorthand notes in a manner retrievable. Transcribed notes shall be retained for no less than three years. Untranscribed notes shall be

retained for no less than ten years or as required by statute, whichever is longer.

- (4) Meet promised delivery dates.
- (5) Prepare accurate transcripts.
- (6) Disclose conflicts, potential conflicts, or appearance of conflicts to all involved parties.
- (7) Be truthful and accurate in advertising qualifications and/or services provided.
- (8) Preserve confidentiality of information in their possession and take all steps necessary to insure its security and privacy.
- (9) Notify all involved parties when transcripts are ordered.
- (10) Notify all involved parties, when a transcript is ordered by a person not involved in the case, before a copy of the transcript is furnished. If any party objects, the transcript is not provided without a court order.

(11) ~~((Give witness/deponent fifteen days to read, correct and sign, before a notary, a correction sheet unless waived by witness or attorney representing the witness.~~

(12)) Supply certified copies of transcripts to any involved party, upon appropriate request.

#### NEW SECTION

WAC 308-14-135 TRANSCRIPT PREPARATION FORMAT. The following transcript format will be followed by all certified shorthand reporters (CSR's), except where format are recommended or established by court or agency.

- (1) No fewer than twenty-five typed lines on a standard 8 1/2 x 11 inch paper.
- (2) No fewer than ten characters to the typed inch.
- (3) No fewer than sixty characters per standard line.

#### WSR 91-20-003

##### EMERGENCY RULES

##### DEPARTMENT OF FISHERIES

[Order 91-95—Filed September 19, 1991, 1:16 p.m., effective September 20, 1991, 12:01 a.m.]

Date of Adoption: September 18, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-47-709.

Statutory Authority for Adoption: RCW 75.08.080.

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: Restrictions in Areas 6, 6A, 7, and 7A provide protection for United States and Canadian origin chinook and coho stocks. The opening in

Area 7B is directed at the nontreaty share of Nooksack-Samish origin coho salmon; the Area 7B gillnet mesh and in-season area restrictions are necessary to reduce chinook impacts. The openings in Areas 9A and 12A provide opportunity to harvest nontreaty share of coho destined for the Quilcene National Fish Hatchery. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

Effective Date of Rule: 12:01 a.m., September 20, 1991.

September 18, 1991  
Helen Small  
for Joseph R. Blum  
Director

#### NEW SECTION

WAC 220-47-710 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:01 AM Friday September 20, 1991, until further notice, it is unlawful to take, fish for, or possess salmon or Atlantic salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods and mesh and area restrictions:

\*Areas 6, 6A, 7, and 7A - Under the control of the Pacific Salmon Commission. Drift gillnet gear restricted to 5-inch minimum, 6-inch maximum mesh when open. Reef net gear must release all coho alive when open.

\*Area 7B - Gillnets using 5-inch minimum, 6-inch maximum mesh may fish from 5:00 PM Sunday September 15 to 4:00 PM Friday September 20, and purse seines may fish from 5:00 AM Monday September 16 to 4:00 PM Friday September 20. In addition to the exclusion zones described in WAC 220-47-307, Area 7B is closed south of a line projected from Governors Point to most northerly point on Vendovi Island.

\*Areas 9A and 12A - Gillnets using 5-inch minimum mesh and purse seines using the 5-inch strip may fish continuously from 5:00 AM Monday September 16 to 4:00 PM Friday September 20. Exclusion zones described in WAC 220-47-307 are in effective for these fisheries.

\*Areas 4B, 5, 6B, 6C, 6D, 7C, 7D, 7E, 8, 8A, 8D, 9, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K, all freshwater areas, and exclusion zones provided for in WAC 220-47-307 except as modified herein - Closed.

#### REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 AM Friday September 20, 1991:

WAC 220-47-709 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (91-91)

**WSR 91-20-004**  
**WITHDRAWAL OF PROPOSED RULES**  
**REDISTRICTING COMMISSION**  
[Filed September 19, 1991, 4:45 p.m.]

On July 12, 1991, the Washington State Redistricting Commission filed with the code reviser an original notice for proposed permanent administrative rules, WSR 91-15-028. The commission requests to withdraw one portion of that filing, specifically proposed chapter 417-02 WAC, Public records.

Graham H. Fernald  
Chair

**WSR 91-20-005**  
**EMERGENCY RULES**  
**REDISTRICTING COMMISSION**  
[Filed September 19, 1991, 4:52 p.m.]

Date of Adoption: September 12, 1991.

Purpose: To establish an administrative rule for the Washington State Redistricting Commission to implement 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.

September 18, 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 Description of Commission.

- 417-02-110 Public Records Available.
- 417-02-115 Public Records Officer.
- 417-02-120 Office Hours.
- 417-02-125 Request for Public Records.
- 417-02-130 Copying.
- 417-02-135 Exemptions.
- 417-02-140 Review of Denials.
- 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 ensure compliance by the Washington State Redistricting Commission ("commission") with the provisions of chapter 42.17 RCW, the Public Disclosure Act.

NEW SECTION

WAC 417-02-105 DESCRIPTION OF COMMISSION. The Washington State Redistricting Commission office is located at Suite 306, 1110 Capitol Way South, Olympia, Washington 98504. There are no field offices. The Commission is created by the Washington State Redistricting Act, chapter 44.05 RCW.

NEW SECTION

WAC 417-02-110 PUBLIC RECORDS AVAILABLE. All public records of the Commission, as defined in RCW 42.17.020(26), are available for public inspection and copying pursuant to these rules, except as otherwise provided herein or in chapter 42.17 RCW.

NEW SECTION

WAC 417-02-115 PUBLIC RECORDS OFFICER. The commission's public records officer, who shall be the Executive Director of the Commission, is responsible for implementing the commission's rules regarding release of public records, and ensuring compliance by commission staff with the public records disclosure requirements of chapter 42.17 RCW.

NEW SECTION

WAC 417-02-120 OFFICE HOURS. Public records shall be available for inspection and copying on Monday through Friday (except state holidays) during customary business hours, from 8:00 a.m. to 5:00 p.m. in the Commission office.

NEW SECTION

WAC 417-02-125 REQUEST FOR PUBLIC RECORDS. (1) Public records may be inspected, and copies of such records may be obtained, by members of the public upon compliance with the following procedures:

(2) A request shall be made, in person or by mail, in writing in substantially the form attached. Copies are available at or from the Commission office. The request shall include the following information:

- (a) The name of the person requesting the record;
- (b) The time and calendar date on which the request was made;

(c) A specific identification of the record requested by index or, if not indexed, a description of the record requested.

(3) The public records officer will determine whether the record, or part thereof, is exempt under WAC 417-02-135.

(4) In all cases, it shall be the obligation of the public records officer or staff to assist the member of the public in identifying the record and to provide the record in a prompt manner.

**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 417-02-130 COPYING.** (1) No fees are to be charged for inspection of public records.

(2) The Commission shall charge a fee, to be set by the public records officer, in an amount necessary to reimburse the commission for its actual costs for copying requested records or index.

(3) The public records officer may authorize the use of a commercial copy service if use of the commercial service enables the Commission to respond more promptly to the request and if the requester agrees to pay the commercial fee. No original public record may be taken from the Commission's office for copying except by a staff member.

#### NEW SECTION

**WAC 417-02-135 EXEMPTIONS.** (1) The public records officer shall, prior to permitting public inspection or copying of any public record, delete information the disclosure of which would

(a) constitute an unreasonable violation personal privacy as defined in RCW 42.17.255; or

(b) endanger vital government interest.

The deletion shall be explained in writing, and the remainder of the record shall be made available pursuant to these rules.

(2) If the public records officer determines that a public record requested in accordance with the procedures outlined in WAC 42-17-125 is exempt under the provisions of chapter 42.17 RCW or other applicable law, he or she may deny the request.

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

**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 417-02-140 REVIEW OF DENIALS OF PUBLIC RECORDS REQUESTS.** (1) Any person who objects to the denial of his or her request for a public record or to the deletion of information from that record may submit a written request for prompt review of the

denial decision. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a request for a public record, and within two business days following receipt of the request for review, the commission chairman shall affirm or reverse the denial in writing. The chairman's decision constitutes final agency action subject to judicial review under RCW 42.17.340.

#### NEW SECTION

**WAC 417-02-150 ADOPTION OF FORM.** The commission hereby adopts the attached form entitled "Request for public records" for use by all persons requesting information and/or copies of records.

#### NEW SECTION

**WAC 417-02-155 RECORDS INDEX.** The commission shall provide a current records index and maintain and make available for public inspection and copying a current index of its public records.





# WASHINGTON STATE REDISTRICTING COMMISSION

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

## 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: \_\_\_\_\_

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: \_\_\_\_\_

### AGREEMENT :

I 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: \_\_\_\_\_

**WSR 91-20-006**  
**PERMANENT RULES**  
**REDISTRICTING COMMISSION**  
 [Filed September 19, 1991, 4:54 p.m.]

Date of Adoption: August 28, 1991.

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

Statutory Authority for Adoption: RCW 44.05.080(1).

Pursuant to notice filed as WSR 91-15-028 on July 12, 1991.

Effective Date of Rule: Thirty-one days after filing.  
 September 19, 1991  
 Graham H. Fernald  
 Commission Chair

**CHAPTER 417-01 WAC**  
**PERMANENT RULES**  
**WASHINGTON STATE REDISTRICTING**  
**COMMISSION**  
**ADMINISTRATIVE PROCEDURES**

**WAC**

- 417-01-100 Purpose.
- 417-01-105 Description of Organization.
- 417-01-110 Commission Responsibilities and Duties.
- 417-01-115 Authority.
- 417-01-120 Definitions.
- 417-01-125 Offices.
- 417-01-130 Officers.
- 417-01-135 Staff.
- 417-01-140 Professional Advisors.
- 417-01-145 Political Activities.
- 417-01-150 Schedule of Meetings.
- 417-01-155 Conduct of Commission Business.

**NEW SECTION**

WAC 417-01-100 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.

**NEW SECTION**

WAC 417-01-105 DESCRIPTION OF ORGANIZATION. The Washington State Redistricting Commission is a five member commission appointed in accordance with Article 2, Section 43 of the state constitution and Chapter 44.05 RCW. The membership consists of four voting members appointed by the leaders of the two largest political caucuses in the Senate and House of Representatives. The Commission Chair is selected by the voting members. The administrative office of the Commission is located at the Washington State Redistricting Commission, Suite 306, 1110 Capitol Way South, Olympia, Washington 98504. The Commission's phone number is (206) 786-7935.

**NEW SECTION**

WAC 417-01-110 COMMISSION RESPONSIBILITIES AND DUTIES. Pursuant to Article 2, Section 43 of the state constitution and Chapter 44.05 RCW, the Commission's duties are:

- (1) to accomplish state legislative and congressional redistricting;
- (2) to act as the legislature's recipient of the final redistricting data and maps from the United States Bureau of the Census;
- (3) to disclose and preserve public records as specified in 40.14 and 42.17 RCW;
- (4) to hold open public meetings pursuant to the open public meetings act;
- (5) to prepare and disclose its minutes pursuant to RCW 42.32.030;
- (6) to prepare and publish a report with a redistricting plan as provided in RCW 44.05.080(7);
- (7) to distribute census data to counties for local redistricting as required by Chapter 29.70 RCW.

**NEW SECTION**

WAC 417-01-115 AUTHORITY. These rules are adopted pursuant to the requirements of RCW 44.05.080(1) and the Administrative Procedures Act, chapter 34.05 RCW.

**NEW SECTION**

WAC 417-01-120 DEFINITIONS. The following definitions shall apply throughout this title:

- (1) "Commission" shall mean the Washington State Redistricting Commission established pursuant to Article II, Section 43 of the state Constitution and RCW 44.05.030;
- (2) "Commissioners" shall mean the four voting commissioners appointed to the Commission pursuant to Article II, Section 43 of the state Constitution and RCW 44.05.030;
- (3) "Chair" shall mean the nonvoting chairperson of the Commission, appointed by the voting members pursuant to Article II, Section 43 of the state Constitution and RCW 44.05.030(3);

**NEW SECTION**

WAC 417-01-125 OFFICES. The offices of the Commission, and its mailing address, shall be Suite 306, 1110 Capitol Way South, Olympia, Washington 98504. Office hours for the Commission shall be from 8 a.m. to 5 p.m. on all normal business days. Office hours for inspection and copying of public records shall be as provided in Chapter Two hereof.

**NEW SECTION**

WAC 417-01-130 OFFICERS. (1) There shall be an Executive Director of the Commission who shall be responsible to the Commission for the overall administration of the Commission and its business, and who shall have such other duties and responsibilities as the Commission may from time to time decide.

(2) There shall be a Director of Operations of the Commission who shall be responsible to the Commission for the acquisition, management and use of the Commission's technical equipment, and who shall have such related duties and responsibilities as the Commission may from time to time decide.

(3) The Executive Director and the Director of Operations shall report to the Chair.

#### NEW SECTION

WAC 417-01-135 STAFF. The Executive Director shall appoint such assistants and employees as may be appropriate and necessary to the functions of the Commission, and shall supervise the assistants and employees. The Executive Director shall coordinate the appointment and supervision of technical staff employees with the Director of Operations.

#### NEW SECTION

WAC 417-01-140 PROFESSIONAL ADVISORS. The Commission may, by majority vote, appoint attorneys, advisors and others to assist it in the conduct of its duties, and they shall have such duties and receive such compensation and reimbursement as the Commission may from time to time, by majority vote, determine. The Chair, upon approval by a majority of the Commission's voting members, shall authorize the payment of necessary expenses of a witness incurred in testifying at the invitation of the Commission.

#### NEW SECTION

WAC 417-01-145 POLITICAL ACTIVITIES. Neither the Chair, nor any Commissioner shall:

(1) Campaign, as a candidate, for any elective office while a member of the Commission;

(2) Actively participate in or contribute to any political campaign of any candidate for any state or federal elective office while a member of the Commission;

(3) Hold or campaign for a seat in the U.S. Congress or in the legislature of this state until two years have elapsed following the effective date of the 1992 redistricting plan adopted pursuant to RCW 44.05.100.

#### NEW SECTION

WAC 417-01-150 SCHEDULE OF MEETINGS.

(1) Regular Meetings: The Commission shall meet monthly during the months of April 1991 through December 1991 on the second Thursday of the month, at the Commission's offices in Olympia, at 4 p.m., unless they shall appoint a different day, time or place.

(2) Special Meetings: The Commission shall meet at other times and places, at the call of the Chair or of a majority of the Commissioners. Notice of special meetings shall be given as far in advance as may be practical, to the press and to all others who have requested notice of Commission meetings.

(3) Agenda: The Chair, or the Commission majority calling a special meeting, shall propose an agenda for

the meeting, which shall be distributed to Commissioners, to the press, and to others who have requested notice, at the earliest practical date prior to the meeting.

#### NEW SECTION

WAC 417-01-155 CONDUCT OF COMMISSION BUSINESS. (1) Three voting members of the Commission shall constitute a quorum for the conduct of business.

(2) The votes of any three of the Commissioners shall be required for any official action of the Commission: provided, that the Chair shall have the authority on behalf of the Commission to execute contracts and leases, and approve expenditures and reimbursements, related to the business of the Commission. The Chair may, without the prior approval of the Commission, authorize expenditures for equipment and supplies not to exceed \$10,000. Expenditures made pursuant to this section shall be reported as a separate item on the agenda at the next Commission meeting.

(3) The Chair shall not have a vote at any meeting of the Commission.

(4) Commission meetings shall be conducted in accordance with the open meetings act (Chapter 42.30 RCW).

(5) The Commission shall not adopt any redistricting plan, or partial redistricting plan, except at a public meeting, notice of which has been given in accordance with these rules.

(6) The Commission shall not take any action by secret ballot.

(7) When not inconsistent with the state constitution, statute, or these rules, parliamentary matters before the commission shall be governed by Reed's Parliamentary Rules.

(8) Motions shall not require a second in order to be placed before the Commission for a vote.

(9) All public meetings of the Commission shall be electronically recorded. The minutes and tapes thereof shall be available to the public in accordance with the rules regarding access to public records held by the Commission. The Commission shall provide for presence of a court reporter at Commission meetings for the purpose of recording public testimony regarding a districting plan. A typewritten transcript of such testimony shall be prepared as soon as possible after such hearings and shall be made available to the public in accordance with the rules regarding access to public records held by the Commission. The shorthand transcript of a court reporter prepared pursuant to this section shall become part of the official records of the Commission.

(10) Except as provided in this section, the Chair shall preside at all meetings. In the event of the Chair's absence the Commission shall select from among the voting members a temporary chair to preside in the Chair's absence. The position of temporary chair shall alternate between a member of the two parties represented on the Commission.

CHAPTER 417-06 WAC  
PERMANENT 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. Copies of these constitutional and statutory provisions are attached to this Chapter.

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 91-20-007**

##### **EMERGENCY RULES**

#### **DEPARTMENT OF FISHERIES**

[Order 91-96—Filed September 20, 1991, 3:17 p.m.]

Date of Adoption: September 20, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-33-01000Z.

Statutory Authority for Adoption: RCW 75.08.080.

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: Harvestable numbers of chinook and coho salmon are available in the Columbia River. This rule is consistent with the actions of the September 19, 1991, meeting of the Columbia River Compact.

Effective Date of Rule: Immediately.

September 20, 1991

Joseph R. Blum

Director

#### NEW SECTION

**WAC 220-33-01000A COLUMBIA RIVER SALMON SEASONS BELOW BONNEVILLE.** Notwithstanding the provisions of WAC 220-33-005, 220-

33-010, 220-33-020, and 220-33-030, it is unlawful for a person to take or possess salmon, shad or sturgeon taken for commercial purposes from Columbia River SMCRA 1A, 1B, 1C, 1D or 1E, except under the following provisions:

(1) **ALLOWABLE SPECIES:**

Open to the taking of salmon, sturgeon and shad.

(2) **OPEN TIME PERIODS AND AREAS:**

(a) 6 PM September 22 to 6 PM September 26, 1991 in SMCRA 1A, 1B, 1C, and that portion of 1D downstream of a line projected true north and south through the Washougal Blinker light (light "50" flashing red).

(b) 6 PM September 23 to 6 PM September 26, 1991 in SMCRA 1E and that portion of 1D upstream of a line projected true north and south through the Washougal Blinker light "50" flashing red).

(c) 6 PM September 29 to 6 PM October 3, 1991 in SMCRA 1A, 1B, 1C, 1D, and 1E.

(3) **SANCTUARIES:**

During the open time periods provided for in section 2, the following sanctuaries remain closed: Abernathy Creek, Grays River, Elokomin-B, Cowlitz, Kalama-B, Lewis River-B, Washougal, Gnat Creek, Sandy River and Big Creek.

(4) **ALLOWABLE GEAR:**

(a) Gill net gear that does not exceed 1,500 feet in length along the corkline.

(b) Gill net gear that is not constructed of monofilament webbing.

(c) Lead or weight on the leadline not exceeding two pounds in any one fathom, measurement to be taken along the corkline of the net.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

**WAC 220-33-01000Z COLUMBIA RIVER SALMON SEASONS BELOW BONNEVILLE. (91-90)**

#### **WSR 91-20-008**

##### **EMERGENCY RULES**

#### **DEPARTMENT OF FISHERIES**

[Order 91-97—Filed September 20, 1991, 3:19 p.m., effective September 20, 1991, 4:00 p.m.]

Date of Adoption: September 20, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-47-710.

Statutory Authority for Adoption: RCW 75.08.080.

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: Restrictions in Areas 6, 6A, 7, and 7A provide protection for United States and Canadian origin chinook stocks. Openings in Area 7E provide opportunity to harvest the nontreaty share of chinook salmon destined for the Glenwood Springs Hatchery; the eastern in-season area restriction is necessary to provide protection to milling fish entering the hatchery rack; the western in-season area restriction is necessary to reduce impacts to dogfish consistent with conservation of that resource. The openings in Areas 6D, 7B, 8A, 8D, 10, and 11 are directed at the nontreaty share of Strait of Juan de Fuca, Nooksack-Samish, Stillaguamish-Snohomish, and South Sound origin coho salmon; the Area 7B gillnet mesh and in-season area restrictions are necessary to reduce chinook impacts; the Area 8A exclusion zone is listed here since 1991 permanent change to WAC 220-47-307 modifying that paragraph has not yet gone into effect; the Area 10 in-season restricted area provides commercial/recreational gear separation. The openings in Areas 9A and 12A provide opportunity to harvest nontreaty share of Hood Canal hatchery-origin coho. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

Effective Date of Rule: 4:00 p.m., September 20, 1991.

September 20, 1991  
Gene DiDonato  
for Joseph R. Blum  
Director

#### NEW SECTION

**WAC 220-47-711 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY.** Notwithstanding the provisions of Chapter 220-47 WAC, effective 4:00 PM Friday September 20, 1991, until further notice, it is unlawful to take, fish for, or possess salmon or Atlantic salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods and mesh and area restrictions:

\*Effective 4:00 PM Friday September 20, Areas 6, 6A, 7, and 7A – Under the control of the Pacific Salmon Commission. When open: Drift gillnet gear restricted to 5-inch minimum, 6-inch maximum mesh, reef net gear must release all coho alive. Effective 12:01 AM Sunday September 22, Areas 7 and 7A under control of the Pacific Salmon Commission. When open: Drift gillnet gear restricted to 5-inch minimum, 6-inch maximum mesh, reef net gear must release all coho alive.

\*Area 6D – Gillnets using 5-inch minimum mesh and fishing with no more than 900 feet of net, and purse seines using the 5-inch strip, may fish continuously, effective 5:00 AM Sunday September 22 to 4:00 PM Friday October 25. The exclusion zone described in WAC 220-47-307 is in effect for this fishery.

\*Area 7B – Gillnets using 5-inch minimum mesh, and purse seines, may fish continuously from 4:00 PM Friday September 20 through 4:00 PM Friday October 25. Gillnet gear is restricted to 6-inch maximum mesh through September 30. In addition to the exclusion zones described in WAC 220-47-307, Area 7B is closed

south of a line projected from Governors Point to most northerly point on Vendovi Island through September 30.

\*Area 7E – Gillnets using 7-inch minimum mesh may fish from 5:00 PM to 9:00 AM nightly Monday, Tuesday, and Wednesday, September 23, 24, and 25, and purse seines may fish from 5:00 AM to 9:00 PM daily Tuesday, Wednesday, and Thursday, September 24, 25, and 26. Area 7E is closed east of a line projected from Madrona Point (also known as Tongue Point) to the second point south of Griffin Rocks and closed west of a line projected true south from Madrona Point.

\*Areas 8A, 8D, 10, and 11 – Gillnets using 5-inch minimum mesh may fish from 5:00 PM to 9:00 AM nightly, Monday September 23 and Tuesday September 24, and purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM daily, Tuesday September 24 and Wednesday September 25. Area 8A is closed in those waters easterly of a line projected from Mission Point to Buoy "C1" (excluding the waters of Area 8D), thence through the green light at the entrance jetty of the Snohomish River, thence across the mouth of the Snohomish River to the landfall on the eastern shore, and closed in those waters northerly of a line projected from Camano Head to the northern boundary of Area 8D. In addition to the exclusion zones described in WAC 220-47-307, area 10 is closed east of a line projected from Alki Point to the light at Fourmile Rock.

\*Areas 9A and 12A – Gillnets using 5-inch minimum mesh and purse seines using the 5-inch strip may fish continuously from 5:00 AM Monday September 23 to 4:00 PM Friday September 27. Exclusion zones described in WAC 220-47-307 are in effect for these fisheries.

\*Areas 4B, 5, 6, 6A, 6B, 6C, 7C, 7D, 8, 9, 10A, 10C, 10D, 10E, 10F, 10G, 11A, 12, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K, all freshwater areas, and exclusion zones provided for in WAC 220-47-307 except as modified herein – Closed.

#### REPEALER

The following section of the Washington Administrative Code is repealed effective 4:00 PM Friday September 20, 1991:

**WAC 220-47-710 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (91-95)**

#### **WSR 91-20-009**

#### **NOTICE OF PUBLIC MEETINGS PIERCE COLLEGE**

[Memorandum—September 18, 1991]

The board of trustees of Community College District Number Eleven (Pierce College) would like to make the following change to the October 1991 regular board meeting:

October 9, 1991, 12:30 p.m., meeting has been canceled. A special board meeting has been scheduled for October

16, 1991, 12:30 p.m. in Room 325H at the Ft. Steilacoom Campus.

**WSR 91-20-010**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SERVICES FOR THE BLIND**  
 [Filed September 20, 1991, 3:54 p.m.]

Date of Adoption: September 20, 1991.

Purpose: Housekeeping.

Citation of Existing Rules Affected by this Order:  
 Amending WAC 67-25-005 and 67-25-030.

Statutory Authority for Adoption: Chapter 74.18  
 RCW.

Pursuant to notice filed as WSR 91-16-085 on Au-  
 gust 6, 1991.

Changes Other than Editing from Proposed to Adopt-  
 ed Version: WAC 67-25-005(9), add "supported em-  
 ployment" after "home based employment"; and WAC  
 67-25-005(22), replace the words "similar benefits"  
 with "comparable services and benefits."

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

September 20, 1991

Bonnie Jindra

Assistant Director

Administration

**AMENDATORY SECTION** (Amending Order 85-02,  
 filed 3/1/85)

WAC 67-25-005 **DEFINITIONS.** (1) "Accepted  
 for services" shall mean that the department has deter-  
 mined that the applicant has been certified as eligible to  
 receive vocational rehabilitation services.

(2) "Act" means the Rehabilitation Act of 1973 (29  
 U.S.C. chapter 16).

(3) "Adaptive skills assessment and training" includes  
assessment and training in the skills which are necessary  
for blind persons to function independently in all settings  
as distinguished from the vocational skills necessary to  
perform a specific occupation. The adaptive skills assess-  
ment and training provided by the department include  
communications, personal management, orientation and  
mobility, personal adjustment, home management, activ-  
ities of daily living, and client's use of residual vision.

(4) "Applicant" shall mean an individual who has  
 submitted to the department a letter or application re-  
 questing vocational rehabilitation services which:

(a) Has been signed by the individual, his/her parents  
 or guardian or other representative; and

(b) Sets forth the name, address, age, sex, and nature  
 of disability of the requesting individual and source of  
 referral.

~~((4))~~ "Blind or visually impaired" for purposes of this  
 chapter is a physical disability defined as follows:

~~(a) Central visual acuity of 20/200 or less in the bet-~~  
~~ter eye with correcting lenses or a field defect in which~~  
~~the peripheral field has contracted to such an extent that~~  
~~the widest diameter of visual field subtends an angular~~  
~~distance of no greater than 20°; or~~

~~(b) Vision so defective as to prevent the performance~~  
~~of ordinary activities for which eyesight is essential; or~~  
~~(c) An eye condition of a progressive nature which~~  
~~may lead to blindness;))~~

(5) "Client" shall mean any handicapped individual:

(a) Who has applied for services from the department;  
 and

(b) For whom services have not been denied or termi-  
 nated by the department.

(6) "Comparable services and benefits" is a financial  
resource for which a client is legally qualified, or enti-  
tled, or meets the criteria for obtaining without undue  
contingencies. The financial resource must be an orga-  
nized, ongoing form of service or financial assistance,  
whether public or private. It must be free or may require  
a deductible, coinsurance feature, token payment or per-  
sonal claim.

(7) "Department of services for the blind" shall mean  
 the legal authority in its entirety:

(a) "Advisory council" shall mean the members ap-  
 pointed by the governor as the advisory body.

(b) "Department" shall mean the agency which car-  
 ries out the operations of the Washington department of  
 services for the blind.

~~((7))~~ (8) "Director," except when the context indi-  
 cates otherwise, means the director of the department of  
 services for the blind.

~~((8))~~ (9) "Eligible" or "eligibility," when used in  
 relation to an individual's qualification for vocational re-  
 habilitation services, refers to a certification that:

(a) The individual ~~((has blindness and may also~~  
~~have))~~ is blind or visually impaired;

(b) Has a physical or mental disability which for such  
 individual constitutes or results in a substantial handicap  
 to employment; and

~~((b))~~ (c) Vocational rehabilitation services may rea-  
 sonably be expected to benefit the individual in terms of  
 employability.

~~((9))~~ (10) "Employability" ~~((refers to))~~ means a  
 determination that with the provision of vocational re-  
habilitation services, the individual is likely to ((enable  
an individual to)) enter or retain as a primary objective,  
full time employment or, if appropriate, part time em-  
ployment, consistent with ((his/her)) the capacities  
((and)) or abilities of the individual in the competitive  
labor market; the practice of a profession; self-employ-  
ment; homemaking; farm or family work (including  
work for which payment is in kind rather than in cash);  
sheltered employment; ((homebound)) home based em-  
ployment; supported employment; or other gainful work.

~~((10))~~ (11) "Evaluation of rehabilitation potential"  
 means, as appropriate, in each case:

(a) A preliminary diagnostic study to determine:

(i) That an individual has blindness ~~((and may also~~  
~~have))~~ or visual impairment and a physical or mental  
 disability which for such individual constitutes or results  
 in a substantial handicap to employment; and

(ii) That vocational rehabilitation services may rea-  
 sonably be expected to benefit the individual in terms of  
 employability, and that the individual is eligible there-  
 fore for vocational rehabilitation services;

(b) A thorough diagnostic study consisting of a comprehensive evaluation of pertinent factors, which bear on the individual's handicap to employment and rehabilitation potential, and an appraisal of the individual's work behavior and ability to develop work patterns suitable for successful job performance in order to determine which vocational rehabilitation services may be of benefit to the individual in terms of employability;

(c) Any other goods or services provided for the purposes of ascertaining the nature of the handicap and whether it may reasonably be expected that the individual can benefit from vocational rehabilitation services in terms of employability;

(d) The provision of vocational rehabilitation services to an individual for a total period of extended evaluation not in excess of eighteen months for the purpose of determining whether such individual is a handicapped individual for whom a vocational goal is feasible, including the initiation and continuing development of an individual written rehabilitation program, and a periodic assessment of the results of the provision of such services to ascertain whether an individual is an eligible individual for whom a vocational goal is feasible.

~~((+1))~~ (12) "Family member" or "member of the family" means:

(a) Any relative by blood or marriage of a handicapped individual; and

(b) Other individuals living in the same household with whom the handicapped individual has a close interpersonal relationship.

~~((+2))~~ (13) "Handicapped individual" means an individual:

(a) Who has a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment; and

(b) Who is expected to benefit in terms of employability from the provision of vocational rehabilitation services, or for whom an extended evaluation of rehabilitation potential is necessary for the purpose of determining whether he might benefit in terms of employability from the provision of vocational rehabilitation services.

~~((+3))~~ (14) Legal blindness for purposes of this chapter is a physical disability defined as follows:

Central visual acuity of 20/200 or less in the better eye with correcting lenses or a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance of no greater than 20°;

(15) "Medical consultant" shall mean a physician licensed pursuant to chapters 18.57 and 18.71 RCW employed by the department to provide consultation to rehabilitation counselors and rehabilitation teachers concerning the medical aspects of rehabilitation, usually reviewing and discussing medical problems of individual clients.

~~((+4))~~ (16) "Ophthalmological consultant" shall mean a physician licensed pursuant to chapters 18.57 and 18.71 RCW specializing in diseases of the eye employed by the department to provide consultation to rehabilitation counselors and rehabilitation teachers

regarding procedures and prognosis relating to eye conditions.

~~((+5))~~ (17) "Physical and mental restoration services" means those services which are necessary to correct or substantially modify within a reasonable period of time a physical or mental condition which is stable or slowly progressive.

~~((+6))~~ (18) "Physical or mental disability" means a physical or mental condition which materially limits, contributes to limiting or, if not corrected, will probably result in limiting an individual's activities or functioning. The term "physical disability" includes blindness and/or visual impairment.

~~((+7))~~ (19) "Public safety officer" means a person serving the United States or a state or unit of general local government, with or without compensation, in any activity pertaining to:

(a) The enforcement of the criminal laws, including highway patrol, or the maintenance of civil peace by the national guard or the armed forces;

(b) A correctional program, facility, or institution where the activity is potentially dangerous because of contact with criminal suspects, defendants, prisoners, probationers, or parolees;

(c) A court having criminal or juvenile delinquent jurisdiction where the activity is potentially dangerous because of contact with criminal suspects, defendants, prisoners, probationers, or parolees;

(d) Firefighting, fire prevention, or emergency rescue missions.

~~((+8))~~ (20) "Referral" is defined as any individual who applied or has been referred to a department office by letter, telephone, direct contact or by any other means for whom the minimum information has been furnished:

(a) Name and address;

(b) Disability;

(c) Age and sex;

(d) Date of referral; and

(e) Source of referral.

~~((+9))~~ (21) "Rehabilitation facility" means a facility which is operated for the primary purpose of providing vocational rehabilitation services to handicapped individuals and which provides one or more of the following services for handicapped individuals:

(a) Vocational rehabilitation services which shall include under one management, medical, psychological, social, and vocational services;

(b) Testing, fitting, or training in the use of prosthetic and orthoptic devices;

(c) Prevocational conditioning or recreational therapy;

(d) Physical and occupational therapy;

(e) Speech and hearing therapy;

(f) Psychological and social services;

(g) Evaluation of rehabilitation potential;

(h) Personal and work adjustment;

(i) Orientation and mobility training and other adjustment services;

(j) Braille instruction;

(k) Evaluation or control of specific disabilities;

(l) Transitional or extended employment for those handicapped individuals who cannot be readily absorbed



in the competitive labor market provided that all medical and related health services must be prescribed by, or under the formal supervision of, persons licensed to prescribe or supervise the provision of such services in the state.

~~((20))~~ (22) "Rehabilitation teacher" (RT) shall refer to an employee of the department who has responsibility to determine eligibility, and to develop and implement individual written rehabilitation programs leading to a vocational outcome of homemaker. The full range of vocational rehabilitation services may be provided or purchased as determined by the needs of the individual written rehabilitation program.

~~((21))~~ "Similar benefits" is a financial resource for which a client is legally qualified, or entitled, or meets the criteria for obtaining without undue contingencies. The financial resource must be an organized, ongoing form of service or financial assistance, whether public or private. It must be free or may require a deductible, co-insurance feature, token payment or personal claim.

(22) "Prevocational services" includes assessment and training in the skills which are necessary for blind persons to function independently in all settings as distinguished from the vocational skills necessary to perform a specific occupation. The prevocational services provided by the department include communications, personal management, orientation and mobility, personal adjustment, home management, activities of daily living, and client's use of residual vision.)

(23) "Substantial handicap to employment" means that a physical or mental disability (in light of attendant medical, psychological, vocational, educational, and other related factors) impedes an individual's occupational performance, by preventing his/her obtaining, retaining, or preparing for employment consistent with his/her capacities and abilities.

(24) Visual impairment for the purpose of this chapter is a physical disability defined as follows: Visual acuity in the best eye between 20/200 and 20/70 with correction; or angle of vision subtends between 20° and 30°, or severe functional visual problem; or a progressive condition which ultimately will lead to a visual handicap or to blindness.

(25) "Vocational rehabilitation counselor" (VRC) shall refer to an employee of the department who has direct responsibility for providing, or supervising the provision of all vocational rehabilitation services to a client of the department.

~~((25))~~ (26) "Vocational rehabilitation services," shall mean any of the following:

(a) Any goods or services provided to a client that is likely to enable him/her to enter or retain employment consistent with his/her capacities and abilities in the competitive labor market.

(b) Any goods or services provided to a client for the purpose of extended evaluation to determine his/her rehabilitation potential.

(c) The establishment, construction, development, operation, and maintenance of workshops and rehabilitation facilities.

(d) The provision of any facilities and services which promise to contribute substantially to the rehabilitation

of a group of individuals but which are not related directly to the rehabilitation program.

~~((26))~~ (27) "Workshop" means a rehabilitation facility, or that part of a rehabilitation facility, engaged in a production or service operation and which is operated for the primary purpose of providing gainful employment or professional services to the handicapped as an interim step in the rehabilitation process for those who cannot be readily absorbed in the competitive labor market or during such time as employment opportunities for them in the competitive labor market do not exist.

AMENDATORY SECTION (Amending Order 83-08, filed 12/15/83)

WAC 67-25-030 ELIGIBILITY FOR SERVICES—CRITERIA. (1) Eligibility shall be based only upon:

(a) The existence of a condition of legal blindness or visual impairment as defined in WAC 67-25-005;

(b) The presence of a physical or mental disability which for the individual constitutes or results in a substantial handicap to employment; and

~~((b))~~ (c) A reasonable expectation that vocational rehabilitation services may benefit the individual in terms of employability.

(2) ~~Persons found eligible shall have a primary disability of blindness or visual impairment. Persons for whom blindness or visual impairment is determined to be a secondary disability may be provided services at the discretion of the director or may be referred to other appropriate)~~ who are found to be blind or visually impaired and who also have a physical or mental disability which for that person constitutes or results in a substantial handicap to employability, but for whom the usual scope of services offered by the department are not expected to benefit the individual in terms of employability may be referred to other service providers or may be provided services through a coordinated cooperative plan with other service providers.

(3) Eligibility requirements will be provided by the department without regard to sex, race, age, creed, color, or national origin of the individual applying for service.

(4) No person or group of persons shall be found ineligible for services solely on the basis of type of disability.

(5) No person shall be found ineligible for services solely on the basis of age.

(6) No person shall be found ineligible for services based on residence requirement, durational or other.

## WSR 91-20-011

### PROPOSED RULES

### GAMBLING COMMISSION

[Filed September 20, 1991, 4:28 p.m.]

Original Notice.

Title of Rule: WAC 230-04-999 Punchboard and pull tab license test.

**Purpose:** Evaluate a fee program for punchboard/pull tab licensees over the next two year period.

**Statutory Authority for Adoption:** Chapter 9.46 RCW.

**Statute Being Implemented:** Chapter 9.46 RCW.

**Summary:** Permits a licensee fee for punchboard/pull tab to be established and permits that fee to remain for the complete year and does not require the licensee to upgrade that license during the full license year.

**Reasons Supporting Proposal:** To find ways of adjusting fees for operators of punchboard/pull tabs.

**Name of Agency Personnel Responsible for Drafting:** Frank L. Miller, Deputy Director, Lacey, 438-7640; **Implementation:** Ronald O. Bailey, Director, Lacey, 438-7640; and **Enforcement:** Neal Nunamaker, Assistant Director, Lacey, 438-7690.

**Name of Proponent:** Washington State Gambling Commission, governmental.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** Permits a license fee for punchboard/pull tabs to be established and permits that fee to remain for the complete year and doesn't require the licensee to upgrade that license during the full license year.

**Proposal Changes the Following Existing Rules:** It permits a license fee for a complete year without requiring the licensee to upgrade his license. This will reduce license fees by \$400,000 per year and will reduce the operating funds of the commission.

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 adverse economic impact on small businesses as defined in chapter 19.85 RCW. It has determined that there is no economic impact to small business as a result of this proposal.

**Hearing Location:** Wyndham Garden, 18118 Pacific Highway South, Seattle, WA 98188, on November 15, 1991, at 10:00 a.m.

**Submit Written Comments to:** Washington State Gambling Commission, 4511 Woodview Drive S.E., Lacey, WA 98504-2400, by November 12, 1991.

**Date of Intended Adoption:** November 15, 1991.

September 20, 1991

Ronald O. Bailey  
Director

#### NEW SECTION

WAC 230-04-999 PUNCHBOARD AND PULL TAB LICENSE TEST. The commission shall conduct a test of an alternative method of assigning punchboard and pull tab license classes and collection of fees. This test shall begin January 1, 1992 and conclude June 30, 1993. During the period of the test, punchboard and pull tab licenses shall be issued and fees collected using the following procedures:

(1) Assignment of license class:

(a) All new applicants for a punchboard and pull tab license shall be assigned a class A license: PROVIDED, that for purposes of this WAC section, applicants that have been licensed at the same premises, during the three year period immediately preceding their application, are not "new applicants";

(b) All licensees applying for recertification shall be assigned a license class that matches their level of gross gambling receipts for the most recent four calendar quarters of operation reported to the commission: PROVIDED, that applicants that have reported activity for

less than four calendar quarters will be assigned a license class based on a ratio of the activity reported, prorated to a twelve month period;

(2) Operating above the assigned license class - Once a license is issued for a specific class, licensees are authorized to operate during the term of a license without regard to the gross gambling receipts limit for that particular class of license and are not required to upgrade to another class or to pay additional fees: PROVIDED, that applicants electing the "SIX-MONTH PAYMENT PLAN" shall be required to pay the second half payment;

(3) Operating below the assigned license class - Licensees that receive gross gambling receipts during the term of the license that are less than the minimum authorized for the assigned class, upon recertification will be credited with the difference between the fee paid for the current license and the class of license for the level actually operated. If the applicant desires to participate in the "SIX-MONTH PAYMENT PLAN", the credit will be applied to the first half payment;

(4) Fees - Fees shall be as set out in WAC 230-04-201, Table 1., subsection 8. and Table 2., subsection 10: PROVIDED, that the fee for recertification for a class A license (up to \$50,000 gross gambling receipts) shall be \$300;

(5) During the term of this test, the following rules, or portions thereof, shall not apply to the operation of punchboards and pull tabs:

(a) WAC 230-04-190 (10)(a) as it relates to prorating and refund of fees;

(b) WAC 230-04-201, Table 1., subsection 8. and Table 2., subsection 10. as it relates to "one-time variance";

(c) WAC 230-04-201, Table 1., subsection 12. and Table 2., subsection 13. in its entirety after "Provided,;" and

(d) WAC 230-04-260 in its entirety.

#### **WSR 91-20-012**

#### **PERMANENT RULES**

#### **EMPLOYMENT SECURITY DEPARTMENT**

[Filed September 20, 1991, 4:40 p.m.]

**Date of Adoption:** September 20, 1991.

**Purpose:** To implement timber retraining benefits, section 4, chapter 315, Laws of 1991 and employment security responsibilities for the definition of timber impact areas for chapters 314 and 315, Laws of 1991.

**Statutory Authority for Adoption:** RCW 50.12.010 and 50.12.040, section 4, chapter 315, Laws of 1991.

**Pursuant to notice filed as WSR 91-14-115 on July 3, 1991.**

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

September 20, 1991

Vernon E. Stoner  
Commissioner

#### **NEW CHAPTER**

Chapter 192-32 WAC

Timber Retraining Benefits and Related Programs

#### NEW SECTION

WAC 192-32-001 SCOPE OF CHAPTER. This chapter is intended to govern the implementation of employment security department responsibilities relating to the implementation of Chapter 314, Laws of 1991, and Chapter 315, Laws of 1991. This includes the operation of programs authorized by the acts and the determination of timber impact areas required by the acts.

#### NEW SECTION

WAC 192-32-010 DEFINITIONS. For the purpose of this chapter:

(1) "Actual job loss" means the absolute loss of jobs in SIC codes 24 as compared to the previous year as calculated by the department.

(2) "Actual or projected job loss" means the greater of actual job loss or projected job loss. The value of actual or projected job loss is that value released by the commissioner and filed for publication in the state register.

(3) "Annual unemployment rate" means the total unemployment rate calculated according to the method defined by the U.S. Department of Labor, Bureau of Labor Statistics. The information is considered available when released to the public by the commissioner of the Employment Security Department. The value of the annual unemployment rate is that value released by the commissioner and filed for publication in the state register.

(4) "Commissioner" means commissioner of the employment security department.

(5) "Department" means the employment security department.

(6) "Labor market" means the area in which workers of specific occupation customarily have found work. Labor market is based on the worker's place of residence and occupation.

(7) "Lumber and wood products location quotient" is determined by dividing the percentage of the average covered employment in lumber and wood products (SIC code 24) in the county by the percentage of the average covered employment in lumber and wood products (SIC code 24) statewide. The information is considered available when released by the commissioner. The value of the location quotient is the value released by the commissioner and filed for publication in the state register.

(8) "Projected job loss" means the estimated job loss in SIC codes 24 in the current year, compared to the previous year, as calculated by the department from information provided by the department of natural resources.

(9) "Targeted county" means a county selected by the criteria of subsection (2), section 4, Chapter 315, Laws of 1991.

(10) "Timber retraining benefits", abbreviated TRB, means the unemployment insurance additional benefits authorized by section 4, Chapter 315, Laws of 1991.

(11) "Wages" means wages earned in employment as defined in Chapter 50.04 RCW. This means that only wages in covered employment can be considered in determining if a worker has earned wages in employment in the forest products industry.

NEW SECTION

WAC 192-32-015 INTERPRETIVE RULE—EFFECTIVE DATE OF SECTION 4, CHAPTER 315, LAWS OF 1991. (1) The first week for which timber retraining benefits will be payable will be the week beginning Sunday, July 21, 1991.

(2) Any exhaustee whose benefit year ends after July 21, 1991 may be considered as potentially eligible for timber retraining benefits if the other provisions of Section 4, Chapter 315, Laws of 1991 are met.

NEW SECTION

WAC 192-32-025 POST TRAINING BENEFITS. Section 4 (3)(b) of Chapter 315, Laws of 1991 authorizes the payment of timber retraining benefits during the five week period following completion of training. These benefits do not serve to increase the total amount of training related benefits payable, but are included in the maximum amount payable calculated by subtracting regular and extended benefits from 52 times the worker's weekly benefit amount.

NEW SECTION

WAC 192-32-035 RESIDENCE OR EMPLOYMENT IN TARGETED COUNTY AT TIME OF LAST SEPARATION FROM EMPLOYMENT. (1) A worker who has met the county of residence or county of last employment requirements at the time of filing an initial claim will be considered to have met those requirements until a new benefit year is established, regardless of subsequent employment or relocation to another county.

(2) A worker who has met the county of residence or county of last employment requirements at the time of filing an initial claim will be considered to have met those requirements until a new benefit year is established, even if the county ceases to be a targeted county.

(3) A worker who has not met the county of residence or county of last employment requirements at the time of filing a new claim, may meet those requirements at the time of filing an additional claim (reopened claim after subsequent employment) for benefits if, at that time, the worker worked or lived in a targeted county at time of last separation from employment.

(4) A worker who performs services in more than one county will be considered to have worked in a targeted county if any bona fide work is performed in a targeted county.

NEW SECTION

WAC 192-32-040 EMPLOYMENT IN THE FOREST PRODUCTS INDUSTRY. "Earned wages in the forest products industry" means earned wages in employment in the forest products industry.

(1) Employment reported in the following SIC codes is considered to be employment in the forest products industry:

- 24 Lumber and Wood Products, Except Furniture
- 26 Paper and Allied Products
- 08 Forestry
- 2861 Gum and Wood Chemicals
- 3553 Woodworking Machinery
- 3554 Paper Industry Machinery

(2) Employment reported in the following SIC codes may be employment in the forest products industry. The specific nature of the business of the employer may be reviewed to determine whether it represents employment in the forest products industry:

- 2823 Cellulistic Manmade Fibers (Rayon, etc.)
- 3425 Saw Blades and Handsaws
- 3531 Construction Machinery and Equipment (Trucks, off-highway; chippers; draglines; log splitters; logging equipment)
- 3711 Motor Vehicles and Passenger Car Bodies (tractors, trucks: for highway use)
- 4212 Local Trucking without storage (log trucking, trucking timber)
- 4449 Water Transportation of Freight, NEC (Log rafting and towing)
- 4491 Marine Cargo Handling

(3) Other employment may be considered to be employment in the forest products industry if it involves:

- (a) The planting and/or cultivation of trees for eventual harvest for lumber or paper manufacturing;
- (b) The harvest of logs for lumber or pulp production;
- (c) Hauling logs;
- (d) Hauling lumber or paper products from point of manufacture;
- (e) Scaling logs;
- (f) Repair of logging trucks or equipment; or,
- (g) Manufacture of wood processing or logging equipment,
- (h) Distribution of wood processing or logging equipment
- (i) Other activities clearly involved in the forest products industry.

(4) Examples of employment in the forest products industry that may be performed for businesses not primarily involved in the forest products industry include:

- (a) Cutting or hauling timber as part of right-of-way clearing for a highway or building construction project;
- (b) Driving wood chip truck for a general transportation company;
- (c) Manufacturing forest products material handling equipment—such as log stackers—for a firm involved in general heavy equipment manufacturing;
- (d) Sales of logging equipment at a used equipment dealer.

#### NEW SECTION

WAC 192-32-045. UNLIKELY TO RETURN TO EMPLOYMENT. (1) For the purposes of paying timber retraining benefits, a worker will have met the unlikely to return to work requirement of subsection (4)(b)(ii) of section 4, Chapter 315, Laws of 1991, if the tests in subsections (2) and (3) of this section are met.

(2) He or she has

- (a) become unemployed due to a permanent plant closure;
- (b) received a federal WARN Act notice; or
- (c) received a notice of indefinite layoff as a result of a permanent reduction of operations at the worker's place of employment;
- (3) His or her skills are in diminishing demand in his or her principal occupation or previous industry.

(4) A worker will not be considered unlikely to return to work if he or she:

- (a) is on standby from the principal employer;
- (b) has a definite date of recall with the principal employer within six months; or
- (c) is unemployed due to a regular seasonal layoff.
- (5) A worker who has been determined to be a dislocated worker by the local JTPA authority will be considered to have met the requirements of subsections (2) and (3).

#### NEW SECTION

WAC 192-32-050 TRAINING RELATED BENEFITS PAYABLE ONLY TO WORKERS ENROLLED IN APPROVED TRAINING. No individual will be eligible to receive timber retraining benefits unless enrolled in and making satisfactory progress in an approved training program. Workers will be considered to be enrolled in training if:

- (1) Preregistered for classes or on a waiting list; and
- (2) Have a commitment from the educational institution for a starting date of training; and
- (3) The starting date is not more than one regular school quarter or term, or equivalent period of time away.

#### NEW SECTION

WAC 192-32-055 TIMELINESS OF TRAINING PROGRAM SUBMISSION AND COMMENCEMENT. (1) The 60 day training plan submission requirement will be counted from the filing of new or additional claim for unemployment insurance benefits. This means if a worker who is eligible for TRB returns to work, and subsequently becomes involuntarily unemployed, the 60 day period is counted from the most recent claim reopening, even if the period had expired after the original filing of the new claim.

(2) The 90 day training program commencement requirement will be counted from last separation from employment at the time of the filing of new or additional claim for unemployment insurance benefits, whichever is latest. This means if a worker who is eligible for TRB returns to work, and subsequently becomes involuntarily unemployed, the 90 day period is counted from the most recent separation from employment, even if the period has expired after the new claim.

#### NEW SECTION

WAC 192-32-065 TRAINING PROGRAM APPLICATION REQUIREMENTS. Required elements for a training program submission include:

- (1) Name and Social Security Account number of applicant;
- (2) Name of educational institution;
- (3) Address of education institution;
- (4) Department of educational institution, if applicable;
- (5) Name of training program;
- (6) Description of training program, including remedial requirements if necessary;
- (7) Duration of training program;
- (8) Occupation(s) trained for;

(9) Beginning enrollment date or place on waiting list and expected enrollment date;

(10) Release of information form authorizing education institution to release grades, attendance, and other measures of program progress to the department; and

(11) Signature of applicant.

#### NEW SECTION

**WAC 192-32-075 OCCUPATION IN DEMAND OUTSIDE LABOR MARKET.** A training program may be approved in an occupation not in demand in the local labor market if:

(1) The occupation is in demand in another labor market; and,

(2) The worker is willing and able to relocate to that labor market upon completion of training.

#### NEW SECTION

**WAC 192-32-085 FULL-TIME ENROLLMENT.** The educational institution providing the training will determine whether the worker is enrolled in training on a full time basis.

#### NEW SECTION

**WAC 192-32-095 SATISFACTORY PROGRESS.** A worker will be determined to be making satisfactory progress in a training program if the educational institution certifies to the department that the worker is making satisfactory progress.

#### NEW SECTION

**WAC 192-32-105 INTERSTATE CLAIMS.** The additional benefit period for targeted counties applies only to counties within the state of Washington. Individuals filing interstate claims (with Washington as the liable state) may qualify for timber retraining benefits based on employment in the forest products industry.

#### NEW SECTION

**WAC 192-32-115 OUT-OF-STATE TRAINING.** Training programs may be approved at educational institutions outside the state of Washington equivalent to those described in RCW 28B.10.016 and RCW 28C.04.410(3).

### **WSR 91-20-013**

#### **PERMANENT RULES**

#### **DEPARTMENT OF AGRICULTURE**

[Filed September 20, 1991, 4:43 p.m.]

Date of Adoption: September 20, 1991.

Purpose: To repeal WAC 16-154-020 Principles of organic food production, from chapter 16-154 WAC, Organic crop production standards.

Citation of Existing Rules Affected by this Order: Repealing WAC 16-154-020; and amending WAC 16-160-060.

Statutory Authority for Adoption: Chapter 15.86 RCW Organic food products.

Pursuant to notice filed as WSR 91-15-067 on July 23, 1991.

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

September 20, 1991

Michael Schwisow

Deputy Director

#### REPEALER

The following section of the Washington Administrative Code is repealed:

**WAC 16-154-020 PRINCIPLES OF ORGANIC FOOD PRODUCTION.**

AMENDATORY SECTION (Amending WSR 91-05-007, filed 2/7/91, effective 3/10/91)

**WAC 16-160-060 CRITERION FOR REGISTRATION.** (1) The director shall review the information provided under WAC 16-160-040 and shall register the material as an "approved material" if he or she determines that:

(a) Its composition is such as to warrant the proposed claims for it;

(b) Its labeling and other material required to be submitted comply with state and federal laws;

(c) It is composed entirely of "approved" materials as stated in chapter 16-154 WAC or meets the provisions of subsection (2) of this section.

(2) Synthetic materials may be considered for registration by the director if he or she determines that:

(a) The material is judged to be essential to the production of the crop;

(b) The material is less toxic or environmentally hazardous than a naturally derived alternative; and

(c) The use of the material is consistent with the principles of organic farming as set forth in (~~WAC 16-154-020~~) chapter 16-154 WAC.

### **WSR 91-20-014**

#### **WITHDRAWAL OF PROPOSED RULES**

#### **DEPARTMENT OF HEALTH**

[Filed September 23, 1991, 11:13 a.m.]

This is notice that the proposed infection control rules, WSR 91-18-078, filed with the Code Reviser's Office on September 4, 1991, are being withdrawn and are being referred back to the Dental Disciplinary Board's subcommittee for further review and/or revisions. The rules being withdrawn are WAC 246-816-701 Purpose, 246-816-710 Definitions, 246-816-720 Use of barriers and sterilization techniques, and 246-816-730 Management of single use items.

Linda McCue, Program Manager  
Dental Disciplinary Board

**WSR 91-20-015**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
**(Board of Practical Nursing)**  
 [Filed September 23, 1991, 11:15 a.m.]

Continuance of WSR 91-19-037.

Title of Rule: Chapter 246-838 WAC, Practical nurses.

Purpose: To notify the public that the time and place of the rules hearing for housekeeping changes to practical nursing rules has been changed.

Hearing Location: Ramada Inn, Spokane International Airport, Spokane, Washington 99219, on November 14, 1991, at 9:00 a.m.

Submit Written Comments to: Leslie Baldwin, 1300 S.E. Quince Street, Mailstop EY-16, Olympia, WA, by November 10, 1991.

Date of Intended Adoption: November 14, 1991.

September 20, 1991

Susan L. Boots

Executive Secretary

**WSR 91-20-016**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
**(Chiropractic Disciplinary Board)**  
 [Filed September 23, 1991, 11:18 a.m.]

Original Notice.

Title of Rule: Chapter 246-807 WAC, Chiropractic, doctors of—Chiropractic Disciplinary Board.

Purpose: Housekeeping changes to update references to WAC numbers, agency name and address.

Statutory Authority for Adoption: RCW 18.26.110.

Summary: Housekeeping changes to update WAC numbers, agency name and address, etc.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Connie Glasgow, 1300 Quince Street S.E., Olympia, 98504, (206) 753-0776.

Name of Proponent: Chiropractic Disciplinary Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This action updates the rules, but does not alter the meaning.

Proposal Changes the Following Existing Rules: Housekeeping.

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

Hearing Location: Wyndham Gardens, 18118 Pacific Highway South, Seattle, WA 98188, on November 13, 1991, at 7:00 p.m.

Submit Written Comments to: Connie M. Glasgow, 1300 S.E. Quince, EY-21, Olympia, WA 98504, by November 10, 1991.

Date of Intended Adoption: November 13, 1991.

September 17, 1991

Connie M. Glasgow

Program Manager

**AMENDATORY SECTION** (Amending Order 110B, filed 2/20/91, effective 3/23/91)

WAC 246-807-180 RADIOGRAPHIC STANDARDS. The following requirements for chiropractic x-ray have been established because of concerns about over-radiation and unnecessary x-ray exposure.

(1) The following should appear on the films:

- (a) Patient's name and age;
- (b) Doctor's name, facility name, and address;
- (c) Date of study;
- (d) Left or right marker;
- (e) Other markers as indicated;
- (f) Adequate collimation;
- (g) Gonad shielding, where applicable.

(2) Minimum of A/P and lateral views are necessary for any regional study unless clinically justified.

(3) As clinical evidence indicates, it may be advisable to produce multiple projections where there is an indication of possible fracture, significant pathology, congenital defects, or when an individual study is insufficient to make a comprehensive diagnosis/analysis.

(4) Each film should be of adequate density, contrast, and definition, and no artifacts should be present.

(5) The subjective complaints, if any, and the objective findings substantiating the repeat radiographic study must be documented in the patient record.

(6) These rules are intended to complement and not supersede those rules adopted by the radiation control agency set forth in chapter ((402-28)) 246-225 WAC, ((Use of)) Radiation protection—X-rays in the healing arts.

**AMENDATORY SECTION** (Amending Order 110B, filed 2/20/91, effective 3/23/91)

WAC 246-807-230 ETHICAL STANDARDS—HONORING OF PUBLICITY AND ADVERTISEMENTS. (1) If a chiropractor advertises a fee for a service, the chiropractor must render that service for no more than the fee advertised.

(2) Unless otherwise specified in the advertisement, if a chiropractor publishes any fee information authorized under chapter ((113-12)) 246-807 WAC, the chiropractor shall be bound by any representation made therein for the periods specified in the following categories:

(a) If in a publication which is published more frequently than one time per month, for a period of not less than thirty days after such publication.

(b) If in a publication which is published once a month or less frequently, until the publication of the succeeding issue.

(c) If in a publication which has no fixed date for publication of the succeeding issue, for a reasonable period of time after publication, but in no event less than one year.

**AMENDATORY SECTION** (Amending Order 110B, filed 2/20/91, effective 3/23/91)

WAC 246-807-250 ETHICAL STANDARDS—PROFESSIONAL NOTICES, LETTERHEADS, CARDS, AND MAILINGS. In his use of professional notices, letterheads, cards, and mailings, a chiropractor is subject to the same regulations of chapter ((113-12)) 246-807 WAC which apply to his use of other print media.

**AMENDATORY SECTION** (Amending Order 110B, filed 2/20/91, effective 3/23/91)

WAC 246-807-340 MANDATORY REPORTING DEFINITIONS. (1) "Unprofessional conduct" as used in these regulations shall mean the conduct described in RCW 18.130.180 and 18.26.030.

(2) "Board" means the chiropractic disciplinary board, whose address is:

((Department of Licensing  
Professional Programs  
— Management Division  
P.O. Box 9012  
Olympia, WA 98504-8001))

Department of Health  
Professional Licensing Services  
1300 Quince Street  
Olympia, WA 98504

(3) "Chiropractor" means a person licensed pursuant to chapter 18-.25 RCW.

(4) "Mentally or physically disabled chiropractor" means a chiropractor who has either been determined by a court to be mentally incompetent or mentally ill or who is unable to practice chiropractic with reasonable skill and safety to patients by reason of any mental or physical condition.

**WSR 91-20-017**  
**RULES OF COURT**  
**STATE SUPREME COURT**  
[September 19, 1991]

IN THE MATTER OF THE ADOPTION NO. 25700-A-482  
OF THE AMENDMENT TO JTIR 6.2(d) ORDER

The District and Municipal Court Judges' Association having proposed the amendment to JTIR 6.2(d) and the Court having determined that the amendment will aid in the prompt and orderly administration of justice and having further determined that an emergency exists which necessitates an early adoption;

Now, therefore, it is hereby

**ORDERED:**

(a) That the amendment as attached hereto is adopted.

(b) That pursuant to the emergency provisions of GR 9(i), the amendment will be published expeditiously in the Washington Reports and will become effective September 28, 1991.

DATED at Olympia, Washington this 19th day of September, 1991.

Dore, A. L. J.

Utter, J.

Dolliver, J.

Brachtenbach, J.

Charles Z. Smith

Durham, J.

Richard P. Guy

Andersen, J.

Johnson, J.

(d) Penalty Schedule. The following infractions shall have the penalty listed, not including statutory assessments.

Serious Infractions	Penalty
1. Wrong way on freeway (RCW 46.61.150)	\$ 165
2. Wrong way on freeway access (RCW 46.61.155)	\$ 70
3. Backing on limited access highway (RCW 46.61.605)	\$ 70

4. Spilling or failure to secure load (RCW 46.61.655)	\$ 70
5. Throwing or depositing debris on highway (RCW 46.61.645)	\$ 70
6. Disobeying school patrol (RCW 46.61.385)	\$ 70
7. Passing stopped school school bus (with red lights flashing) (RCW 46.61.370)	\$ 70
8. Violation of posted road restriction (RCW 46.44.080; RCW 46.44.105(4))	\$ 165
9. Switching license plates, loan of license or use of another's (RCW 46.16.240)	\$ 70
10. Altering of using altered license plates (RCW 46.16.240)	\$ 70

Operator's Licenses (RCW 46.20)  
All RCW 46.20 infractions \$ 25

Vehicle Licenses (RCW 46.16)  
Expired Vehicle License (RCW 46.16.010)  
Two months or less \$ 25  
Over 2 months \$ 70

Speeding (RCW 46.61.400) if speed limit is over 40 m.p.h.

1-5 m.p.h. over limit	\$ 10
6-10 m.p.h. over limit	\$ 20
11-15 m.p.h. over limit	\$ 35
16-20 m.p.h. over limit	\$ 50
21-25 m.p.h. over limit	\$ 65
26-30 m.p.h. over limit	\$ 85
31-35 m.p.h. over limit	\$ 110
36-40 m.p.h. over limit	\$ 135
Over 40 m.p.h. over limit	\$ 165

Speeding if speed limit is 40 m.p.h. or less

1-5 m.p.h. over limit	\$ 20
6-10 m.p.h. over limit	\$ 25
11-15 m.p.h. over limit	\$ 40
16-20 m.p.h. over limit	\$ 60
21-25 m.p.h. over limit	\$ 85
26-30 m.p.h. over limit	\$ 110
31-35 m.p.h. over limit	\$ 135
Over 35 m.p.h. over limit	\$ 165

Speed Too Fast for Conditions (RCW 46.61.400(1)) \$ 25

Rules of the Road

1. Failure to stop (RCW 46.61.050, .210)	\$ 25
2. Failure to yield the right of way (RCW 46.61.180, .190, .205, .210, .235, .300, .365)	\$ 25
3. Following too close (RCW 46.61.145, .635)	\$ 25
4. Failure to signal (RCW 46.61.310)	\$ 25
5. Improper lane usage or travel (RCW 46.61.140)	\$ 25

- 6. Impeding traffic (RCW 46.61.425) \$ 25
- 7. Improper passing (RCW 46.61.110, .115, .120, .125, .130) \$ 25
- 8. Prohibited and improper turn (RCW 46.61.290, .295, .305) \$ 25
- 9. Crossing double yellow line left of center line (RCW 46.61.100, .130, .140) \$ 25
- 10. Operating with obstructed vision (RCW 46.61.615) \$ 25
- 11. Wrong way on one-way street (RCW 46.61.135) \$ 25
- 12. Failure to comply with restrictive signs (RCW 46.61.050) \$ 25

Accident

If an accident occurs in conjunction with any of the listed rules-of-the-road infractions or speed too fast for conditions, the penalty for the infraction shall be: \$ 50

Equipment (RCW 46.37)

- 1. Illegal use of emergency equipment (RCW 46.37.190) \$ 70
- 2. Defective or modified exhaust systems, mufflers, prevention of noise and smoke (RCW 46.37.390 (1) and (3))
  - First offense (the penalty may be waived upon proof to the court of compliance) \$ 30
  - Second offense within 1 year of first offense \$ 50
  - Third and subsequent offenses within 1 year of first offense \$ 70
- 3. Any other equipment infraction (RCW 46.37.010) \$ 25

Motorcycles

Any infraction relating specifically to motorcycles (including no valid endorsement, RCW 46.20.500) \$ 25

Parking

- 1. Illegal parking on roadway (RCW 46.61.560) \$ 20
- 2. Any other parking infraction (not defined by city or county ordinance) \$ 10

Pedestrians

Any infraction regarding pedestrians (not defined by city or county ordinance) \$ 10

Bicycles

Any infraction regarding bicycles \$ 15

Load Violations

(All under RCW 46.44, except over license capacity) (See RCW 46.16)

- 1. Over legal-tires, wheelbase (RCW 46.44.105(1))
  - (First offense) \$ 55
  - (Second offense) \$ 85
  - (Third offense) \$ 100

In addition to the above (RCW 46.44.105(2)) 3¢ per excess pound

- 2. Over license capacity (RCW 46.16.145)
  - (First offense) \$ 55
  - (Second offense) \$ 85
  - (Third offense) \$ 100
- 3. Violation of special permit \$ 50
- 4. Failure to obtain special permit \$ 50
- 5. Failure to submit to being weighed \$ 50
- 6. Illegal vehicle combination (RCW 46.44.036) \$ 50
- 7. Illegally transporting mobile home \$ 55
- Any other infraction defined in RCW 46.44 \$ 35

Private Carrier (RCW 46.73)

- 1. Failure to display valid medical exam \$ 52
- 2. Violation of daily log book
  - Driver not out of service \$ 52
  - Driver out of service \$ 78

Off-Road Vehicles (ATV's) (RCW 46.09)

Any RCW 46.09 infraction \$ 30

Snowmobiles (RCW 46.10)

Any RCW 46.10 infraction \$ 30

Failure to respond to notice of infraction or failure to pay penalty (RCW 46.63.110(3)) \$ 25

Failure to provide proof of motor vehicle insurance

(RCW 46.30.020) \$250

WSR 91-20-018

ATTORNEY GENERAL OPINION

Cite as: AGO 1991 No. 28

[September 16, 1991]

BOUNDARY REVIEW BOARD—DEPARTMENT OF HEALTH—WATER—COUNTIES—CITIES AND TOWNS—AUTHORITY OF BOUNDARY REVIEW BOARD TO REVIEW EXTENSION OF WATER SERVICE WHEN THE EXTENSION OCCURS PURSUANT TO A COORDINATED WATER SYSTEM PLAN

RCW 70.116.020 establishes the procedure for adopting coordinated water system plans in areas designated as critical water supply service areas. RCW 36.93.090(5) provides that a boundary review board may review extension of water service by a city or town outside existing corporate boundaries. A boundary review board does not have authority under RCW 36.93.050(5) to review extension of water service beyond corporate city or town limits if it is consistent with the coordinated water system plan adopted pursuant to RCW 70.116.020.

Requested by:

Honorable Michael E. Rickert  
 Skagit County Prosecuting Attorney  
 Courthouse Annex  
 605 South 3rd Street  
 Mount Vernon, Washington 98273



**WSR 91-20-019**  
**EXECUTIVE ORDER 91-06**  
**OFFICE OF THE GOVERNOR**  
 [September 6, 1991]

**PROHIBITING DISCRIMINATION AND**  
**ESTABLISHING AFFIRMATIVE ACTION AND**  
**WORK PLACE DIVERSITY POLICY**  
**AND RESCINDING EXECUTIVE ORDER 85-09**

WHEREAS, it is the long established policy of the State of Washington that the state should not discriminate in its employment practices based on characteristics that are not directly related to the ability of an individual to perform the requirements of a job; and

WHEREAS, state government has traditionally adopted employment policies and procedures to encourage non-discriminatory employment practices intended to provide desirable models for the private sector and local governments; and

WHEREAS, significant changes have occurred to address problems in hiring, promoting, and retaining an employment force which reflects the composition of the broad community of the citizens of the state, and efforts must continue to further enhance the participation and representation in the state's work force for certain groups which have suffered past discrimination in society; and

WHEREAS, the state has an existing policy that its agencies and institutions of higher education undertake affirmative action programs to recruit into all levels of employment certain under-represented groups which include women, ethnic and racial minorities, persons of disability, persons over the age of 40, disabled veterans, and Vietnam era veterans; and

WHEREAS, certain groups, including some which are not otherwise protected under existing state and federal law, may experience discrimination in hiring, promotion, recruitment, and tenure associated with their employment with the state; and

WHEREAS, because of the increasing diversity in the state's work force, it is important that agencies and higher education institutions create an organizational culture that respects and values individual differences and encourages the productive potential of every employee.

NOW, THEREFORE, I, Booth Gardner, Governor of the State of Washington, by virtue of the power vested in me, do hereby:

Reaffirm my commitment to elimination of all barriers to employment which artificially restrict hiring, promotion, recruitment, and tenure on the basis of any physical, cultural, religious, or other status which is not directly related to the performance of a job; and

Direct that all agencies and institutions of higher education continue to use corrective employment measures to employ, in all job categories, designated under-represented groups which include women, ethnic and racial minorities, persons of disability, persons over the age of

40, disabled veterans, and Vietnam era veterans. Agencies and higher education institutions shall base their corrective programs on applicable state and federal law including the Washington Administrative Code (WAC) covering employment based on Revised Code of Washington 49.60 and Chapter 365 Laws of 1985, and comply with Federal Executive Order 11246 as amended by Federal Executive Order 11375, the Vietnam Era Readjustment Act of 1976, Section 503 of the Vocational rehabilitation Act of 1974, and the Age Discrimination Act of 1967 as amended; and

Direct that barriers to the employment of persons of disability continue to be eliminated and that reasonable accommodation continue to be made to ensure the inclusion of disabled individuals in the work force; and

Direct that all state agencies and institutions of higher education continue to improve the employment opportunities for Vietnam era veterans; and

Direct that no state agency or institutions of higher education shall discriminate in employment solely on the basis of an individual's sexual orientation. No state agency or institution of higher education shall be required to establish employment goals based on sexual orientation; and

Urge all state agencies and institutions of higher education to take reasonable and appropriate steps to encourage the participation in the state work force of persons with limited ability to speak English.

Accordingly, in order to implement the aforesaid policies, I direct all state agencies and institutions of higher education to:

1. Review policy statements, programs, and procedures to ensure that all possible actions are being taken to assure that equal employment opportunity exists; and
2. Maintain a current affirmative action program with specific, measurable goals and objectives for the employment and promotion of ethnic and racial minorities, women, persons of disability, persons over the age of 40, disabled veterans, and Vietnam era veterans. Programs shall include target dates and supportive systems; and
3. Appoint an official who shall be the chief executive officer, his or her deputy, or another official who reports to the chief executive officer to be responsible for the implementation and supervision of the affirmative action program. The name and title of the person so designated shall be reported to the Department of Personnel or the Higher Education Personnel Board within 30 days from the date of this order; and
4. Ensure that any state agency or institution of higher education procedures for evaluating and acting upon complaints of employment discrimination reflect current state and federal law and the policies promulgated in

this Executive Order. These procedures shall provide appropriate requirements for confidentiality in cases arising from complaints of discrimination based on sexual orientation. Every effort shall be made by agencies of the state to resolve all complaints in the spirit and intent of this Executive Order; and

5. Review their rules, policies, procedures and practices to ensure they support and enhance valuing and managing diversity in the work place.

Furthermore, the Governor's Affirmative Action Policy Committee established under Executive Order 84-10 is hereby reestablished. The membership shall not exceed fifteen and shall consist of representatives from state agencies involved in affirmative action issues, protected groups, the Department of Personnel and the Higher Education Personnel Board. Membership on the committee shall also include geographic representation from Eastern and Western Washington. The Governor shall appoint the chair. Members shall be reimbursed for travel expenses for attendance at meetings of the committee. The Committee shall:

1. Advise the Governor on state affirmative action policies and submit recommendations to the Governor for any further action; and
2. Approve affirmative action plans for agency implementation strategies and goal progress which meet guidelines established by the Department of Personnel; and
3. Approve affirmative action plans for higher education institutions implementation strategies and goal progress which meet guidelines established by the Higher Education Personnel Board; and
4. Review and evaluate reports and guidelines submitted by the Department of Personnel and the Higher Education Personnel Board to determine the extent to which the state is meeting the employment needs of all protected groups and affirmative action obligations under federal and state laws, regulations, and policies; and
5. Submit annual reports to the Governor outlining the progress of the state in meeting its goals and timetables; and
6. Submit annual reports to the Governor for any further action which it deems appropriate.

The Department of Personnel shall:

1. Provide agencies with guidelines and assistance for establishing and implementing an affirmative action program, such guidelines to be in accordance with all above-referenced state and federal laws and regulations; and

2. Review and provide technical approval of agencies' affirmative action plans and progress reports against established guidelines and state policies. Recommend to the Affirmative Action Policy Committee approval of such plans or corrective action as needed; and
3. Develop and implement a positive hiring program to include additional target recruiting, verification of the job-relatedness of examinations, educational workshops, and other training programs; and
4. Develop a reporting system for monitoring the progress of each agency toward achieving its goals, including a statistical analysis of present work forces; and
5. Submit annual reports to the governor, the Affirmative Action Policy Committee, and the Human Rights Commission.

The Higher Education Personnel Board shall:

1. Provide higher education institutions with guidelines and assistance for establishing and implementing an affirmative action program, such guidelines to be in accordance with all above-referenced state and federal laws and regulations; and
2. Review and provide technical approval of institutions' affirmative action plans and progress reports against established guidelines and state policies. Recommend to the Affirmative Action Policy Committee approval of such plans or corrective action as needed; and
3. Assist higher education institutions in the development and implementation of a positive hiring program to include: target recruiting, verification of the job-relatedness of examinations, educational workshops, and other training programs; and
4. Develop a reporting system for monitoring the progress of each higher education institution toward achieving its goals, including a statistical analysis of present work forces; and
5. Submit annual reports to the Governor, the Affirmative Action Policy Committee, and the Human Rights Commission.

The Human Rights Commission shall:

1. Provide the Department of Personnel and the Higher Education Personnel Board with information to assist the Department of Personnel and the Higher Education Personnel Board to establish and implement the state's affirmative action program, such information to be in accordance with all applicable state and federal laws and regulations; and

- 2. Provide appropriate training in coordination with the Department of Personnel and the Higher Education Personnel Board through workshops or other educational programs for state agencies and higher education institutions regarding the interpretation and application of federal and state laws and other regulations applying to equal employment opportunity; and
- 3. Advise the Affirmative Action Policy Committee, Department of Personnel, and Higher Education Personnel Board regarding agencies' and higher education institutions' compliance with applicable federal and state laws, regulations, and policies; and
- 4. Where consistent with the Commission authority, enforce all applicable federal and state laws and regulations pertaining to nondiscrimination and laws affecting all protected groups to ensure compliance with the content and spirit of this Executive Order.

The Office of the Governor shall:

- 1. Through the executive cabinet, review affirmative action recommendations and progress reports submitted through the Affirmative Action Policy Committee; and
- 2. Maintain regular communications with the Affirmative Action Policy Committee and other agencies, advisory groups and advocacy organizations concerned with employment discrimination; and
- 3. Take such additional action as deemed necessary which will result in an effective affirmative action program for the State of Washington.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State of Washington to be affixed at Olympia this 6th day of September, A.D., nineteen hundred and ninety one.

Booth Gardner

Governor of Washington

BY THE GOVERNOR:

Donald F. Whiting

Assistant Secretary of State

**WSR 91-20-020**  
**WITHDRAWAL OF PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**  
 [Filed September 23, 1991, 1:48 p.m.]

This is to officially request that the proposal to amend the rules relating to apple ermine moth quarantine, WAC 16-470-010, 16-470-015, and 16-470-500 through 16-470-535, WSR 91-15-100 filed on July 24, 1991, be withdrawn.

At the public hearing held in Wenatchee at 1:10 p.m. on September 13, 1991, substantive issues were identified and substantial changes were proposed to the rule proposal. The proposal will be reviewed and amended at a later date.

William E. Brookreson  
Assistant Director  
Plant Services Division

**WSR 91-20-021**  
**PROPOSED RULES**  
**PERSONNEL BOARD**  
 [Filed September 23, 1991, 2:25 p.m.]

Continuance of WSR 91-16-046.  
 Title of Rule: WAC 356-05-260 Persons of disability.  
 Purpose: This is the new definition of persons of disability specified by the Americans With Disabilities 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, on October 10, 1991, at 10:00 a.m.  
 Submit Written Comments to: Sharon Whitehead, Department of Personnel, P.O. Box 1789, Mailstop FE-11, Olympia, WA 98507, by October 8, 1991.  
 Date of Intended Adoption: October 10, 1991.

September 16, 1991  
Dee W. Henderson  
Secretary

**WSR 91-20-022**  
**PROPOSED RULES**  
**PERSONNEL BOARD**  
 [Filed September 23, 1991, 2:27 p.m.]

Continuance of WSR 91-16-042.  
 Title of Rule: WAC 356-18-116 Leave due to unforeseen child care requirements.  
 Purpose: This rule establishes a policy for authorization of leave for child care needs.  
 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, on October 10, 1991, at 10:00 a.m.  
 Submit Written Comments to: Sharon Whitehead, Department of Personnel, P.O. Box 1789, Mailstop FE-11, Olympia, WA 98507, by October 8, 1991.

Date of Intended Adoption: October 10, 1991.  
September 16, 1991  
Dee W. Henderson  
Secretary

**WSR 91-20-023**  
**PROPOSED RULES**  
**PERSONNEL BOARD**

[Filed September 23, 1991, 2:29 p.m.]

Continuance of WSR 91-15-077.  
Title of Rule: WAC 356-06-055 Exempt—Classified  
service—Movement between.

Purpose: This rule determines the rights of exempt  
employees.

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, on October 10,  
1991, at 10:00 a.m.

Submit Written Comments to: Sharon Whitehead,  
Department of Personnel, P.O. Box 1789, Mailstop FE-  
11, Olympia, WA 98507, by October 8, 1991.

Date of Intended Adoption: October 10, 1991.  
September 16, 1991  
Dee W. Henderson  
Secretary

**WSR 91-20-024**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Filed September 23, 1991, 2:33 p.m.]

Continuance of WSR 91-17-087.  
Title of Rule: WAC 388-49-420 Resources—  
Nonexempt.

Purpose: Continue adoption date from October 8,  
1991, to October 31, 1991.

Date of Intended Adoption: October 31, 1991.  
September 23, 1991  
Leslie F. James, Director  
Administrative Services

**WSR 91-20-025**  
**PROPOSED RULES**  
**PERSONNEL BOARD**

[Filed September 23, 1991, 2:35 p.m.]

Continuance of WSR 91-15-074, 91-13-040, and  
91-10-062.

Title of Rule: 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, on October 10,  
1991, at 10:00 a.m.

Submit Written Comments to: Sharon Whitehead,  
Department of Personnel, P.O. Box 1789, Mailstop FE-  
11, Olympia, WA 98507, by October 8, 1991.

Date of Intended Adoption: October 10, 1991.  
September 16, 1991  
Dee W. Henderson  
Secretary

**WSR 91-20-026**  
**PROPOSED RULES**  
**DEPARTMENT OF PERSONNEL**

[Filed September 23, 1991, 2:37 p.m.]

Original Notice.  
Title of Rule: WAC 356-30-330 Reduction in force  
reasons, regulations—Procedure.

Purpose: This rule describes the reasons and rights  
regarding reduction in force.

Statutory Authority for Adoption: RCW 41.06.040.  
Statute Being Implemented: RCW 41.06.150.

Summary: Specifies first step to be followed in return-  
ing a reverted exempt employee to classified service.

Reasons Supporting Proposal: Clarification of process  
to assure consistent treatment of reverted exempt  
employees.

Name of Agency Personnel Responsible for Drafting:  
Bonnie Parker, Department of Social and Health Ser-  
vices, Mailstop OB-13, 753-5184; Implementation and  
Enforcement: Department of Personnel.

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 Ef-  
fects: This proposed revision clarifies the procedure to be  
followed when a formerly classified, now exempt, em-  
ployee is to revert to the classified service. It should pro-  
vide for consistent, equitable treatment of employees ex-  
periencing reversion.

Proposal Changes the Following Existing Rules: Yes,  
by increasing specificity regarding reversion process.

No small business economic impact statement is re-  
quired for this proposal by chapter 19.85 RCW.

Hearing Location: Department of Personnel, 521  
Capitol Way South, Olympia, WA 98507, on November  
14, 1991, at 10:00 a.m.

Submit Written Comments to: Sharon Whitehead,  
Department of Personnel, P.O. Box 1789, FE-11,  
Olympia, WA 98504, by November 12, 1991.

Date of Intended Adoption: November 14, 1991.  
September 23, 1991  
Dee W. Henderson  
Secretary

**AMENDATORY SECTION** (Amending Order 308, filed 9/7/88, effective 11/1/88)

**WAC 356-30-330 REDUCTION IN FORCE—REASONS, REGULATIONS—PROCEDURE.** ~~((+))~~ The reasons for reduction in force actions and the minimum period of notice are:))

~~((+))~~ (1) Employees may be separated in accordance with the statutes and the agencies' approved reduction in force procedures after at least fifteen calendar days' notice in writing, without prejudice, because of lack of funds or curtailment of work, or good faith reorganization for efficiency purposes, ineligibility to continue in a position which has been reallocated, or when there are fewer positions than there are employees entitled to such positions either by statute or within other provisions of merit system rules.

~~((+))~~ (2) When employees have statutory and merit system rule rights to return to the classified service ~~((and))~~, such employees first shall be returned to the classification selected. If such return causes the total number of employees to exceed ~~((s))~~ the number of positions to be filled in the classification, those employees in excess ~~((with))~~ shall have the reduction in force rights prescribed in this section.

~~((+))~~ (3) The agencies shall develop a reduction in force procedure that is consistent with the following:

(a) For purposes of reduction in force (WAC 356-30-330), seniority shall be determined by the definition in WAC 356-05-390. Ties in seniority will be broken by first measuring the employees' last continuous time within their current classification; if the tie still exists, by measuring the employees' last continuous time in their current agency; and if the tie still exists, by lot.

(b) Clearly defined layoff units, either geographically or by administrative units or both, so as to limit the disruption of an agency's total operation; but not to unduly restrict the options available to employees with greater seniority. The definition of layoff units may be a series of progressively larger units within an agency when a valid option in lieu of separation cannot be offered to respective employees within a lesser-sized unit. Employment projects, established under the provisions of WAC 356-30-145, Project employment, are distinct layoff units, separate and exclusive of any other defined layoff unit or employment project. Seasonal career layoff units, established under the provisions of WAC 356-30-130, Seasonal career employment, are distinct layoff units, separate and exclusive of any other defined layoff unit.

(c) Options in lieu of separation by reduction in force shall be offered by an agency only when such options are in accordance with the agency's reduction in force procedure which has been approved by the director of personnel.

(d) Agency reduction in force procedures shall specify the rights and obligations for employees to accept or reject options offered in lieu of separation due to reduction in force.

(e) "Bumping" by employees with greater seniority will be limited to:

- (i) The same layoff unit; and
  - (ii) Classification in which the "bumping" employee previously held permanent status; and
  - (iii) Position at the current salary range of the employee doing the bumping, or lower; and
  - (iv) Employee with the least seniority within the same category of full-time or part-time employment; and
  - (v) Competition at one progressively lower classification at a time.
- (f) An employee may not exercise a bumping option in lieu of separation due to a reduction in force if there is within the agency a vacant position which satisfies all of the criteria set forth below.

The position is one which:

- (i) The agency intends to fill;
  - (ii) Is in the current classification of the employee being offered the option, or in a classification within which the employee being offered the option previously held permanent status;
  - (iii) Is at a salary range no lower than the range that would have otherwise been a bumping option;
  - (iv) Is located within a reasonable commuting distance of the employee's permanent work location; and
  - (v) Is on the same or similar workshift as the one which the employee currently holds.
- (g) When an employee has previously held permanent status in more than one classification at the same salary range and is eligible to bump, then the employee shall be offered the option to bump into the position occupied by the employee with the least seniority.
- (h) The right to actually "bump" shall be exercised only after the employee to be "bumped" has received at least fifteen calendar days' notice of the scheduled action.

(i) Options of full-time positions will be offered first to full-time employees before part-time positions are offered. For the purpose of these offers, employees who previously accepted part-time positions due to a reduction in force action or to lessen the impact of a reduction in force shall be considered full-time employees.

(j) Seniority for part-time employees will be computed on a basic payroll hour basis within the same provision and restrictions of the general definition of seniority. When part-time employees become full-time employees, their payroll hours will be integrated on a comparable time basis as full-time employees.

(k) Permanent employees who have been scheduled for reduction in force shall have the right to take a transfer or a voluntary demotion to a vacancy that is to be filled in their own layoff unit for which they qualify, as determined by the director of personnel. This right is to be exercised according to the seniority of those desiring the same vacancy.

(l) Options of other than permanent positions as named in (m) of this subsection are to be made if no permanent position to be filled is available within a reasonable commuting distance.

(m) The reduction in force procedure shall contain the statement that, "No permanent employee shall be separated from state service through reduction in force without being offered within fifteen calendar days prior to what would be the permanent employee's effective separation those positions at the same or lesser salary range within the layoff unit for which he/she qualifies, currently being held by emergency, temporary, probationary, or intermittent employees."

(n) The salary of an employee who has accepted a lower position will be reduced to the top of the range of the lower class unless the previous salary is within the range of the new class, in which case it will remain unchanged.

~~((+))~~ (4) The agency shall submit the procedure to the director of personnel for approval.

~~((+))~~ (5) Vacancies will not be filled either by local list procedures or on a temporary, intermittent, or seasonal basis without contacting the department of personnel in an effort to fill the positions by qualified employees who have been or are scheduled for separation due to reduction in force.

~~((+))~~ (6) When a majority of the positions in a layoff unit other than in project employment is to be eliminated because of a lack of funds and/or work, permanent employees in such positions shall be offered, according to their seniority, those positions in classes in which they have held permanent status which are currently being held by emergency, temporary, or probationary employees; provided they have not rejected offers of vacant positions made by certifications from the registers. Such options shall be offered in accordance with the following requirements:

(a) Positions in the employee's own agency and within a reasonable commuting distance shall be offered first; second, in the classified service within a reasonable commuting distance; third, anywhere within the employee's own agency; and fourth, throughout the classified service.

(b) A permanent employee's right to fill a position may be exercised only within fifteen calendar days prior to the effective date of separation.

(c) Offers will be made in accordance with a procedure established by the director of personnel.

~~((+))~~ (7) In order to exercise an option to a position which may require selective criteria, the following applies. The option may be exercised only by an employee who possesses the required specialized qualifications when:

(a) The criteria were approved when the position was established, reallocated or last filled; or

(b) The specialized qualifications were previously required for a classification that was later merged with other classifications that did not require them; or

(c) When, at a subsequent time, it was determined that the position requires the performance of specialized duties that would warrant future selective certification.

(d) In the case of (c) of this subsection, the selective criteria shall not be applied for the purposes of determining reduction in force options until six months after the notification of the new duties has been made to the department of personnel.

(e) In the case of (a), (b) and (c) of this subsection, the director of personnel or designee must have determined that the specialized qualifications are still essential for the successful job performance and the qualifications could not be learned within a reasonable length of time.

~~((7))~~ (8) Options to positions which are covered by WAC 356-26-140 may be exercised only by employees who, at the time they are notified they are scheduled for reduction in force:

(a) Are exempt from a background inquiry by WAC 356-26-140(4); or

(b) Authorize a background inquiry as provided for in WAC 356-26-140 and are cleared for the option as a result of the inquiry.

**WSR 91-20-027  
PERMANENT RULES  
PERSONNEL BOARD**

[Order 381—Filed September 23, 1991, 2:40 p.m.]

Date of Adoption: September 12, 1991.

Purpose: This rule explains how to compute the rate of standby pay.

Citation of Existing Rules Affected by this Order: Amending WAC 356-15-080 Standby compensation.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to notice filed as WSR 91-15-075 on July 23, 1991.

Effective Date of Rule: Thirty-one days after filing.  
September 16, 1991  
Dee W. Henderson  
Secretary

AMENDATORY SECTION (Amending Order 367, filed 1/16/91, effective 7/1/91)

**WAC 356-15-080 STANDBY COMPENSATION.** (1) Requirements:

(a) An employee is in standby status when not being paid for time actually worked and both of the following conditions exist:

(i) The employee is required to be present at a specified location. The location may be the employee's home or other specific location, but not a work site away from home. When the standby location is the employee's home, and the home is on the same state property where the employee works, the home is not considered a work site.

(ii) The agency requires the employee to be prepared to report immediately for work if the need arises, although the need might not arise.

Note: When the nature of a duty station confines an employee during off duty hours (e.g., a ship), and that confinement is a normal condition of work in the employee's position, standby compensation is not required merely because the employee is confined.

(b) An agency may issue a written policy stating that an employee is in standby status when not being paid for time worked while required to leave a telephone number with the agency or remain in communication with a dispatching authority to respond to a call to begin work in a specified time limit.

(c) Standby status shall not be concurrent with work time.

(2) Payment: Any scheduled or nonscheduled work period employee required to stand by shall be paid the hourly standby rate. Standby pay may be authorized by

an agency for exceptions work period employees. Exceptions work period employee standby may be compensated with compensatory time. The compensatory time shall be equal in base salary to the dollar amount of standby pay earned.

(3) Rate: The standby hourly rate for each step of any range is calculated by dividing the maximum number of standby hours in a workweek (128 hours) into the difference between that step of the range and the same letter step of the range which is exactly ~~((four))~~ two whole numbers higher. That is: ~~((30))~~ 28 - 26, or ~~((30-3))~~ 28.3 - 26.3) divided by 128 hours.

**WSR 91-20-028  
PERMANENT RULES  
PERSONNEL BOARD**

[Order 382—Filed September 23, 1991, 2:42 p.m.]

Date of Adoption: September 12, 1991.

Purpose: These rules explain and determine rates of shift differential for registered nurses.

Citation of Existing Rules Affected by this Order: Amending WAC 356-15-061 and 356-15-063.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to notice filed as WSR 91-16-089 on August 7, 1991.

Effective Date of Rule: Thirty-one days after filing.  
September 16, 1991  
Dee W. Henderson  
Secretary

AMENDATORY SECTION (Amending Order 259, filed 10/10/86, effective 12/1/86)

**WAC 356-15-061 SHIFT PREMIUM SCHEDULE.** (1) The shift premium is 50¢ an hour for evening and night shifts, and is payable only under conditions described in WAC 356-15-060.

(2) Registered nurses 1, 2, 3, and 4 and related job classes requiring licensure as a registered nurse, receive a ~~((1.00))~~ \$1.50 an hour shift differential (~~((classes 5630-5636))~~).

AMENDATORY SECTION (Amending Order 305 and 305A, filed 8/16/88 and 9/12/88)

**WAC 356-15-063 SUPPLEMENTAL SHIFT PREMIUM FOR REGISTERED NURSES.** (1) For the classes of registered nurse 1, 2, 3, and 4 (~~((only))~~), there shall be the following supplemental shift premium rates payable only in the amounts and under the conditions described in this section.

(a) ~~((0.50))~~ \$1.00 an hour for registered nurses and related job classes requiring licensure as a registered nurse, payable alone or in any combination with shift premiums authorized in sections WAC 356-15-060, 356-15-061, and 356-15-063 (1)(b) during any hours worked from 11:00 p.m. until 7:00 a.m. and for no other hours.

(b) \$3.00 an hour, payable alone or in combination with shift premiums authorized in sections WAC 356-

15-060, 356-15-061, and 356-15-063 (1)(a) during any hours worked from any Saturday morning midnight to Monday morning midnight, and for no other hours.

Example: A registered nurse 2 is scheduled to work from 10:00 p.m. to 6:00 a.m. Friday through Tuesday. On Friday from 10:00 p.m. to 11:00 p.m. the shift premium would be ~~((\\$1.00))~~ \\$1.50 an hour as provided in WAC 356-15-060 and 356-15-061. From 11:00 p.m. until 12:00 midnight the supplemental ~~((\\$0.50))~~ \\$1.00 an hour would be added, raising the premium rate to ~~((\\$1.50))~~ \\$2.50 an hour. At midnight, the supplemental \\$3.00 an hour for work on Saturday would be added, raising the premium to ~~((\\$4.50))~~ \\$5.50 an hour until the end of the shift at 6:00 a.m.

If the employee is directed to work overtime until noon, the basic ~~((\\$1.00))~~ \\$2.50 an hour night shift premium continues to be payable to this night shift employee. And the \\$3.00 Saturday-Sunday premium continues. But the 11:00 p.m. to 7:00 a.m. ~~((\\$0.50))~~ \\$1.50 stops at 7:00 a.m., reducing the premium to ~~((\\$4.00))~~ \\$5.00 an hour until noon.

(2) These supplemental shift premiums are payable regardless of whether the work was previously scheduled, and regardless of whether the employee is full time or part time.

(3) These supplemental shift premiums are not payable during hours other than those specified, even though additional continuous hours may be worked by the employee.

**WSR 91-20-029**  
**PERMANENT RULES**  
**PERSONNEL BOARD**

[Order 383—Filed September 23, 1991, 2:44 p.m., effective November 1, 1991]

Date of Adoption: September 12, 1991.

Purpose: These rules provide guidelines for temporary appointments, probationary and trial service periods.

Citation of Existing Rules Affected by this Order: Amending WAC 356-30-067, 356-30-260, 356-30-290, and 356-30-305.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to notice filed as WSR 91-15-076 on July 23, 1991.

Effective Date of Rule: November 1, 1991.

September 16, 1991

Dee W. Henderson

Secretary

**AMENDATORY SECTION** (Amending Order 320, filed 6/26/89, effective 8/1/89)

**WAC 356-30-067 TEMPORARY APPOINTMENTS FROM WITHIN CLASSIFIED SERVICE.**

(1) Temporary appointments may be made with the approval of the director of personnel or designee to classified positions during the absence of a permanent employee or during a workload peak when there is a need to fill a position for not more than nine months or 1560

nonovertime hours or while recruitment is being conducted to establish a complete register.

(2) Temporary appointments may be made at a lower level than the allocation of the position being filled provided the class falls within the same or a related class series.

(3) All temporary appointments to supervisory or managerial positions must be made from within state service unless the director determines that such action is not practicable.

(4) Established registers, certification, and referral services are available and may be used when making temporary appointments. An employee certified from the register to fill a position in the absence of a permanent employee may enter a probationary or trial service period and subsequently gain permanent status when the permanent employee does not return to the position and the agency needs to fill the position permanently. The director of personnel must approve the change in status before it occurs. Time served in a temporary appointment will not be counted as part of the probationary or trial service period.

(5) Temporary appointees must meet the minimum qualifications of the class to which they are appointed unless the director of personnel determines that program needs demand otherwise. Upon termination of such temporary appointment, permanent or probationary employees shall have the right to resume a permanent position within their permanent agency at their former status except as provided in (6) below. The employee's salary upon return will be determined as if the employee had remained in the permanent position.

(6) An employee who accepts a temporary appointment to a higher class in the same series in the same work unit shall continue the probationary or trial service period for the lower class.

~~((6))~~ (7) Temporary appointments made from within classified service will normally last no more than nine months or 1560 nonovertime hours for single or multiple appointments. An extension may be approved by the director when a temporary appointment is made to replace a permanent employee who has been granted a leave of absence, when temporarily filling a supervisory or managerial position when there is reorganization pending, or as otherwise approved by the director. Temporary appointments may extend to thirty days after the date the permanent employee returns or the position is filled permanently. Time spent in emergency appointments will be counted in the 1560 hours.

~~((7))~~ (8) Compensation for temporary appointees shall be made in accordance with the rules governing promotions, demotions, or transfers.

~~((8))~~ (9) The director of personnel shall monitor temporary appointments made pursuant to this section and may revoke delegated authority where abuse is found.

**AMENDATORY SECTION** (Amending Order 371, filed 3/19/91, effective 5/1/91)

**WAC 356-30-260 PROBATIONARY PERIOD—PROVISIONS—STATUS OF EMPLOYEE.** (1) Employees who receive appointments to permanent positions

from the open competitive register and the reemployment register shall serve a probationary period of six to twelve months as determined by the personnel board. The personnel board shall designate a probationary period of six months for all positions in a class unless they determine that job requirements of the class require a longer period (up to twelve months) to provide adequate training and/or evaluation. The personnel board shall apply the following criteria for approving probationary periods of longer than six months:

(a) The work of the majority of the positions in the class is of such a nature that performance of the full range of duties cannot be properly evaluated within six months after an appointment.

OR

(b) Work of the class is cyclical in nature and the workload cycle cannot be completed within six months after an appointment.

OR

(c) Work is of such a nature that extended formalized training is required prior to the full assumption of duties.

All positions in a class shall have the same probationary period.

(2) All persons at time of appointment shall be notified in writing by the agency of the length of their probationary period. When the probationary period for a class is increased beyond six months, the increased probationary period shall apply only to persons appointed after the effective date of the change.

(3) The probationary period will provide the appointing authority with the opportunity to observe a new employee's work, to train and aid the new employee in adjustment to the position, and to terminate any employee whose work performance fails to meet the required standards.

(4) Employees who, during their probationary period, go on leave without pay shall have their probationary period extended by the number of calendar days they are on leave without pay including any intervening nonworking days.

(5) Employees shall have their probationary period extended by the number of calendar days in excess of 30 in which the employee is not at work including any intervening nonwork days if:

(a) Work is missed due to sick leave, vacation leave, military training leave, shared leave or miscellaneous leave; or

(b) Work is missed by employees of the departments of social and health services, corrections or veterans affairs due to an assault that occurred on the job and who are receiving compensation in an amount equal to full pay, as provided in chapters 72.01 and 72.09 RCW; or

(c) Work is missed due to any combination of leave identified in (5)(a) and (b) of this section which when added together exceeds 30 calendar days.

(6) Work missed during the probationary period due to holidays shall be counted as part of the required probationary period.

(7) When an employee accepts a temporary appointment to a higher class in the same series in the same work unit while serving in a probationary period, the probationary period shall continue for the lower class.

~~((7))~~ (8) Permanent appointment of a probationary employee shall be automatic unless the person is dismissed under provision of WAC 356-30-270.

~~((8))~~ (9) Veterans and their widows who have not remarried and are in probationary status will be granted seniority preference only within ranks of probationary employees and will not be granted preference within the ranks of the permanent employees until they acquire permanent status.

AMENDATORY SECTION (Amending Order 165, filed 1/18/82)

WAC 356-30-290 REASSIGNMENT. A probationary employee may be assigned to another position in the same class or may accept a temporary appointment to a higher class in the same class series if both positions are in the same work unit and the agency shall notify the director of personnel of the change.

AMENDATORY SECTION (Amending Order 371, filed 3/19/91, effective 5/1/91)

WAC 356-30-305 TRIAL SERVICE PERIOD—PROVISION. (1) Employees appointed from a voluntary demotion register to a class not previously held, a promotional register, or from the inter-system employment register shall serve a trial service period of six months. The trial service period will provide the appointing authority with the opportunity to observe the employee's work and to train and aid the employee in adjustment to the position, and to revert such an employee whose work performance fails to meet required standards. Reversions shall be under the provisions of WAC 356-30-320.

(2) Employees who during their trial service period go on leave without pay shall have their trial service period extended by the number of calendar days they are on leave without pay, including any intervening nonworking days.

(3) Employees shall have their trial service period extended by the number of calendar days in excess of 30 in which the employee is not at work, including any intervening nonwork days, if:

(a) Work is missed due to sick leave, vacation leave, military training leave, shared leave or miscellaneous leave; or

(b) Work is missed by employees of the departments of social and health services, corrections or veterans affairs due to an assault that occurred on the job and who are receiving compensation in an amount equal to full pay, as provided in chapters 72.01 and 72.09 RCW; or

(c) Work is missed due to any combination of leave identified in (3)(a) and (b) of this section which when added together exceed 30 calendar days.

(4) Work missed during the trial service period due to holidays shall be counted as part of the required trial service period.



(5) When an employee accepts a temporary appointment to a higher class in the same series in the same work unit while serving in a trial service period, the trial service period shall continue for the lower class.

~~((5))~~ (6) When an employee is appointed to a higher class while serving in a trial service period, the trial service period for the lower class and the new trial service period for the higher class shall overlap provided that the higher and lower classes are in the same or a closely related field. The employee shall complete the terms of the original trial service period and be given permanent status in the lower class. Such employees will also be granted the rights normally accruing to trial service for the remainder of the trial service period in the higher class.

**WSR 91-20-030  
PERMANENT RULES  
PERSONNEL BOARD**

[Order 384—Filed September 23, 1991, 2:45 p.m., effective November 1, 1991]

Date of Adoption: September 12, 1991.

Purpose: This rule establishes a definition for flex-time.

Citation of Existing Rules Affected by this Order: Amending WAC 356-05-173 Flex-time.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to notice filed as WSR 91-16-045 on August 1, 1991.

Effective Date of Rule: November 1, 1991.

September 16, 1991  
Dee W. Henderson  
Secretary

**NEW SECTION**

WAC 356-05-173 FLEX-TIME. These work schedules require fixed core hours of work with starting and quitting times other than 8 a.m. to 5 p.m.

**WSR 91-20-031  
PERMANENT RULES  
PERSONNEL BOARD**

[Order 385—Filed September 23, 1991, 2:47 p.m., effective November 1, 1991]

Date of Adoption: September 12, 1991.

Purpose: This rule identifies protected groups for affirmative action purposes.

Citation of Existing Rules Affected by this Order: Amending WAC 356-05-327 Protected group members.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to notice filed as WSR 91-16-044 on August 1, 1991.

Effective Date of Rule: November 1, 1991.

September 16, 1991  
Dee W. Henderson  
Secretary

**AMENDATORY SECTION** (Amending Order 267, filed 1/2/87)

WAC 356-05-327 PROTECTED GROUP MEMBERS. Protected groups for affirmative action purposes are: Persons ~~((between the ages of))~~ age forty and ~~((seventy))~~ above, people ~~((of disability))~~ with disabilities, Vietnam Era veterans, disabled veterans, women, Asians and Pacific Islanders, ~~((b))~~Blacks, Hispanics, ~~((and))~~ ~~((n))~~Native Americans and Alaska Natives.

**WSR 91-20-032  
PERMANENT RULES  
PERSONNEL BOARD**

[Order 386—Filed September 23, 1991, 2:48 p.m., effective November 1, 1991]

Date of Adoption: September 12, 1991.

Purpose: This rule defines workforce diversity.

Citation of Existing Rules Affected by this Order: Amending [new section] WAC 356-05-493 Workforce diversity.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to notice filed as WSR 91-16-043 on August 1, 1991.

Effective Date of Rule: November 1, 1991.

September 16, 1991  
Dee W. Henderson  
Secretary

**NEW SECTION**

WAC 356-05-493 WORKFORCE DIVERSITY. Diversity is the condition of being different and having differences. Applied to the workforce, it means that an increasing number of employees with a greater range of distinctions are, and will be, present within the workplace. This includes persons with diverse racial, ethnic, cultural, economic and geographic backgrounds as well as people with disabilities, different ages, physical characteristics and gender, veterans status, and members of varying forms of family structures, religious preferences, and sexual orientations.

**WSR 91-20-033  
PERMANENT RULES  
PERSONNEL BOARD**

[Order 387—Filed September 23, 1991, 2:49 p.m., effective November 1, 1991]

Date of Adoption: September 12, 1991.

Purpose: This rule establishes for state government a policy for affirmative action and equal employment opportunities.

Citation of Existing Rules Affected by this Order: Amending WAC 356-09-020.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to notice filed as WSR 91-16-051 on August 1, 1991.

Effective Date of Rule: November 1, 1991.

September 16, 1991

Dee W. Henderson

Secretary

AMENDATORY SECTION (Amending Order 267, filed 1/2/87)

WAC 356-09-020 AFFIRMATIVE ACTION PROGRAM—EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT. Each agency head shall publish and endorse an equal employment opportunity policy statement that reflects the agency's policy of equal opportunity with respect to race, creed, color, national origin, sex, age, marital status, veteran status, sexual orientation, or the presence of any sensory, mental or physical disability. Other elements of the statement will be in accordance with the department of personnel affirmative action program guidelines.

**WSR 91-20-034**

**PERMANENT RULES**

**PERSONNEL BOARD**

[Order 388—Filed September 23, 1991, 2:51 p.m., effective November 1, 1991]

Date of Adoption: September 12, 1991.

Purpose: This rule establishes criteria for special testing for affirmative action purposes.

Citation of Existing Rules Affected by this Order: Amending WAC 356-09-050 Affirmative action program—Testing.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to notice filed as WSR 91-16-047 on August 1, 1991.

Effective Date of Rule: November 1, 1991.

September 16, 1991

Dee W. Henderson

Secretary

AMENDATORY SECTION (Amending Order 267, filed 1/2/87)

WAC 356-09-050 AFFIRMATIVE ACTION PROGRAM—TESTING. (1) The department of personnel will make reasonable accommodations for persons of disability who require such during test procedures.

(2) The department of personnel may test a protected group member after the closing date of the recruitment announcement, provided:

(a) A register exists for the class; and

(b) The employing agency or the state has not met affirmative action goals for a specific protected group for that class or job category; and

(c) The protected group's representation on the register is less than the availability for the protected group; and

(d) The applicant is a member of the protected group identified in (b) and (c) of this subsection, and met minimum qualifications at the time (~~the recruitment announcement closed~~) of application; and

(e) The protected group member has not been tested under the same recruitment announcement within the past (~~twelve months~~) thirty calendar days.

(f) The test may not be taken more than three times within a 12-month period unless the examination content has been substantially changed.

**WSR 91-20-035**

**PERMANENT RULES**

**PERSONNEL BOARD**

[Order 389—Filed September 23, 1991, 2:52 p.m., effective November 1, 1991]

Date of Adoption: September 12, 1991.

Purpose: This rule establishes a policy for authorization of vacation leave.

Citation of Existing Rules Affected by this Order: Amending WAC 356-18-110 Vacation leave—Allowance.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to notice filed as WSR 91-16-050 on August 1, 1991.

Effective Date of Rule: November 1, 1991.

September 16, 1991

Dee W. Henderson

Secretary

AMENDATORY SECTION (Amending Order 314, filed 2/24/89, effective 4/1/89)

WAC 356-18-110 VACATION LEAVE—ALLOWANCE. (1) Full-time employees shall not use or be compensated for vacation leave credits until completion of six months continuous state service. Employees whose payroll hours are usually less than 40 hours a week shall not use nor be compensated for vacation leave credits until completion of twelve continuous months of state service.

(2) All requests for vacation leave shall be in writing and must be approved in advance of the effective date unless used in lieu of sick leave or to respond to unforeseen child care requirements, or the supervisor chooses to approve the vacation leave on a retrospective basis.

(3) Vacation leave shall be charged in half-hour increments or in smaller increments as set by the employing agency.

(4) When considering requests for vacation leave the employing agency shall give due regard to the needs of the employee but may require that leave be taken when it will least interfere with the work of the agency.

(5) Vacation leave for religious observances should be granted to the extent agency or program requirements permit.

**WSR 91-20-036**  
**PERMANENT RULES**  
**PERSONNEL BOARD**

[Order 390—Filed September 23, 1991, 2:53 p.m., effective November 1, 1991]

Date of Adoption: September 12, 1991.

Purpose: This rule describes the state examination process.

Citation of Existing Rules Affected by this Order: Amending WAC 356-22-090 Examinations—Composition.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to notice filed as WSR 91-16-049 on August 1, 1991.

Effective Date of Rule: November 1, 1991.

September 16, 1991  
 Dee W. Henderson  
 Secretary

**AMENDATORY SECTION** (Amending Order 157, filed 6/15/81)

**WAC 356-22-090 EXAMINATIONS—COMPOSITION.** (1) The director of personnel, or designated representative, shall determine, by uniform standards, the appropriate examination for a register for a class and the tests, or combination of tests and relative weights to be assigned. Examinations shall be practical in nature and of such character as to determine the capacity of the applicant to perform the duties of the particular class of positions for which the applicant is competing as well as the applicant's general background and related knowledge, and shall be rated objectively. Examinations will be developed and administered in a manner that minimizes bias due to cultural differences. A passing score may be required on each test included in the examination.

Examinations shall normally consist of one or a combination of the following:

- (a) A written test.
- (b) A performance test.
- (c) An oral test.
- (d) An evaluation of experience and training.

(2) When the director of personnel determines that the number of applicants responding to an examination announcement is excessive in relation to the number of projected job openings, the director may limit admission to the oral test to those scoring highest on a preliminary test which may be a written test, performance test, or an evaluation of experience and training. The number admitted to the oral test shall be at least twice the number of anticipated vacancies for the subsequent year or 20% of those applicants with passing scores, whichever is greater; but never less than 16 or the entire body of passing applicants, whichever is less.

(3) When the director of personnel determines that the number of applicants to be admitted to the oral examination will be limited by a screening procedure as authorized by WAC 356-22-090(2), the department will ensure that, in addition, a representative number of

those protected group members who were accepted under the examination announcement and who passed the preliminary test are also admitted to the oral examination.

**WSR 91-20-037**  
**PERMANENT RULES**  
**PERSONNEL BOARD**

[Order 391—Filed September 23, 1991, 2:55 p.m., effective November 1, 1991]

Date of Adoption: September 12, 1991.

Purpose: This rule establishes expectations for completion of employee performance evaluations.

Citation of Existing Rules Affected by this Order: Amending WAC 356-30-300 Performance evaluation—Requirements—Monitoring.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to notice filed as WSR 91-16-048 on August 1, 1991.

Effective Date of Rule: November 1, 1991.

September 18, 1991  
 Dee W. Henderson  
 Secretary

**AMENDATORY SECTION** (Amending WSR 89-23-070, filed 11/15/89)

**WAC 356-30-300 PERFORMANCE EVALUATION—REQUIREMENTS—MONITORING.** (1) Agencies shall evaluate the performance of their employees during their probationary or trial service periods and at least once a year thereafter.

(2) The annual evaluation will be conducted during the sixty-day period following the employee's anniversary date, except an agency can establish, on a consistent basis, a due date which better accommodates the agency's particular needs. The evaluation will cover the period ending with the established due date.

(3) Agencies will utilize the standardized employee performance evaluation procedures and forms prescribed by the director of personnel. The procedures shall include provisions whereby individual agencies may, with the approval of the director of personnel, supplement the process with special performance factors peculiar to the specific organizational needs.

(4) Each supervisor's annual evaluation shall include an assessment of his or her efforts toward achieving the objectives of the agency's affirmative action program, and responding to workforce diversity issues.

(5) The procedures and forms shall:

(a) Be designed to aid in communications between supervisors and subordinates and clarify duties and expectations.

(b) Be designed to inform employees of their performance strengths and weaknesses.

(c) Be based on performance toward the goals and objectives of the agency and its subunits.

(d) Include provisions for the counseling and the development of employees.

(6) Each employee whose work is judged unsatisfactory shall be notified in writing of the areas in which the work is considered deficient. Unless the deficiency is extreme, the employee shall be given an opportunity to demonstrate improvement.

(7) Allowing probationary employees to gain permanent status or trial service employees to gain permanent status in the class to which they have been promoted without completion of an evaluation may be regarded as neglect of duty, incompetence or insubordination on the part of the supervisor and may be cause for disciplinary action.

**WSR 91-20-038**  
**PERMANENT RULES**  
**BELLEVUE COMMUNITY COLLEGE**  
 [Filed September 23, 1991, 4:02 p.m.]

Date of Adoption: September 10, 1991.

Purpose: To update and streamline admissions and registration procedures in an endeavor to improve efficiency, effectiveness, and quality of service.

Citation of Existing Rules Affected by this Order:  
 Repealing WAC 132H-160-210, 132H-160-290, 132H-160-310, 132H-160-410, 132H-160-420, 132H-160-450, 132H-160-460, 132H-160-490, and 132H-160-510; and amending WAC 132H-160-260.

Statutory Authority for Adoption: RCW 28B.50.14 [28B.50.140].

Other Authority: Chapter 34.05 RCW.

Pursuant to notice filed as WSR 91-15-050 on July 18, 1991.

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

September 10, 1991

Phyllis C. Hudson

Secretary

**REPEALER**

The following sections of Chapter WAC 132H-160 are repealed:

WAC 132H-160-210 STATEMENT OF PURPOSE  
 WAC 132H-160-220 ADMISSION CATEGORIES  
 WAC 132H-160-230 ADMISSION POLICY - COLLEGE CREDIT  
 WAC 132H-160-240 STUDENT CLASSIFICATION - COLLEGE CREDIT  
 WAC 132H-160-250 APPLICATION PROCEDURE - COLLEGE CREDIT  
 WAC 132H-160-290 ADMISSION OF FORMER STUDENTS  
 WAC 132H-160-300 ADMISSION POLICY NONMATRICULATED STATUS COLLEGE CREDIT  
 WAC 132H-160-310 DEFINITION OF NON-MATRICULATED STUDENT  
 WAC 132H-160-410 REGISTRATION PROCEDURES - STATEMENT OF PURPOSE

WAC 132H-160-420 DEFINITION OF STUDENT STATUS

WAC 132H-160-450 REGISTRATION PERIODS

WAC 132H-160-460 LATE REGISTRATION

WAC 132H-160-470 CHANGE OF STUDENT REGISTRATION SCHEDULE

WAC 132H-160-490 WITHDRAWAL FROM THE COLLEGE

WAC 132H-160-510 CHANGE OF PROGRAM MAJOR

**AMENDATORY SECTION** (Amending WAC 132H-160-260 [Order 73, Resolution No. 136], filed 6/13/81 [5/13/81])

WAC 132H-160-260 ADMISSION OF FOREIGN STUDENTS. Foreign students are admitted to Community College District VIII only under matriculated student status. In order to qualify for matriculated student status foreign students must adhere to the following conditions:

(1) Applicants must also have on file translated copies of all secondary school scholastic records.

(2) Community College District VIII is not prepared to teach English to non-English speaking students. Therefore, it is required that all foreign students take the TOEFL (test of English as a foreign language) examination and achieve the institutional acceptable score. More information about TOEFL may be obtained by corresponding with the Educational Testing Service, Princeton, New Jersey 08640. E.T.S. will forward the test results to the college.

(3) Foreign students must also provide the college with a declaration and certification of finances or a notarized affidavit of support. Estimated expenses for a school year at Community College District VIII are \$2,000. Students unable to provide proof of financial responsibility will not be accepted. The college currently does not have funds available to provide financial assistance to foreign students.

(4) Students are also required to provide the college with the name of a local United States citizen who is their sponsor while in the United States.

Presently, Community College District VIII is not able to admit all foreign students applying for admission. It is suggested that fall quarter is the most opportune time for gaining acceptance, and students should therefore file an application accordingly. Fall quarter applications are accepted on December first of the previous calendar year. Bellevue Community College is authorized under federal law to enroll nonimmigrant aliens. Foreign students are admitted in a selective procedure each quarter.

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

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.

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 91-20-039****EMERGENCY RULES****DEPARTMENT OF FISHERIES**

[Order 91-98—Filed September 23, 1991, 4:33 p.m., effective September 25, 1991, 12:01 a.m.]

Date of Adoption: September 23, 1991.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-56-190.

Statutory Authority for Adoption: RCW 75.08.080.

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: Harvestable numbers of coho salmon are available in Grays Harbor.

Effective Date of Rule: 12:01 a.m., September 25, 1991.

September 23, 1991  
Judith Merchant  
Deputy  
for Joseph R. Blum  
Director

**NEW SECTION**

**WAC 220-56-19000P SALTWATER SEASONS AND BAG LIMITS—SALMON.** Notwithstanding the provisions of WAC 220-56-190 (4)(b), effective 12:01 A.M. September 25, 1991 through December 31, 1991, for Grays Harbor (Catch Record Card Area 2-2):

(1) It is unlawful to fish for personal use in those waters of Catch Record Card Area 2-2 west of the Channel Marker 13 line or to possess fish taken from those waters.

(2) It is unlawful to fish for or possess more than the personal use bag limit. The personal use bag limit in any one day is six salmon not less than 12 inches in length, not more than three of these salmon may be any combination of the following:

chinook over 24 inches in length;  
coho over 20 inches in length;  
pink, chum or sockeye over 12 inches in length;  
and  
Atlantic salmon.

**WSR 91-20-040****EMERGENCY RULES****DEPARTMENT OF FISHERIES**

[Order 91-99—Filed September 23, 1991, 4:37 p.m.]

Date of Adoption: September 23, 1991.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-56-190 and 220-56-255.

Statutory Authority for Adoption: RCW 75.08.080.

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: Harvestable salmon are available for a one day recreational fishery. The harvestable quota of halibut in United States waters north of the mouth of the Queets River has been taken, and closure of these waters is needed to conserve halibut stocks. South of the Queets River the fishery is expected to take the quota by September 30, 1991. These rules are adopted at the recommendation of the International Pacific Halibut Commission.

Effective Date of Rule: Immediately.

September 23, 1991  
Judith Merchant  
Deputy  
for Joseph R. Blum  
Director

**NEW SECTION**

**WAC 220-56-19000Q SALTWATER SEASONS AND BAG LIMITS.** Notwithstanding the provisions of WAC 220-56-180 and WAC 220-56-190, effective immediately until further notice is is unlawful to fish for salmon in Marine Areas 1, 2, 3, and 4, or land salmon taken for personal use from the waters of the Pacific Ocean except as provided for in this section:

(1) It shall be lawful to take, fish for, and land salmon taken from those waters south of the Red Buoy Line at the mouth of the Columbia River open 12:01 a.m. September 26 through 11:59 p.m. September 26, 1991.

(2) Bag Limit – 2 salmon per day, minimum size limit chinook salmon 24 inches in length and coho salmon 16 inches in length.

(3) Terminal gear – only single point barbless hooks are allowed.

**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 220-56-25500K HALIBUT—SEASONS.** Notwithstanding the provisions of WAC 220-56-255, effective immediately until further notice it is unlawful to fish for or possess halibut taken for personal use from Washington State waters or Pacific Ocean waters south of the Canada-United States boundary except as provided for in this section:

(1) All waters north of the mouth of the Queets River, including the Strait of Juan de Fuca and Puget Sound – Closed.

(2) Waters south of the mouth of the Queets River to Cape Falcon, Oregon – Open through 11:59 p.m., September 30, 1991.

**WSR 91-20-041**  
**NOTICE OF PUBLIC MEETINGS**  
**TRANSPORTATION COMMISSION**  
 [Memorandum—September 20, 1991]

The October meeting of the Transportation Commission will be held on Friday, October 25, 1991, at 9:00 a.m. in the Transportation Commission Conference Room – 1D2, Transportation Building, Olympia, Washington. There will be subcommittee meetings on Thursday, October 24.

**WSR 91-20-042**  
**PROPOSED RULES**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**

[Filed September 24, 1991, 11:34 a.m.]

**Original Notice.**

Title of Rule: WAC 480-120-061 relating to refusal of service. The proposed amendatory section is shown below as Appendix A, Docket No. UT-910788. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed amendment on economic values, pursuant to chapter 43-.21H RCW.

**Purpose:** The purpose of this amendment is to reduce the risk of unpaid obligations to local exchange telecommunications companies.

**Statutory Authority for Adoption:** RCW 80.01.040.

**Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement:** Paul Curl, Secretary, and Utilities Staff, 1300 South Evergreen Park Drive S.W., Olympia, WA, (206) 753-6451.

**Name of Proponent:** Washington Utilities and Transportation Commission, governmental.

**Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters:** There are no comments or recommendations being submitted inasmuch as the proposal is pursuant to legislative authorization as reflected in RCW 80.01.040.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** This amendment would limit the entitlement to arrange to pay an overdue, unpaid prior obligation over not less than six monthly billing periods to nontelecommunications company applicants or subscribers; and would prohibit telecommunications companies from providing service to a nonregistered telecommunications company that intends to use that service to resell telecommunications service within the state of Washington. These amendments would reduce the risk of unpaid obligations to local exchange companies and thus benefit all Washington ratepayers.

**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.

**Hearing Location:** Commission Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, on November 20, 1991, at 9:00 a.m.

**Submit Written Comments to:** Paul Curl, Secretary, 1300 South Evergreen Park Drive S.W., Olympia, WA, by October 28, 1991.

**Date of Intended Adoption:** November 20, 1991.

September 20, 1991  
 Paul Curl  
 Secretary

Appendix "A"

**AMENDATORY SECTION** (Amending Order R-233, Cause No. U-85-35, filed 8/23/85)

**WAC 480-120-061 REFUSAL OF SERVICE.** (1) The utility may refuse to connect with or render service to an applicant for service when such service will adversely affect the service to other existing customers, or where the applicant has not complied with state, county, or municipal codes and/or regulations concerning the rendition of such service.

(2) A utility may refuse to serve an applicant for service or a subscriber if, in its judgment, the installation is considered hazardous or of such nature that satisfactory service cannot be given.

(3) A utility shall not be required to connect with or render service to an applicant unless and until it can secure all necessary rights-of-way, easements, and permits.

(4) A utility may deny service to an applicant or subscriber because of an overdue, unpaid prior obligation to the same utility for the same class of service at the same or different location until the obligation is paid or satisfactory arrangements are made: **PROVIDED**, That an overdue or unpaid obligation to an information provider shall not be grounds for denial of service. ~~((An applicant or subscriber))~~ A nontelecommunication company applicant for service shall only on an initial occurrence be entitled as a matter of right to arrange to pay an overdue, unpaid prior obligation over not less than six monthly billing periods. If an applicant or subscriber defaults on a payment agreement such default shall constitute grounds for discontinuance of service under the provisions of WAC 480-120-081 (2)(a). A utility may offer a payment agreement at any time if deemed to be appropriate by the utility.

(5) A utility may deny service to an applicant or subscriber for service at an address where a former subscriber is known to reside and has an overdue, unpaid prior obligation to the same utility for the same class of service at that address until the obligation is paid or satisfactory arrangements are made.

(6) A utility may deny installation or continuation of service to any applicant or subscriber who is shown to have obtained or retained service from the company by fraudulent means, including but not limited to false statements of credit references or employment; false statement of premises address; use of an alias or false name with intent to deceive; rotation of service among roommates or persons living together for the purpose of avoiding the debts of one or more of said persons, or any other similar fraudulent devices.

(7) A telecommunications company shall deny service to a nonregistered telecommunications company that intends to use the service requested to provide telecommunications within the state of Washington. Any entity requesting service from another telecommunications company to provide telecommunications shall state in writing in its request whether the service is intended to be used for intrastate telecommunications.

**WSR 91-20-043**  
**PROPOSED RULES**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**

[Filed September 24, 1991, 11:37 a.m.]

Original Notice.

**Title of Rule:** WAC 480-120-057 relating to deposits or securities of interexchange telecommunications companies. The proposed amendment is shown below as Appendix A, Docket No. UT-910787. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed amendatory section on economic values, pursuant to chapter 43.21H RCW.

**Purpose:** The purpose of this amendment is to specify the right of utility companies to base deposits or securities for interexchange telecommunications companies on past usage whenever past service has been provided.

**Statutory Authority for Adoption:** RCW 80.01.040.

**Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement:** Paul Curl, Secretary, and Utilities Staff, 1300 South Evergreen Park Drive S.W., Olympia, WA, (206) 753-6451.

**Name of Proponent:** Washington Utilities and Transportation Commission, governmental.

**Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters:** There are no comments or recommendations being submitted inasmuch as the proposal is pursuant to legislative authorization as reflected in RCW 80.01.040.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** See Purpose above.

**Proposal Changes the Following Existing Rules:** See Purpose above.

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

**Hearing Location:** Commission Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, on November 20, 1991, at 9:00 a.m.

**Submit Written Comments to:** Paul Curl, Secretary, 1300 South Evergreen Park Drive S.W., Olympia, WA, by October 28, 1991.

**Date of Intended Adoption:** November 20, 1991.

September 20, 1991

Paul Curl  
Secretary

#### APPENDIX "A"

**AMENDATORY SECTION** (Amending Order R-250, Cause No. U-85-58, filed 5/12/86, effective 7/31/86)

**WAC 480-120-057 DEPOSIT OR SECURITY—INTEREXCHANGE TELECOMMUNICATIONS COMPANIES.** (1) Establishment of credit—interexchange telecommunications company. An interexchange telecommunications company may establish credit by demonstrating to the utility any one of the following subdivisions (a) or (b) of this subsection, subject to the provisions of subsection (4) of this section:

(a) Corporate debt rating. The interexchange telecommunications company or, if the interexchange telecommunications company is unable to comply with this provision, its parent or affiliated company, has undertaken to guarantee the payment of all charges incurred by the subscribing interexchange telecommunications company, has a corporate debt rating, according to Standard and Poor's of BBB or higher, or according to Moody's of Baa or higher, with respect to any outstanding general debt obligation; or

(b) When the interexchange telecommunications company has demonstrated to the utility, through the bimonthly provision of certified financial statements, the following financial criteria:

(i) A positive cash flow from total company operations over the past twelve months.

(ii) A minimum level of net worth at least equivalent to the deposit which would otherwise be required.

(iii) A current ratio (current assets-to-current liabilities) of 1.1 to 1 or a debt-to-equity ratio of 1.8 to 1.

(iv) A minimum accounts receivable turnover ratio (annual sales divided by average accounts receivable) of four over the last twelve months.

(2) Deposit or security requirements. A deposit or security shall be required from an interexchange telecommunications company under the following circumstances:

(a) When the interexchange telecommunications company has failed to establish credit as outlined above.

(b)(i) In any event, a deposit or security shall be required when within the twelve months prior to the application, the interexchange telecommunications company's service has been disconnected for failure to pay amounts owing, when due; when the interexchange telecommunications company has an unpaid balance owing for service from the utility to which application is being made or any other telecommunications company; or when two or more delinquency notices have been served upon the interexchange telecommunications company by any telecommunications company during the twelve months previous to the application for service.

(ii) No delinquency notice based upon any bill or charge which is in dispute, whether prior to or subsequent to the effective date of this rule, shall be considered grounds for requiring a deposit or security.

(c) When an interexchange telecommunications company:

(i) Is initially provided service without a deposit or security on the basis of credit information supplied to the utility which is incorrect or cannot be verified by the utility and the interexchange telecommunications company would have otherwise been required to make a deposit or security; or

(ii) Has on two or more occasions in the previous twelve months tendered payment of due amounts with checks which have been dishonored; or

(iii) Has given the utility cause to disconnect for nonpayment, but the utility has elected not to disconnect service.

(d) Any new or additional deposit or security required under authority of these rules, except as may be provided for elsewhere in these rules, is due and payable on the sixth business day after written notice of the deposit requirement is mailed to the subscriber, or, if personal service is elected, by 5:00 p.m. of the first business day following notification.

(3) Types of deposit or security. Deposits or security may consist of cash, letters of credit or surety bonds, or any combination thereof.

(4) Amount of deposit or security.

(a) When a deposit or security shall be required by the utility, the deposit or security shall be equal to two months of estimated billings. If past service has been provided, the estimated billing may be calculated based upon the average monthly billings over the past three months. Such a calculation is subject to revision based upon changes in the average of the past month's billings.

(b) Interexchange telecommunications companies whose billings exceed the estimated amount by ten percent shall be required, upon written or verbal notice to the interexchange telecommunications company, to make payment of either of the following at the interexchange telecommunications company's election, before the close of the next business day following receipt of the notice:

(i) Full payment of the charges specified in said notice; or all charges accrued to the time of payment providing the interexchange telecommunications company has been notified that it is liable for charges in addition to those charges specified in the notice.

(ii) Payment of a new or additional deposit or security in light of the interexchange telecommunications company's actual use based upon an estimated two months billing.

(c) If the notice herein described is mailed, receipt may be presumed on the fourth business day following date of mailing.

(5) Application of deposit or security. When an account of an interexchange telecommunications company is delinquent, the deposit or security may be applied by the utility toward satisfaction of the past due amount before disconnection is effected. Written notice of such application shall be promptly furnished to the interexchange telecommunications company. If an amount of security or deposit is applied

toward satisfaction of any past due amount, the utility shall require an additional deposit or security in the amount so applied and, if applicable, payment of any past due amounts still owing after application of the deposit or security. Application of a deposit or security as provided for herein shall not prevent disconnection of service for failure by the interexchange telecommunications company to pay any past due amounts which may remain outstanding. However, the utility may not disconnect service or apply security or deposit on amounts that are in dispute.

(6) Interest on deposits. Interest on deposits shall be in conformance with the guidelines set forth in WAC 480-120-056(7).

(7) Refund of deposit or security. Deposits or security shall be refunded under the following circumstances and in the following form:

(a) Establishment of credit. Any deposit or security shall be refunded whenever the interexchange telecommunications company has established credit as outlined in subsection (1)(a) or (b) of this section.

(b) Termination of service. Upon termination of service, the utility shall return to the interexchange telecommunications company the security or the amount then on deposit plus accrued interest, less any amounts due the utility by the interexchange telecommunications company for service rendered.

(8) Should a larger or new deposit or security be required, the reasons therefor shall be specified in writing to the interexchange telecommunications company. Any requirement for a new or larger deposit or security shall be in conformity with the standards set forth in this rule.

(9) Alternative to deposit or security. An interexchange telecommunications company which does not satisfy the criteria in subsection (1) of this section may choose to pay for services in advance, in which case the requirement for deposit or security will not apply.

(a) Prepayment amount. An interexchange telecommunications company may prepay an initial amount equal to the most recent month's billings. If the interexchange telecommunications company has no billing history, the prepayment amount shall be equal to an estimate made by the utility of those charges that will be incurred by the interexchange telecommunications company in the following month. This amount shall be due on the first business day of the month to which it will apply.

(b) The utility shall hold the interexchange telecommunications company's prepaid amounts in an interest bearing account, which interest shall accrue to the benefit of the interexchange telecommunications company.

(c) Application of prepayment. The utility shall apply funds held in the prepayment account to bills incurred by the interexchange telecommunications company as they are issued during the month.

(d) Adjustments to prepayment amount. If the cumulative amount billed to the interexchange telecommunications company during any month exceeds the amount of prepayment, the interexchange telecommunications company shall, by the fifth business day of the following month, remit to the utility the amount by which the actual billed amount has exceeded the prepaid amount. If the cumulative amount billed is less than the amount of the monthly prepayment, the utility shall by the fifth business day of the following month refund the excess amount, or make appropriate adjustment to the prepayment amount for the current month. If actual billings for any month deviate from the prepaid amount by five percent or more, the prepayment for the ensuing months shall be adjusted to the level of the prior month's billing. If during any month the interexchange telecommunications company adds additional services estimated to exceed the monthly prepaid amount by more than ten percent, the interexchange telecommunications company shall be required to remit an additional prepayment amount by the fifth business day following receipt of written or oral notice by the utility.

(e) Transition period. An interexchange telecommunications company which elects to pay for services in advance may retire any outstanding obligations prior to the first month in which prepayment is utilized by executing and fulfilling the terms of a promissory note for the retirement of such debt, interest free, in not more than three equal monthly installments. However, the interexchange telecommunications company shall not be required to make arrangements on any amounts in dispute.

(f) Disconnection. If an interexchange telecommunications company which has chosen to pay for services in advance fails to satisfy the obligations under this section, the utility may discontinue service to that interexchange telecommunications company two business days following oral notice of intent to discontinue service.

**WSR 91-20-044**  
**PERMANENT RULES**  
**DEPARTMENT OF LICENSING**  
[Filed September 24, 1991, 11:41 a.m.]

Date of Adoption: September 6, 1991.

Purpose: To provide clarification and standard procedures for shorthand reporters examination application, examination appeal process, transcript preparation and to set professional standard for court reporters.

Citation of Existing Rules Affected by this Order: Amending WAC 308-14-085, 308-14-090, and 308-14-130; new sections WAC 308-14-120 and 308-14-135.

Statutory Authority for Adoption: RCW 18.145.050 and 43.24.020.

Pursuant to notice filed as WSR 91-15-065 on July 19, 1991.

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

September 23, 1991  
Marsha Tadano Long  
Assistant Director

**AMENDATORY SECTION (Amending WSR 90-20-008, filed 9/20/90, effective 10/21/90)**

WAC 308-14-085 EXAMINATION. (1) The examination for "court reporter," "shorthand reporter," "certified court reporter," or "certified shorthand reporter" shall be ~~((the Washington state statutory examination beginning with the April 1990 examination))~~ an examination developed, administered, and graded by the department with the advice of the board or any examination prepared by a recognized person (institution, organization, corporation) approved by the department that meets the requirements stated in this regulation.

(2) Recognition of ~~((the Washington state statutory))~~ an examination as the Washington certification examination is conditioned upon the examination meeting the following requirements:

(a) Be a timed tape with content, speed, and quality approved by the department with the advice of the board, prior to use;

(b) The examination requires the applicant be able to report and transcribe at least two hundred words per minute of two-voice testimony for five consecutive minutes;

(c) At least ninety-five percent accuracy is needed to pass the examination;

~~((c))~~ (d) Be offered at least twice a year;

~~((d))~~ (e) The pass/fail scores of the state certification applicants are provided to the department within ~~((two))~~ four weeks of the date of the examination to include a complete list of all the applicants;

~~((e) Supply)~~ (f) Examinations statistics are supplied following each examination(;;): The number scheduled, passed, failed, and failed to appear; ~~((and~~

~~((f))~~ (g) The ~~((examination))~~ procedures for security and confidentiality of the examination and applicants must meet the requirements of the department of licensing ~~((are met))~~; and

(h) The department will be supplied with the examination tape and all the individual examination papers



with grading marks and comments on them for review. The department reserves the final authority for examination results. The department may retain the examination papers for thirty days after final determination regarding scores to allow appeals and review of papers. Sixty days after the examination results are released all examination papers will be destroyed, except those under appeal, which will be held until final disposition.

(3) The Washington state statutory examinations which were held April 1990, October 1990, and April 1991, are recognized as the qualifying examinations for state certification as a shorthand or court reporter.

(4) State applicants who have previously passed the Washington state department of licensing recognized examination within three years (~~prior to~~) of application may be issued certification without additional examination if certified documentation of the passed examination is provided.

(5) Applicants who have failed the examination may apply by submission of a re-examination application and the required fee.

**AMENDATORY SECTION** (Amending WSR 90-10-009, filed 4/20/90, effective 5/21/90)

WAC 308-14-090 APPLICATION. (1) Applications for temporary and permanent certification must be complete in every detail and submitted with the required fee. The applications for examination must be received at least eight weeks prior to the examination. Complete applications will contain the following information:

- (a) Name and address
  - (b) Business name and address
  - (c) Birth place and date
  - (d) Social Security number
  - (e) Educational background
  - (f) Previous work experience in court reporting
  - (g) List of references (references must have personal knowledge that the applicant has at least two years of court reporting experience)
  - (h) Professional licensure/certification, including any action taken against the license or certificate
  - (i) Personal affidavit
  - (j) Copies of school transcripts and/or graduation certificate (if required).
- (2) An applicant holding a temporary certificate must submit a complete updated application and fee for permanent certification. The application must be received at least eight weeks prior to the examination date.

#### **NEW SECTION**

WAC 308-14-120 EXAMINATION APPEAL PROCEDURES. (1) Any candidate who takes the state examination for licensure and does not pass the examination may request to review their papers.

(a) The department will not modify examination results unless the candidate presents clear and convincing evidence of error in the grading of the examination.

(b) The department will not consider any challenges to examination grading unless the total of the potentially revised score would result in issuance of certification.

(2) The procedure for requesting an informal review of examination results is as follows:

(a) The request must be in writing and must be received by the department within thirty days of the date on the letter of notification of examination results sent to the candidate.

(b) The following procedures apply to an appeal of the results of the examination.

(i) In addition to the written request required in (a) of this subsection, the candidate must appear personally in the department office in Olympia to review the examination. The candidate must contact the department to make an appointment for the exam review session with department staff.

(ii) Within fifteen days of the review the candidate, in writing, must specifically identify the challenged portions on the examination and must state the specific reason(s) why the candidate believes the results should be modified.

(iii) The candidate will be allowed one hour to review the examination.

(c) The department will review the examination and justification submitted by the candidate. The candidate will be notified in writing of the department's decision.

(d) Any candidate who is not satisfied with the results of the informal examination review may, within twenty days of the date on the notice of the department's informal review notification, request a formal hearing to challenge the examination results.

(3) The procedures for requesting a formal hearing are as follows:

(a) The candidate must complete the informal review process before requesting a formal hearing.

(b) The request for a formal hearing must be received by the department within twenty days of the date on the notice of the results of the department's informal review.

(c) The written request must specifically identify the challenged portion(s) of the examination and must state the specific reason(s) why the candidate believes the examination results should be modified.

(d) Candidates will receive at least twenty days notice of the time and place of the formal hearing.

(e) The hearing will be restricted to the specific portion(s) of the examination the candidate has identified in the request for formal hearing.

(f) The formal hearing will be conducted pursuant to the Administrative Procedure Act, chapter 34.05 RCW.

(g) The candidate will be notified in writing of the director's final decision.

**AMENDATORY SECTION** (Amending WSR 90-20-008, filed 9/20/90, effective 10/21/90)

WAC 308-14-130 STANDARDS OF PROFESSIONAL PRACTICE. All certified shorthand reporters (CSR) shall comply with the following professional standards except where differing standards are established by court or agency. Failure to comply with the following standards is deemed unprofessional conduct. Certified shorthand reporters shall:

(1) Include on all transcripts, business cards, and advertisements their CSR reference number.

(2) Prepare transcripts in accordance with the transcript preparation guidelines established by WAC 308-14-135 or court.

(3) Preserve and file their shorthand notes in a manner retrievable. Transcribed notes shall be retained for no less than three years. Untranscribed notes shall be retained for no less than ten years or as required by statute, whichever is longer.

(4) Meet promised delivery dates.

(5) Prepare accurate transcripts.

(6) Disclose conflicts, potential conflicts, or appearance of conflicts to all involved parties.

(7) Be truthful and accurate in advertising qualifications and/or services provided.

(8) Preserve confidentiality of information in their possession and take all steps necessary to insure its security and privacy.

(9) Notify all involved parties when transcripts are ordered.

(10) Notify all involved parties, when a transcript is ordered by a person not involved in the case, before a copy of the transcript is furnished. If any party objects, the transcript is not provided without a court order.

~~(11) ((Give witness/deponent fifteen days to read, correct and sign, before a notary, a correction sheet unless waived by witness or attorney representing the witness.~~

(12)) Supply certified copies of transcripts to any involved party, upon appropriate request.

#### NEW SECTION

WAC 308-14-135 TRANSCRIPT PREPARATION FORMAT. The following transcript format will be followed by all certified shorthand reporters (CSR's), except where format are recommended or established by court or agency.

(1) No fewer than twenty-five typed lines on a standard 8 1/2 x 11 inch paper.

(2) No fewer than ten characters to the typed inch.

(3) No fewer than sixty characters per standard line.

#### **WSR 91-20-045**

##### **PERMANENT RULES**

#### **WASHINGTON STATE PATROL**

[Order 91-005—Filed September 24, 1991, 1:29 p.m.]

Date of Adoption: September 20, 1991.

Purpose: To update sections of chapter 446-20 WAC in accordance with SHB 1997 (1991 regular legislative session).

Statutory Authority for Adoption: Amended by SHB 1997, 1991 regular session.

Pursuant to notice filed as WSR 91-15-045 on July 18, 1991.

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

September 20, 1991

George B. Tellevik  
Chief

#### AMENDATORY SECTION (Amending Order 90-003, filed 9/20/90, effective 10/21/90)

WAC 446-20-500 SEX OFFENDER REGISTRATION. (~~E2SSB 6259, chapter 3, Laws of 1990, "An act relating to criminal offender"~~) RCW 9A.44.130 requires any adult or juvenile residing in this state who has been found to have committed or has been convicted of any sex offense (~~as defined in RCW 9A.44.030~~) to register with the county sheriff for the county of that person's residence. The sheriff is required to forward the registration information to the section within five working days. The state patrol is mandated to maintain a central registry of sex offenders consistent with chapters 10.97, 10.98, and 43.43 RCW. The following regulations implement the provisions of this act.

#### AMENDATORY SECTION (Amending Order 90-003, filed 9/20/90, effective 10/21/90)

WAC 446-20-510 HISTORY RETENTION. Sex offender registration information will be maintained in the offender's criminal history file according to retention periods outlined in (~~chapter 3, Laws of 1990~~) RCW 9A.44.140. Once an offender is registered, a notation of "registered sex offender" shall be printed on the rap sheet for that individual.

#### AMENDATORY SECTION (Amending Order 90-003, filed 9/20/90, effective 10/21/90)

WAC 446-20-515 PHOTOGRAPH/FINGERPRINT REQUIREMENT. Registration requires the offender be fingerprinted and photographed and also provide the sheriff with the following information which must be forwarded to the Washington state patrol identification and criminal history section within five working days:

Name;

Address;

Date of birth;

Place of birth;

Social Security number;

Place of employment;

Crime for which convicted;

Date/place of conviction; and

Aliases used.

#### **WSR 91-20-046**

##### **NOTICE OF PUBLIC MEETINGS**

#### **EASTERN WASHINGTON UNIVERSITY**

[Memorandum—September 24, 1991]

Eastern Washington University

BOARD OF TRUSTEES

September 27, 1991, 9:00 a.m.

Spokane Center, Fourth Floor Mall

Breakfast will be served to board members prior to the meeting at 8:00 a.m., Room 222, Second Floor.

**WSR 91-20-047**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Institutions)**

[Filed September 24, 1991, 1:59 p.m.]

Continuance of WSR 91-16-057.

Title of Rule: WAC 275-55-115 and 275-59-071, Transfer of a patient between state-operated hospitals.

Purpose: To continue date of adoption from September 24, to October 8, 1991.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Kathy Burns, Mental Health, 753-0639.

Name of Proponent: Department of Social and Health Services, governmental.

Date of Intended Adoption: October 8, 1991.

September 24, 1991  
Leslie F. James, Director  
Administrative Services

**WSR 91-20-048**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Institutions)**

[Filed September 24, 1991, 2:04 p.m.]

Continuance of WSR 91-16-013.

Title of Rule: WAC 275-54-290 Patient rights; and 275-55-241 Rights of patient.

Purpose: To continue date of adoption from September 24, to October 8, 1991.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Kathy Burns, Mental Health, 753-0639.

Name of Proponent: Department of Social and Health Services, governmental.

Date of Intended Adoption: October 8, 1991.

September 24, 1991  
Leslie F. James, Director  
Administrative Services

**WSR 91-20-049**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Filed September 24, 1991, 2:09 p.m.]

Continuance of WSR 91-16-056.

Title of Rule: WAC 388-15-820, 388-15-840, 388-15-850, 388-15-860, 388-15-870, and 388-15-880.

Purpose: WAC will conform to current Medicaid personal care guidelines and regulations. To continue the date of adoption from September 24, to October 8, 1991.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Cheryl Allen, Aging and Adult Services, 585-2562.

Name of Proponent: Department of Social and Health Services, governmental.

Date of Intended Adoption: October 8, 1991.

September 24, 1991  
Leslie F. James, Director  
Administrative Services

**WSR 91-20-050**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3248—Filed September 24, 1991, 2:11 p.m.]

Date of Adoption: September 24, 1991.

Purpose: To incorporate the change in HB 1125.

Citation of Existing Rules Affected by this Order: Amending WAC 388-87-105 Payment—Medical care outside state of Washington.

Statutory Authority for Adoption: Chapter 103, Laws of 1991.

Pursuant to notice filed as WSR 91-16-018 on July 26, 1991.

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

September 24, 1991  
Leslie F. James, Director  
Administrative Services

AMENDATORY SECTION (Amending Order 2501, filed 6/1/87)

WAC 388-87-105 PAYMENT—MEDICAL CARE OUTSIDE STATE OF WASHINGTON. (1) Medical care furnished in designated bordering cities is not considered to be out-of-state care. Payment is made to the provider of service as for care provided within the state of Washington. Provider licensure requirements are those of the state in which care is rendered.

(2) Payment shall not be authorized for out-of-state medical care furnished to state-funded recipients.

(3) The three-month retroactive coverage shall apply to out-of-state care given for covered medical care to eligible clients.

(4) Out-of-state providers, who do not have a current provider number (agreement), shall be furnished with necessary billing forms, instructions, and a core provider agreement.

(5) Upon receipt of the signed core provider agreement from the out-of-state provider a provider number shall be issued.

(6) Final charges from out-of-state providers without a current provider number must be presented (~~within one hundred twenty days~~) no later than twelve months from the date of the issuance of a provider number. (~~In no case shall the state of Washington be liable for payment of charges received beyond one year from the termination of services.~~)

(7) Out-of-state providers with a current provider number (agreement) are subject to the billing requirements of WAC 388-87-015.

(8) If the deductible or coinsurance portions of Medicare are claimed, it will be necessary for the provider to submit his billing to the intermediary or carrier in his own state on the appropriate Medicare billing form. If the state of Washington is checked as being responsible for medical billing on the form, the intermediary or carrier may bill on behalf of the provider or may return the billing to the provider for ~~((submitting))~~ submission to the state.

(9) Approved out-of-state ~~((skilled))~~ nursing ~~((home))~~ facility reimbursement rate is the lower of:

(a) The billed amount; or

(b) The adjusted state-wide average reimbursement rate for in-state ~~((skilled))~~ nursing ~~((home))~~ facility care.

(10) The reimbursement rate for out-of-state hospitals is the lower of:

(a) The billed amount; or

(b) The adjusted state-wide average reimbursement rate for in-state hospitals.

(11) The reimbursement for other out-of-state services is the lower of:

(a) The billed amount; or

(b) The rate paid by the Washington state Title XIX Medicaid program.

**WSR 91-20-051**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3249—Filed September 24, 1991, 2:14 p.m.]

Date of Adoption: September 24, 1991.

Purpose: To implement SHB 1052 passed by the 1991 state legislature which amended RCW 74.04.005. It extends the general assistance to pregnant women program (GA-S) eligibility from six weeks following the birth of a child that is relinquished for adoption to the end of the month in which the six week period ends. To implement SB 5959 which requires applicants for the general assistance unemployable (GAU) program to be unable to work due to a mental or physical impairment for at least ninety days.

Citation of Existing Rules Affected by this Order: Amending WAC 388-37-030, 388-37-038, and 388-37-115.

Statutory Authority for Adoption: Chapters 10 and 126, Laws of 1991.

Pursuant to notice filed as WSR 91-16-074 on August 2, 1991.

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

September 24, 1991  
Leslie F. James, Director  
Administrative Services

**AMENDATORY SECTION** (Amending Order 3045, filed 8/1/90, effective 9/1/90)

WAC 388-37-030 CONTINUING GENERAL ASSISTANCE—ELIGIBLE PERSONS. When other eligibility is established, the department shall grant continuing general assistance to the following:

(1) Incapacitated persons. As used in this section, an incapacitated person shall mean a person physically, emotionally, or mentally unable to work as a result of a condition expected to continue for ~~((sixty))~~ ninety days or more from date of application, except as provided under WAC 388-37-038 (1) and (2). A person incapacitated by alcoholism or drug addiction is not included in this definition, but an alcoholic or drug addict incapacitated due to other mental or physical conditions may be eligible for general assistance. Incapacity refers to a person's capacity to earn income by employment. A person's incapacity does not refer to the availability or lack of job opportunities.

(a) Eligible persons are:

(i) An incapacitated single person eighteen years of age or older;

(ii) A married couple if both persons are incapacitated; or

(iii) The incapacitated spouse in the case of a married couple when only one person is employable. The income and resources of the employable spouse shall be considered as described under WAC 388-28-500 (1)(a) and (b).

(b) An incapacitated person shall accept and follow through on required available medical treatment, which is reasonably expected to render the person able to work, unless there is good cause for failure to do so.

The department shall make the "good cause" determination based on the criteria under WAC 388-37-037(5).

(c) An incapacitated person may also receive medical services provided under the state-financed medical care services program as defined under WAC 388-86-120.

(2) Pregnant women who are:

(a) Income and resource eligible for the aid to families with dependent children program; and

(b) In their first or second trimester of pregnancy; or

(c) Members of a two-parent household during a time when the aid to dependent children-employable (AFDC-E) program is in effect, but do not meet categorical eligibility for AFDC-E. These women may receive a continuing general assistance grant for the duration of their pregnancy.

(3) Effective June 7, 1990, to women who:

(a) ~~((Relinquishing))~~ Relinquish a child for adoption; and

(b) Are receiving general assistance under WAC 388-37-030(2); or

(c) ~~((Losing))~~ Lose AFDC or FIP eligibility because an eligible child does not reside in the household(~~(;~~ and)).

(d) ~~((Whose))~~ Effective July 28, 1991, assistance granted under subsection (3) of this section ((is)) shall be limited to the end of the month in which the period of

six weeks (~~beginning with~~) following the date of the birth of the child ends.

**AMENDATORY SECTION** (Amending Order 2525, filed 8/21/87)

WAC 388-37-038 INCAPACITY—WAIVER OF MEDICAL DOCUMENTATION. (1) Incapacity will be considered to be established without medical documentation when the person:

(a) Has been determined to be eligible for any benefits based on Social Security Administration disability criteria;

(b) Is eligible for services from the division of developmental disabilities;

(c) Is sixty-five years of age or older.

(2) Incapacity will be considered established for a period of (~~sixty~~) ninety days without a psychiatric/psychological evaluation when the person is being released from inpatient psychiatric treatment and is participating in direct treatment services to meet his or her mental health needs as described in WAC 275-56-015(17), with the exception of:

(a) Clients admitted under the Involuntary Treatment Act (ITA), who are subsequently released without participating in direct treatment services;

(b) Clients voluntarily admitted to a psychiatric hospital or the psychiatric ward of a general hospital for evaluation and diagnosis only, who are released without participating in direct treatment services;

(c) Clients voluntarily admitted to a psychiatric hospital or the psychiatric ward of a general hospital for an acute, short-term episode, who are released without participating in direct treatment services; and

(d) Clients who leave ongoing inpatient psychiatric treatment against medical advice.

**AMENDATORY SECTION** (Amending Order 2259, filed 7/24/85)

WAC 388-37-115 PROGRESSIVE EVALUATION PROCESS STEP I—REVIEW OF MEDICAL DOCUMENTATION. The department will review medical documentation prior to making a determination of incapacity in order to insure the following requirements have been met:

(1) The medical report must contain sufficient information on which to determine incapacity per WAC 388-37-035(2). If the information received is not sufficient to determine incapacity, the department can require complete information before any incapacity decision is made.

(2) The medical report must be a written report from an authorized medical professional.

(3) The impairment(s) must be expected to last at least (~~sixty~~) ninety days from the date of application.

(4) The medical report must document the existence of a potentially incapacitating condition.

**WSR 91-20-052**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3250—Filed September 24, 1991, 2:16 p.m.]

Date of Adoption: September 24, 1991.

Purpose: To implement SHB 1052 passed by the 1991 state legislature, which amended RCW 74.04.005. It extends the general assistance to pregnant women program (GA-S) eligibility from six weeks following the birth of a child that is relinquished for adoption to the end of the month in which the six week period ends.

Citation of Existing Rules Affected by this Order: Amending WAC 388-33-135 Effective date of change in eligibility.

Statutory Authority for Adoption: Chapter 126, Laws of 1991.

Pursuant to notice filed as WSR 91-16-014 on July 26, 1991.

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

September 24, 1991

Leslie F. James, Director  
 Administrative Services

**AMENDATORY SECTION** (Amending Order 3045, filed 8/1/90, effective 9/1/90)

WAC 388-33-135 EFFECTIVE DATE OF CHANGE IN ELIGIBILITY. (1) A change in circumstances is any change affecting eligibility or continued payment of the grant previously authorized.

(2) When a change in income including the receipt of a lump-sum payment causes ineligibility for more than one month, the recipient shall be ineligible effective the first day of the month of receipt. All assistance the recipient receives shall be an overpayment and subject to recovery under chapter 388-44 WAC.

(3) If the change causes ineligibility for one month only, refer to WAC 388-33-355.

(4) Except as provided in subsection (5) of this section, when a change of circumstances other than increased income renders the assistance unit or any member of the assistance unit ineligible, the effective date of the recipient's ineligibility shall be the first day of the month following the month in which the change occurred. For ineligibility of striking workers, see WAC 388-24-042.

(5) Effective (~~June 7, 1990, when a~~) July 28, 1991, the effective date of ineligibility for a recipient of ((AFDC or)) general assistance based on ((pregnancy gives birth to her child and relinquishes that)) the relinquishment of a child for adoption, ((the effective date of the recipient's ineligibility)) as described under WAC 388-37-030(3), shall be the first day of the month following the month in which the period of six weeks following the date of the birth of the child ((as described under WAC 388-37-030(3))) ends.

**WSR 91-20-053**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3251—Filed September 24, 1991, 2:19 p.m.]

Date of Adoption: September 24, 1991.

Purpose: To incorporate administrative changes.

Citation of Existing Rules Affected by this Order:  
 Amending WAC 388-87-007 Medical provider agreement.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 91-16-038 on July 31, 1991.

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

September 24, 1991

Leslie F. James, Director  
 Administrative Services

**AMENDATORY SECTION** (Amending Order 2665, filed 8/2/88)

**WAC 388-87-007 MEDICAL PROVIDER AGREEMENT.** The department shall offer the medical care program through the use of enrolled providers of medical and other covered services. To be enrolled, a provider shall be licensed, if required, to provide said services, shall meet the conditions of eligibility defined in WAC 388-87-005, and shall sign and submit a standard contract form to the department agreeing to participate in the program according to the terms of this section. This contract form and participation by the provider according to the terms of this section shall constitute the agreement between the department and the provider. The department shall issue a contract provider number((s)) to an enrolled provider((s)) which is authorization to participate in the medical care program. Providers who participate in the medical care program are bound by the rules and standards set forth in this section and as issued by the department.

(1) Providers shall keep all records necessary to disclose the extent of services the provider furnishes to recipients of medical assistance.

(2) Providers shall furnish the department with any information it may request regarding payments claimed by the provider for furnishing services to recipients of medical assistance.

(3) The provider shall bill according to instructions issued by the department and accept payment for services according to the schedule of maximum allowances, the current medical assistance drug ((formulary)) listings and other applicable maximum payment levels or schedules. Such payment shall constitute complete remuneration for such services.

(4) The provider shall refund to the recipient any payment received directly from the recipient for services for which the department is responsible for payment. The department shall limit its responsibility for payment of services provided in a retroactive period, as defined in WAC 388-80-005, to cases in which the cost of the services has not been otherwise paid. ~~((It is appropriate, but~~

~~not required, ((that))~~ A provider may refund to a recipient ((any)) a payment received in a retroactive period of eligibility for Medicaid. Such refund would be for services for which the department would otherwise be responsible for payment. After refunding ~~((to))~~ the recipient's payment, recipient, the provider may bill the department. Upon receipt of a medical coupon that identifies the patient as eligible retroactively, the provider shall not bill the recipient for any unpaid charges for covered services remaining from the retroactive period.

(5) Provider billing invoices submitted to the department shall contain the following language and verification: "I hereby certify under penalty of perjury, that the material furnished and service rendered is a correct charge against the state of Washington; the claim is just and due; that no part of the same has been paid and I am authorized to sign for the payee; and that all goods furnished and/or services rendered have been provided without discrimination on the grounds of race, creed, color, sex, religion, national origin, marital status, or the presence of any sensory, mental or physical handicap."

(6) Providers shall render all services without discrimination on the grounds of race, creed, color, sex, religion, national origin, marital status, or the presence of any sensory, mental or physical handicap.

(7) The department shall give a thirty-day written notice of action to suspend or withdraw the provider's number and contract authorization to participate in the medical care program. The thirty-day notice shall not be required if:

(a) A provider is convicted of a criminal offense related to participation in the Medicare/Medicaid program; or

(b) The provider's license is suspended or revoked; or

(c) Federal funding is revoked; or

(d) By investigation, the department can document a violation of law or contract; or

(e) In the opinion of the medical director, division of medical assistance, the quality of care provided is such that the health and safety of recipients is endangered.

(8) Providers shall render all services according to the applicable sections of the Revised Code of Washington, the Washington Administrative Code, federal regulations and program instructions issued by the department.

(9) Nothing in this section shall preclude the department and any provider or provider group or association from jointly negotiating or entering into another form of written agreement for provision of medical care services to eligible recipients. If such a contract involves the payment of Title XIX funds, the contract shall satisfy all requirements of the standard form contract as modified by any applicable federal waivers.

(10) The provider must meet the disclosure of ownership requirements of WAC 388-87-008.

**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 91-20-054**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3252—Filed September 24, 1991, 2:21 p.m.]

Date of Adoption: September 24, 1991.

Purpose: To implement the state law changing the medical vendor's billing time period from 120 days to within 12 months.

Citation of Existing Rules Affected by this Order: Amending WAC 388-87-015 Billing limitations.

Statutory Authority for Adoption: Chapter 103, Laws of 1991.

Pursuant to notice filed as WSR 91-16-017 on July 26, 1991.

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

September 24, 1991

Leslie F. James, Director  
 Administrative Services

AMENDATORY SECTION (Amending Order 2566, filed 12/11/87)

WAC 388-87-015 BILLING LIMITATIONS. (1) ~~Providers shall submit ((their charges at least monthly and shall present)) their final charges ((within one hundred twenty days after)) no later than twelve months from the date ((the)) of service ((was rendered. See RCW 74.09.160)).~~

(2) An exception to subsection (1) of this section shall be made as a result of a:

(a) ~~((A))~~ Fair hearing decision or court order ~~((which is))~~ favorable to the recipient; ~~((or))~~

(b) ~~((A))~~ Retroactive or delayed certification for a medical ~~((assistance))~~ program (see chapter 388-80 WAC for definition of retroactive); or

(c) Timely filed Medicare claim for which Medicaid may pay relating to the same Medicare/Medicaid services. A provider shall submit the billing within six months of the Medicare claim disposition.

(3) For exceptions found under subsection (2) of this section, providers shall present final charges to the department ~~((within one hundred twenty days of))~~ no later than twelve months from the date:

(a) ~~((The date))~~ Of the fair hearing decision;

(b) The ~~((date the))~~ court order was entered; or

(c) ~~((The date))~~ Of the retroactive or delayed certification for medical coverage.

(4) ~~((If the charges are not presented within the one hundred twenty-day period, the provider shall not present))~~ For services rendered before July 28, 1991, final charges shall not be a charge((s)) against the state unless ((prior extension in writing has been given by the division of medical assistance)) the final charges are presented within one hundred twenty days from the date of service.

(5) ~~((Providers shall submit their rebills or adjustments to charges within six months from the date of the most recent or original denial or payment.~~

(6) ~~Providers shall submit Medicare/Medicaid billings within six months of the Medicare statement))~~

Within the twelve-month billing period, a provider shall bill known liable third parties before consideration of payment from the department.

**WSR 91-20-055**

**PROPOSED RULES**

**TRANSPORTATION IMPROVEMENT BOARD**

[Filed September 24, 1991, 2:32 p.m.]

Original Notice.

Title of Rule: New chapter 479-210 WAC, Road jurisdiction transfer rules and regulations; new chapter 479-216 WAC, Requirements for road jurisdiction transfer requests; new chapter 479-310 WAC, City hardship assistance program rules and regulations; new chapter 479-312 WAC, Submission of city hardship assistance program projects; new chapter 479-316 WAC, Allowable activities for CHAP projects; and new chapter 479-320, Financial and payment requirements for city hardship assistance program projects.

Purpose: To adopt rules to implement the road jurisdiction transfer process and the city hardship assistance programs.

Statutory Authority for Adoption: Chapter 47.26 RCW.

Statute Being Implemented: ESB 5801, sections 60 and 62.

Summary: These rules establish the procedures for accepting and reviewing requests by cities, counties, or the state for route jurisdiction transfers. They also establish procedures for administration of the city hardship assistance program (CHAP).

Reasons Supporting Proposal: ESB 5801 required the Transportation Improvement Board to develop rules to administer these two programs.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jerry M. Fay, Executive Director, Transportation Building, 753-7199.

Name of Proponent: Transportation Improvement Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: New chapters 479-210 and 479-216 WAC, the rules establish the procedures for accepting and reviewing requests by cities, counties or the state for route jurisdiction transfers. New chapters 479-310, 479-312, 479-316, and 479-320 WAC, these chapters establish the procedures for administration of the city hardship assistance program established by the 1991 Legislature.

Proposal does not change existing rules.

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

Hearing Location: City of Spokane Council Chambers, West 808 Spokane Falls Boulevard, Spokane, WA, on November 15, 1991, at 10:00 a.m.

Submit Written Comments to: Transportation Improvement Board, Transportation Building, KF-01, Olympia, Washington 98504-0901, by November 8, 1991.

Date of Intended Adoption: November 18, 1991.  
September 24, 1991  
Jerry M. Fay  
Executive Director

Title 479 WAC  
TRANSPORTATION IMPROVEMENT BOARD

WAC chapters

- 479-01 Description of organization.
- 479-02 Public access to information and records.
- 479-12 Submission of proposed urban arterial trust account projects to transportation improvement board.
- 479-13 Submission of six-year plans for UATA projects.
- 479-16 Requirements for urban arterial 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 projects to transportation improvement board.
- 479-113 Submission of six-year plans for transportation improvement account projects.
- 479-116 Requirements for Transportation Improvement Account project development.
- 479-120 Financial and payment requirements for transportation improvement account funded projects.
- 479-210 Road jurisdiction transfer rules and regulations.
- 479-216 Requirements for road jurisdiction transfer requests.
- 479-310 City hardship assistance program rules and regulations.
- 479-312 Submission of city hardship assistance program projects.
- 479-316 Allowable activities for CHAP projects.
- 479-320 Financial and payment requirements for city hardship assistance program projects.

New Chapter  
Chapter 479-210 WAC  
ROAD JURISDICTION TRANSFER RULES AND REGULATIONS

WAC

- 479-210-010 Purpose and authority.
- 479-210-100 Definitions.
- 479-210-150 Criteria for rural highway routes.
- 479-210-200 Criteria for urban highway routes.
- 479-210-250 Interpretation and application of criteria to specific routes.
- 479-210-300 Administration costs.
- 479-210-350 Board review of route jurisdiction transfer requests.
- 479-210-400 Reports to legislative transportation committee.

NEW SECTION

WAC 479-210-010 PURPOSE AND AUTHORITY. Section 62, chapter 342, Laws of 1991, provides that the transportation improvement board shall utilize the criteria established in RCW 47.17.001 in evaluating petitions and to adopt rules for implementation of the process, and being a multijurisdictional body, is directed to receive and review petitions from cities, counties, or the department of transportation requesting any addition or deletion from the state highway system.

NEW SECTION

WAC 479-210-100 DEFINITIONS. For purposes of implementing the requirements of section 62, chapter 342, laws of 1991, relative to the transportation improvement board, the following definitions shall apply:

- (1) Board - When board is used in this chapter, it refers to the transportation improvement board.
- (2) Connecting link - Connecting links should provide system continuity, including needed alternate routing of regionally oriented through-traffic or access to major regional-based public facilities or traffic generators. Generally, links bypass the central business district and/or the central city and form loops and beltways.
- (3) Connection to places - Places may be considered connected if they are within approximately two miles of a state highway.
- (4) Corridor - A corridor may vary depending on the characteristics of a region and the use of the facilities. The corridor limits used by the

board to analyze a state highway route will be as described by the metropolitan planning organization (MPO) or regional transportation planning organization (RTPO) for the area where the route is located.

(5) Parallel highway route - Parallel route consideration is used to analyze alternative routes within the same corridor. Outside a corridor, a route should be considered a viable highway route if it meets the other criteria in this chapter.

(6) Population equivalency of one thousand or more - To determine the equivalent population of a recreation area, refer to the WSDOT publication, "guidelines for amending urban boundaries, functional classifications, and federal-aid systems".

(7) Rural highway route - A rural highway route is the portion of a route that lies outside a federal urban area boundary.

(8) Urban highway route - An urban highway route is the portion of a route that is within a federal urban area boundary.

NEW SECTION

WAC 479-210-150 CRITERIA FOR RURAL HIGHWAY ROUTES. In considering whether to make additions, deletions, or other changes to the state highway system, the legislature is guided by criteria in RCW 47.17.001. The local agencies, department of transportation and the board will use these same criteria to assess the merits of any proposed changes to the state highway system. The following criteria will be used to assess the merits of a proposed change to a rural route:

- (1) A rural highway route should be designated as a state highway if it meets any of the following criteria:
  - (a) Is designated as part of the national system of interstate and defense highways (popularly called the interstate system); or
  - (b) Is designated as part of the system of numbered United States routes; or
  - (c) Contains an international border crossing that is open twelve or more hours each day.
- (2) A rural highway route may be designated as a state highway if it is part of an integrated system of roads and:
  - (a) Carries in excess of three hundred thousand tons annually and provides primary access to a rural port or intermodal freight terminal;
  - (b) Provides a major cross-connection between existing state highways; or
  - (c) connects places exhibiting one or more of the following characteristics:
    - (i) A population center of one thousand or greater;
    - (ii) an area or aggregation of areas having a population equivalency of one thousand or more, such as, but not limited to recreation areas, military installations, and so forth;
    - (iii) a county seat;
    - (iv) a major commercial-industrial terminal in a rural area with a population equivalency of one thousand or greater.

NEW SECTION

WAC 479-210-200 CRITERIA FOR URBAN HIGHWAY ROUTES. In considering whether to make additions, deletions, or other changes to the state highway system, the legislature is guided by criteria in RCW 47.17.001. The local agencies, department of transportation and the board will use these same criteria to assess the merits of any proposed changes to the state highway system. An urban highway route that meets any of the following criteria should be designated as part of the state highway system:

- (1) Is designated as part of the interstate system;
- (2) is designated as part of the system of numbered United States routes;
- (3) is an urban extension of a rural state highway into or through an urban area and is necessary to form an integrated system of state highways;
- (4) is a principal arterial that is a connecting link between two state highways and serves regionally oriented through traffic in urbanized areas with a population of fifty thousand or greater, or is a spur that serves regionally oriented traffic in urbanized areas.

NEW SECTION

WAC 479-210-250 INTERPRETATION AND APPLICATION OF CRITERIA TO SPECIFIC ROUTES. These guidelines are intended to be used as a basis for interpreting and applying the criteria to specific routes.



(1) For any route wholly within one or more contiguous jurisdictions which would be proposed for transfer to the state highway system under these criteria, if local officials prefer, responsibility will remain at the local level.

(2) State highway routes maintain continuity by being composed of routes that join other state routes at both ends or to arterial routes in the states of Oregon and Idaho and the Province of British Columbia.

(3) Public facilities may be considered to be served if they are within approximately two miles of a state highway.

(4) Exceptions may be made to include:

(a) Rural spurs as state highways if they meet the criteria relative to serving population centers of 1,000 or greater population or activity centers with population equivalencies or an aggregated population of 1,000 or greater;

(b) urban spurs as state highways that provide needed access to Washington State ferry terminals, state parks, major seaports, and trunk airports; and

(c) urban connecting links as state highways that function as needed bypass routing of regionally oriented through traffic and benefit truck routing, capacity alternative, business congestion, and geometric deficiencies.

(5) In urban and urbanized areas:

(a) Unless they are significant regional traffic generators, public facilities such as state hospitals, state correction centers, state universities, ferry terminals, and military bases do not constitute a criteria for establishment of a state highway; and

(b) there may be no more than one parallel nonaccess controlled facility in the same corridor as a freeway or limited access facility as designated by the metropolitan planning organization.

(6) When there is a choice of two or more routes between population centers, the state route designation shall normally be based on the following considerations:

(a) The ability to handle higher traffic volumes;

(b) the higher ability to accommodate further development or expansion along the existing alignment;

(c) the most direct route and the lowest travel time;

(d) the route that serves traffic with the most interstate, statewide, and interregional significance;

(e) the route that provides the optimal spacing between other state routes; and

(f) the route that best serves the comprehensive plan for community development in those areas where such a plan has been developed and adopted.

**NEW SECTION**

WAC 479-210-300 ADMINISTRATION COSTS. The board costs for necessary staff services and facilities that are attributable to the route jurisdiction transfer program shall be paid from the urban arterial trust account in the motor vehicle fund.

**NEW SECTION**

WAC 479-210-350 BOARD REVIEW OF ROUTE JURISDICTION TRANSFER REQUESTS. The chairman will appoint a subcommittee that will review a route jurisdiction transfer request. The subcommittee should consist of at least two city, two county and one department of transportation board members.

**NEW SECTION**

WAC 479-210-400 REPORTS TO LEGISLATIVE TRANSPORTATION COMMITTEE. In addition to the implementation report due August 1, 1991, the board shall forward to the legislative transportation committee by November 15 each year any recommended jurisdictional transfers.

New Chapter  
Chapter 479-216 WAC

REQUIREMENTS FOR ROAD JURISDICTION TRANSFER REQUESTS

WAC	
479-216-010	Contents of request for jurisdiction transfer.
479-216-050	Annual cutoff date for jurisdiction transfer requests.
479-216-100	Additional public testimony for consideration of jurisdiction transfer requests.
479-216-150	Notice of solicitation for public testimony.
479-216-200	Notice of preliminary finding.

479-216-250	Comment period.
479-216-300	Notice of final finding.
479-216-350	Contents of report to legislative transportation committee.

**NEW SECTION**

WAC 479-216-010 CONTENTS OF REQUEST FOR JURISDICTION TRANSFER. The agency initiating a route jurisdiction transfer request shall do so using forms provided by the board and utilizing the criteria specified in RCW 47.17.001, and WAC chapter 479-210. The request shall be signed by the agencies chief executive officer.

**NEW SECTION**

WAC 479-216-050 ANNUAL CUTOFF DATE FOR JURISDICTION TRANSFER REQUESTS. Prior to April 1, yearly, cities, counties or the department of transportation shall submit requests for jurisdiction transfer to the board using forms provided by the board. The request shall be in conformance with the procedures established in this chapter.

**NEW SECTION**

WAC 479-216-100 ADDITIONAL PUBLIC TESTIMONY FOR CONSIDERATION OF JURISDICTION TRANSFER REQUESTS. At the discretion of the board, and in addition to a regularly scheduled board meeting, public testimony may be solicited relative to a specific jurisdiction transfer request. The board will record public testimony and develop summary minutes of the meeting.

**NEW SECTION**

WAC 479-216-150 NOTICE OF SOLICITATION FOR PUBLIC TESTIMONY. If public testimony is solicited, the board will provide written notice to each agency involved in the transfer, legislators whose districts are impacted by the proposed route transfer and any others who have specifically requested in writing to be provided notice.

**NEW SECTION**

WAC 479-216-200 NOTICE OF PRELIMINARY FINDING. The board shall prepare preliminary finding for all jurisdiction transfer requests and provide written notice to the interested parties indicated in WAC 479-216-150.

**NEW SECTION**

WAC 479-216-250 COMMENT PERIOD. For preliminary findings after January 1, 1992, the board will provide thirty calendar days from the date the notice is mailed for interested parties to provide written comments on the preliminary finding. The individuals giving comment must provide their name and address and the comments must address the criteria specified in RCW 47.17.001 and WAC chapter 479-210.

**NEW SECTION**

WAC 479-216-300 NOTICE OF FINAL FINDING. At the next scheduled board meeting after the comment period, the board will prepare a final finding and recommendation for submittal to the LTC. The board will give consideration to any comments or additional information and provide written notice of the final finding to the interested parties indicated in WAC 479-216-150.

**NEW SECTION**

WAC 479-216-350 CONTENTS OF REPORT TO LEGISLATIVE TRANSPORTATION COMMITTEE. The contents of the report should include:

- (1) Name of agency submitting the request for transfer,
- (2) route being considered for transfer,
- (3) a map,
- (4) comparison against the criteria specified in RCW 47.17.001 and WAC chapter 479-210,
- (5) findings,
- (6) board's recommendation, and
- (7) supplemental information, such as:

- (a) Summary minutes of meetings,
- (b) comments received,
- (c) board reply on the comments, and
- (d) other appropriate information.

**NEW SECTION**

WAC 479-310-010 PURPOSE AND AUTHORITY. Section 60(3), chapter 342, Laws of 1991, provides that the transportation improvement board shall adopt reasonable rules necessary to implement the city hardship assistance program as recommended by the road jurisdiction study.

**NEW SECTION**

WAC 479-310-050 ADOPTION OF RULES. The board is required to utilize the following criteria, established by the road jurisdiction study to adopt rules to implement the program:

- (1) Only those cities with a net gain in cost responsibility due to jurisdictional transfers in chapter 342, Laws of 1991, as determined by the board, may participate;
- (2) Cities with populations of fifteen thousand or less, as determined by the office of financial management, may participate;
- (3) The board shall develop criteria and procedures under which eligible cities may request funding for rehabilitation projects on city streets acquired under chapter 342, Laws of 1991; and
- (4) The board shall also be authorized to allocate funds from the city hardship assistance program to cities with a population under twenty thousand to offset extraordinary costs associated with the transfer of roadways other than pursuant to chapter 342, Laws of 1991, that occur after January 1, 1991.

**NEW SECTION**

WAC 479-310-100 FUNDS FOR THE CITY HARDSHIP ASSISTANCE PROGRAM. Section 59(3), chapter 342, Laws of 1991, provides funding for the city hardship assistance program.

**NEW SECTION**

WAC 479-310-150 DEFINITIONS. For purposes of implementing the requirements of section 60, chapter 342, laws of 1991, relative to the transportation improvement board, the following definitions shall apply:

- (1) Board - When board is used in this chapter, it refers to the transportation improvement board.
- (2) CHAP - This is the abbreviation for the city hardship assistance program.
- (3) Eligible agency - An eligible agency is a city or town that meets the requirements of section 60, chapter 342, laws of 1991. A listing of the eligible agencies is included in WAC 479-312-010.
- (4) Eligible project - An eligible project is an improvement on a section of roadway that meets the requirements of section 60, chapter 342, laws of 1991 and the requirements specified in this chapter. A listing of the roadways eligible for CHAP funding is included in WAC 479-312-010.
- (5) Extraordinary costs - The definition of extraordinary cost will vary depending on the agency and the situation involved on the eligible project. The board will take into consideration information supplied by the city or town officials when ruling on the eligibility of a proposed project.
- (6) Rehabilitation - This work may include reworking or strengthening the base or subbase, recycling or reworking existing materials to improve their structural integrity, adding underdrains, improving or widening shoulders. Rehabilitation may include acquisition of additional right of way.

**NEW SECTION**

WAC 479-310-200 ADMINISTRATION COSTS. The board costs for necessary staff services and facilities that are attributable to the city hardship assistance program shall be paid from the urban arterial trust account in the motor vehicle fund.

New Chapter  
Chapter 479-312 WAC

**SUBMISSION OF CITY HARDSHIP ASSISTANCE PROGRAM PROJECTS****WAC**

- 479-312-010 Eligible agencies and streets.
- 479-312-050 Population requirement for eligible agencies.
- 479-312-100 Data to be submitted for CHAP project application.
- 479-312-150 Six-year transportation plan requirements.
- 479-312-200 Applicable federal, state and local regulations.
- 479-312-250 Process and selection criteria for priority array.
- 479-312-300 Matching requirements for city hardship assistance program projects.

**NEW SECTION**

WAC 479-312-010 ELIGIBLE AGENCIES AND STREETS. The cities or towns eligible for city hardship assistance program funding are: Clarkston, Old SR 128, 0.13 Miles, SR 12 to Poplar Street; Des Moines, Old SR 509, 1.46 Miles, 50 feet south of 252nd Street to Junction SR 516; Kelso, Old SR 431, 0.90 Miles, SR 5 to Cowlitz Way; Kelso, Old I-5, 1.20 Miles, north end of Coweeman River Bridge to 2,480 feet south of Haussler Road and those sections of Kelso Drive, Minor road, Grade Street and Kelso Avenue referred to in the memorandum of understanding for this turnback, approximately 2.7 miles; Leavenworth, Old SR 209, 0.11 Miles, SR 2 to 260 feet north of Fir Street; Milton, Old SR 514, 2.46 Miles, Junction SR 99 to 50 feet west of SR 161; Napavine, Old SR 603, 0.79 Miles, 810 feet southwest of Lincoln Street to 8th Avenue West; Pomeroy, Old SR 128, 0.72 Miles, SR 12 to 2,690 feet south of Arlington Avenue; Port Orchard, Old SR 160, 2.30 Miles, Retsil Road to 160 feet west of Short Avenue; Skykomish, Old SR 2 Spur, 0.16 Miles, SR 2 to Railroad Avenue; Stanwood, Old SR 530, 1.59 Miles, 790 feet north of 86th Drive NW to 740 feet northwest of 72nd Avenue NW; Toledo, Old SR 505, 0.12 Miles, Fifth Street to 210 feet northwest of Sixth Street; Toppenish, Old SR 220, 0.27 Miles, Junction SR 22 to 630 feet east of Linden Road; Tukwila, Old SR 900, 0.10 Miles, Ryan Way South to 530 feet north of Ryan Way; Vader, Old SR 411, 0.25 Miles, 520 feet south of SR 506 to 1,840 feet south of SR 506; Washougal, Old SR 140, 0.70 Miles, SR 14 to west end of Washougal River Bridge; Winlock, Old SR 603, 0.61 Miles, Walnut Street to 160 feet south of Olequa Creek Bridge; and other cities under 20,000 population could become eligible for turnbacks approved after January 1, 1991.

**NEW SECTION**

WAC 479-312-050 POPULATION REQUIREMENT FOR ELIGIBLE AGENCIES. Except for cities that meet the criteria of section 60(4), chapter 342, laws of 1991, any city which exceeds fifteen thousand population as determined by the office of financial management on or before the annual application date, will no longer be eligible for city hardship assistance program projects. Any city that became eligible for city hardship assistance program funding through section 60(4), chapter 342, laws of 1991 will no longer be eligible for funding when its population is twenty thousand or greater.

**NEW SECTION**

WAC 479-312-100 DATA TO BE SUBMITTED FOR CHAP PROJECT APPLICATION. Prior to April 1, yearly, each eligible agency shall submit their proposed CHAP projects to the board on forms provided by the board. The type of work involved in the proposed projects shall be in accordance with the requirements of chapter 479-316 WAC. The application must be specific and accompanied by a detailed cost estimate.

**NEW SECTION**

WAC 479-312-150 SIX-YEAR TRANSPORTATION PLAN REQUIREMENTS. Upon board approval of a CHAP project, such project, if required by RCW 35.77.010, shall be included in the annual update of the six-year transportation program of the local agency.

**NEW SECTION**

WAC 479-312-200 OTHER APPLICABLE FEDERAL, STATE AND LOCAL REGULATIONS. All CHAP projects shall comply with applicable federal, state and local laws, policies, regulations and ordinances.

NEW SECTION

WAC 479-312-250 PROCESS AND SELECTION CRITERIA FOR PRIORITY ARRAY. The board will use the following criteria to prioritize proposed CHAP projects:

- (1) Structural ability to carry loads (pavement condition),
- (2) deterioration rate for the roadway,
- (3) safety, and
- (4) other factors:
  - (a) relationship to other local agency projects,
  - (b) extent of previous participation in the program, and
  - (c) other criteria deemed appropriate by the board on a case-by-case basis.

NEW SECTION

WAC 479-312-300 MATCHING REQUIREMENTS FOR CITY HARDSHIP ASSISTANCE PROGRAM PROJECTS. There will be no local agency matching requirements for CHAP funded projects.

New Chapter  
Chapter 479-316 WAC  
ALLOWABLE ACTIVITIES FOR CHAP PROJECTS

WAC

- |             |                                     |
|-------------|-------------------------------------|
| 479-316-010 | Allowable activities.               |
| 479-316-050 | Minimum roadway widths.             |
| 479-316-100 | Participation with other funds.     |
| 479-316-150 | Record requirements.                |
| 479-316-200 | Audits of CHAP projects.            |
| 479-316-250 | Project plantings on CHAP projects. |

NEW SECTION

WAC 479-316-010 ALLOWABLE ACTIVITIES. Unless otherwise approved by the board, CHAP funding shall be limited to the direct and attributable indirect costs associated with rehabilitation activities on the eligible project.

NEW SECTION

WAC 479-316-050 MINIMUM ROADWAY WIDTHS. CHAP funds will not participate in the cost involved with adding lanes or turn lanes. Unless specifically approved by the board, all CHAP-funded projects must be in accordance with the city and county design standards, as adopted by the city and county design standard committee in accordance with RCW 35.78.030 and RCW 43.32.020.

NEW SECTION

WAC 479-316-100 PARTICIPATION WITH OTHER FUNDS. CHAP funds may be used to fund rehabilitation work associated with the widening of the section of roadway but participation will be limited to the minimum standard or existing lane and shoulder widths. CHAP funds will be considered local agency funds if they are used in the urban arterial trust account or transportation improvement account programs.

NEW SECTION

WAC 479-316-200 RECORD REQUIREMENTS. Record procedures for CHAP funded projects shall be in accordance with the requirements of WAC 479-20-025.

NEW SECTION

WAC 479-316-250 AUDITS OF CHAP PROJECTS. Audits of CHAP funded projects will be performed in accordance with the requirements of WAC 479-20-027.

NEW SECTION

WAC 479-316-300 PROJECT PLANTINGS ON CHAP PROJECTS. CHAP funds will not participate in cost for project plantings.

New Chapter  
Chapter 479-320 WAC  
FINANCIAL AND PAYMENT REQUIREMENTS FOR CITY  
HARDSHIP ASSISTANCE PROGRAM PROJECTS

WAC

- |             |  |
|-------------|--|
| 479-320-050 | Eligible project costs.  |
| 479-320-100 | Eligible costs for engineering.  |
| 479-320-150 | Procedure for requesting an increase in authorized amount of city hardship assistance program funds. |
| 479-320-200 | Partial or progress payments for city hardship assistance program costs.                             |

NEW SECTION

WAC 479-320-050 ELIGIBLE PROJECT COSTS. Project costs eligible for reimbursement from the city hardship assistance program shall be those proper and allowable costs incurred on a project after the project is authorized by the board. Projects will be authorized in two-phases, the first phase being design and right of way and the second phase being construction.

NEW SECTION

WAC 479-320-100 ELIGIBLE COSTS FOR ENGINEERING. The eligible design and construction engineering costs shall be limited to twenty-five percent of the approved contract bid amount including adjustments for construction increases, decreases, or agency force construction. Agency costs for a value engineering study, if required, will not be used to determine the amount subject to the limit.

NEW SECTION

WAC 479-320-150 PROCEDURE FOR REQUESTING AN INCREASE IN AUTHORIZED AMOUNT OF CITY HARDSHIP ASSISTANCE PROGRAM FUNDS. Increases to the authorized amount of CHAP funds will be in accordance with the board policy for TIA funded projects.

NEW SECTION

WAC 479-320-200 PARTIAL OR PROGRESS PAYMENTS FOR CITY HARDSHIP ASSISTANCE PROGRAM COSTS. Participation and payment of CHAP funds shall be governed by the requirements of WAC 479-20-020.

**WSR 91-20-056****EMERGENCY RULES****TRANSPORTATION IMPROVEMENT BOARD**

[Filed September 24, 1991, 2:34 p.m.]

Date of Adoption: September 20, 1991.

Purpose: To adopt rules to implement the road jurisdiction transfer process and the city hardship assistance program (CHAP).

Statutory Authority for Adoption: Chapter 47.26 RCW.

Other Authority: ESB 5801, sections 60 and 62.

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 implementation date for the road jurisdiction transfer process was June 1, 1991, and the road transfer process began September 1, 1991. The first route transfer decision is to be sent to the LTC by November 15, 1991.

Effective Date of Rule: Immediately.

September 24, 1991

Jerry M. Fay  
Executive Director

Title 479 WAC  
TRANSPORTATION IMPROVEMENT BOARD

## WAC chapters

479-01	Description of organization.
479-02	Public access to information and records.
479-12	Submission of proposed urban arterial trust account projects to transportation improvement board.
479-13	Submission of six-year plans for UATA projects.
479-16	Requirements for urban arterial 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 projects to transportation improvement board.
479-113	Submission of six-year plans for transportation improvement account projects.
479-116	Requirements for Transportation Improvement Account project development.
479-120	Financial and payment requirements for transportation improvement account funded projects.
479-210	<u>Road jurisdiction transfer rules and regulations.</u>
479-216	<u>Requirements for road jurisdiction transfer requests.</u>
479-310	<u>City hardship assistance program rules and regulations.</u>
479-312	<u>Submission of city hardship assistance program projects.</u>
479-316	<u>Allowable activities for CHAP projects.</u>
479-320	<u>Financial and payment requirements for city hardship assistance program projects.</u>

## New Chapter

## Chapter 479-210 WAC

## ROAD JURISDICTION TRANSFER RULES AND REGULATIONS

## WAC

479-210-010	Purpose and authority.
479-210-100	Definitions.
479-210-150	Criteria for rural highway routes.
479-210-200	Criteria for urban highway routes.
479-210-250	Interpretation and application of criteria to specific routes.
479-210-300	Administration costs.
479-210-350	Board review of route jurisdiction transfer requests.
479-210-400	Reports to legislative transportation committee.

NEW SECTION

WAC 479-210-010 PURPOSE AND AUTHORITY. Section 62, chapter 342, Laws of 1991, provides that the transportation improvement board shall utilize the criteria established in RCW 47.17.001 in evaluating petitions and to adopt rules for implementation of the process, and being a multijurisdictional body, is directed to receive and review petitions from cities, counties, or

the department of transportation requesting any addition or deletion from the state highway system.

NEW SECTION

WAC 479-210-100 DEFINITIONS. For purposes of implementing the requirements of section 62, chapter 342, laws of 1991, relative to the transportation improvement board, the following definitions shall apply:

(1) Board – When board is used in this chapter, it refers to the transportation improvement board.

(2) Connecting link – Connecting links should provide system continuity, including needed alternate routing of regionally oriented through-traffic or access to major regional-based public facilities or traffic generators. Generally, links bypass the central business district and/or the central city and form loops and beltways.

(3) Connection to places – Places may be considered connected if they are within approximately two miles of a state highway.

(4) Corridor – A corridor may vary depending on the characteristics of a region and the use of the facilities. The corridor limits used by the board to analyze a state highway route will be as described by the metropolitan planning organization (MPO) or regional transportation planning organization (RTPO) for the area where the route is located.

(5) Parallel highway route – Parallel route consideration is used to analyze alternative routes within the same corridor. Outside a corridor, a route should be considered a viable highway route if it meets the other criteria in this chapter.

(6) Population equivalency of one thousand or more – To determine the equivalent population of a recreation area, refer to the WSDOT publication, "guidelines for amending urban boundaries, functional classifications, and federal-aid systems".

(7) Rural highway route – A rural highway route is the portion of a route that lies outside a federal urban area boundary.

(8) Urban highway route – An urban highway route is the portion of a route that is within a federal urban area boundary.

NEW SECTION

WAC 479-210-150 CRITERIA FOR RURAL HIGHWAY ROUTES. In considering whether to make additions, deletions, or other changes to the state highway system, the legislature is guided by criteria in RCW 47.17.001. The local agencies, department of transportation and the board will use these same criteria to assess the merits of any proposed changes to the state highway system. The following criteria will be used to assess the merits of a proposed change to a rural route:

(1) A rural highway route should be designated as a state highway if it meets any of the following criteria:

(a) Is designated as part of the national system of interstate and defense highways (popularly called the interstate system); or

(b) Is designated as part of the system of numbered United States routes; or

(c) Contains an international border crossing that is open twelve or more hours each day.

(2) A rural highway route may be designated as a state highway if it is part of an integrated system of roads and:

(a) Carries in excess of three hundred thousand tons annually and provides primary access to a rural port or intermodal freight terminal;

(b) Provides a major cross-connection between existing state highways; or

(c) connects places exhibiting one or more of the following characteristics:

(i) A population center of one thousand or greater,

(ii) an area or aggregation of areas having a population equivalency of one thousand or more, such as, but not limited to recreation areas, military installations, and so forth;

(iii) a county seat;

(iv) a major commercial-industrial terminal in a rural area with a population equivalency of one thousand or greater.

#### NEW SECTION

**WAC 479-210-200 CRITERIA FOR URBAN HIGHWAY ROUTES.** In considering whether to make additions, deletions, or other changes to the state highway system, the legislature is guided by criteria in RCW 47.17.001. The local agencies, department of transportation and the board will use these same criteria to assess the merits of any proposed changes to the state highway system. An urban highway route that meets any of the following criteria should be designated as part of the state highway system:

(1) Is designated as part of the interstate system;

(2) is designated as part of the system of numbered United States routes;

(3) is an urban extension of a rural state highway into or through an urban area and is necessary to form an integrated system of state highways;

(4) is a principal arterial that is a connecting link between two state highways and serves regionally oriented through traffic in urbanized areas with a population of fifty thousand or greater, or is a spur that serves regionally oriented traffic in urbanized areas.

#### NEW SECTION

**WAC 479-210-250 INTERPRETATION AND APPLICATION OF CRITERIA TO SPECIFIC ROUTES.** These guidelines are intended to be used as a basis for interpreting and applying the criteria to specific routes.

(1) For any route wholly within one or more contiguous jurisdictions which would be proposed for transfer to the state highway system under these criteria, if local officials prefer, responsibility will remain at the local level.

(2) State highway routes maintain continuity by being composed of routes that join other state routes at both ends or to arterial routes in the states of Oregon and Idaho and the Province of British Columbia.

(3) Public facilities may be considered to be served if they are within approximately two miles of a state highway.

(4) Exceptions may be made to include:

(a) Rural spurs as state highways if they meet the criteria relative to serving population centers of 1,000 or greater population or activity centers with population equivalencies or an aggregated population of 1,000 or greater;

(b) urban spurs as state highways that provide needed access to Washington State ferry terminals, state parks, major seaports, and trunk airports; and

(c) urban connecting links as state highways that function as needed bypass routing of regionally oriented through traffic and benefit truck routing, capacity alternative, business congestion, and geometric deficiencies.

(5) In urban and urbanized areas:

(a) Unless they are significant regional traffic generators, public facilities such as state hospitals, state correction centers, state universities, ferry terminals, and military bases do not constitute a criteria for establishment of a state highway; and

(b) there may be no more than one parallel nonaccess controlled facility in the same corridor as a freeway or limited access facility as designated by the metropolitan planning organization.

(6) When there is a choice of two or more routes between population centers, the state route designation shall normally be based on the following considerations:

(a) The ability to handle higher traffic volumes;

(b) the higher ability to accommodate further development or expansion along the existing alignment;

(c) the most direct route and the lowest travel time;

(d) the route that serves traffic with the most interstate, statewide, and interregional significance;

(e) the route that provides the optimal spacing between other state routes; and

(f) the route that best serves the comprehensive plan for community development in those areas where such a plan has been developed and adopted.

#### NEW SECTION

**WAC 479-210-300 ADMINISTRATION COSTS.** The board costs for necessary staff services and facilities that are attributable to the route jurisdiction transfer program shall be paid from the urban arterial trust account in the motor vehicle fund.

#### NEW SECTION

**WAC 479-210-350 BOARD REVIEW OF ROUTE JURISDICTION TRANSFER REQUESTS.**

The chairman will appoint a subcommittee that will review a route jurisdiction transfer request. The subcommittee should consist of at least two city, two county and one department of transportation board members.

#### NEW SECTION

**WAC 479-210-400 REPORTS TO LEGISLATIVE TRANSPORTATION COMMITTEE.** In addition to the implementation report due August 1, 1991, the board shall forward to the legislative transportation

committee by November 15 each year any recommended jurisdictional transfers.

New Chapter  
Chapter 479-216 WAC  
**REQUIREMENTS FOR ROAD JURISDICTION  
TRANSFER REQUESTS**

**WAC**

479-216-010	Contents of request for jurisdiction transfer.
479-216-050	Annual cutoff date for jurisdiction transfer requests.
479-216-100	Additional public testimony for consideration of jurisdiction transfer requests.
479-216-150	Notice of solicitation for public testimony.
479-216-200	Notice of preliminary finding.
479-216-250	Comment period.
479-216-300	Notice of final finding.
479-216-350	Contents of report to legislative transportation committee.

**NEW SECTION**

**WAC 479-216-010 CONTENTS OF REQUEST FOR JURISDICTION TRANSFER.** The agency initiating a route jurisdiction transfer request shall do so using forms provided by the board and utilizing the criteria specified in RCW 47.17.001, and WAC chapter 479-210. The request shall be signed by the agencies chief executive officer.

**NEW SECTION**

**WAC 479-216-050 ANNUAL CUTOFF DATE FOR JURISDICTION TRANSFER REQUESTS.** Prior to April 1, yearly, cities, counties or the department of transportation shall submit requests for jurisdiction transfer to the board using forms provided by the board. The request shall be in conformance with the procedures established in this chapter.

**NEW SECTION**

**WAC 479-216-100 ADDITIONAL PUBLIC TESTIMONY FOR CONSIDERATION OF JURISDICTION TRANSFER REQUESTS.** At the discretion of the board, and in addition to a regularly scheduled board meeting, public testimony may be solicited relative to a specific jurisdiction transfer request. The board will record public testimony and develop summary minutes of the meeting.

**NEW SECTION**

**WAC 479-216-150 NOTICE OF SOLICITATION FOR PUBLIC TESTIMONY.** If public testimony is solicited, the board will provide written notice to each agency involved in the transfer, legislators whose districts are impacted by the proposed route transfer and any others who have specifically requested in writing to be provided notice.

**NEW SECTION**

**WAC 479-216-200 NOTICE OF PRELIMINARY FINDING.** The board shall prepare preliminary finding for all jurisdiction transfer requests and provide written notice to the interested parties indicated in WAC 479-216-150.

**NEW SECTION**

**WAC 479-216-250 COMMENT PERIOD.** For preliminary findings after January 1, 1992, the board will provide thirty calendar days from the date the notice is mailed for interested parties to provide written comments on the preliminary finding. The individuals giving comment must provide their name and address and the comments must address the criteria specified in RCW 47.17.001 and WAC chapter 479-210.

**NEW SECTION**

**WAC 479-216-300 NOTICE OF FINAL FINDING.** At the next scheduled board meeting after the comment period, the board will prepare a final finding and recommendation for submittal to the LTC. The board will give consideration to any comments or additional information and provide written notice of the final finding to the interested parties indicated in WAC 479-216-150.

**NEW SECTION**

**WAC 479-216-350 CONTENTS OF REPORT TO LEGISLATIVE TRANSPORTATION COMMITTEE.** The contents of the report should include:

- (1) Name of agency submitting the request for transfer,
- (2) route being considered for transfer,
- (3) a map,
- (4) comparison against the criteria specified in RCW 47.17.001 and WAC chapter 479-210,
- (5) findings,
- (6) board's recommendation, and
- (7) supplemental information, such as:
  - (a) Summary minutes of meetings,
  - (b) comments received,
  - (c) board reply on the comments, and
  - (d) other appropriate information.

**NEW SECTION**

**WAC 479-310-010 PURPOSE AND AUTHORITY.** Section 60(3), chapter 342, Laws of 1991, provides that the transportation improvement board shall adopt reasonable rules necessary to implement the city hardship assistance program as recommended by the road jurisdiction study.

**NEW SECTION**

**WAC 479-310-050 ADOPTION OF RULES.** The board is required to utilize the following criteria, established by the road jurisdiction study to adopt rules to implement the program:

(1) Only those cities with a net gain in cost responsibility due to jurisdictional transfers in chapter 342, Laws of 1991, as determined by the board, may participate;

(2) Cities with populations of fifteen thousand or less, as determined by the office of financial management, may participate;

(3) The board shall develop criteria and procedures under which eligible cities may request funding for rehabilitation projects on city streets acquired under chapter 342, Laws of 1991; and

(4) The board shall also be authorized to allocate funds from the city hardship assistance program to cities with a population under twenty thousand to offset extraordinary costs associated with the transfer of roadways other than pursuant to chapter 342, Laws of 1991, that occur after January 1, 1991.

#### NEW SECTION

WAC 479-310-100 FUNDS FOR THE CITY HARDSHIP ASSISTANCE PROGRAM. Section 59(3), chapter 342, Laws of 1991, provides funding for the city hardship assistance program.

#### NEW SECTION

WAC 479-310-150 DEFINITIONS. For purposes of implementing the requirements of section 60, chapter 342, laws of 1991, relative to the transportation improvement board, the following definitions shall apply:

(1) Board – When board is used in this chapter, it refers to the transportation improvement board.

(2) CHAP – This is the abbreviation for the city hardship assistance program.

(3) Eligible agency – An eligible agency is a city or town that meets the requirements of section 60, chapter 342, laws of 1991. A listing of the eligible agencies is included in WAC 479-312-010.

(4) Eligible project – An eligible project is an improvement on a section of roadway that meets the requirements of section 60, chapter 342, laws of 1991 and the requirements specified in this chapter. A listing of the roadways eligible for CHAP funding is included in WAC 479-312-010.

(5) Extraordinary costs – The definition of extraordinary cost will vary depending on the agency and the situation involved on the eligible project. The board will take into consideration information supplied by the city or town officials when ruling on the eligibility of a proposed project.

(6) Rehabilitation – This work may include reworking or strengthening the base or subbase, recycling or reworking existing materials to improve their structural integrity, adding underdrains, improving or widening shoulders. Rehabilitation may include acquisition of additional right of way.

#### NEW SECTION

WAC 479-310-200 ADMINISTRATION COSTS. The board costs for necessary staff services and facilities that are attributable to the city hardship assistance program shall be paid from the urban arterial trust account in the motor vehicle fund.

#### New Chapter Chapter 479-312 WAC SUBMISSION OF CITY HARDSHIP ASSISTANCE PROGRAM PROJECTS

##### WAC

479-312-010	Eligible agencies and streets.
479-312-050	Population requirement for eligible agencies.
479-312-100	Data to be submitted for CHAP project application.
479-312-150	Six-year transportation plan requirements.
479-312-200	Applicable federal, state and local regulations.
479-312-250	Process and selection criteria for priority array.
479-312-300	Matching requirements for city hardship assistance program projects.

#### NEW SECTION

WAC 479-312-010 ELIGIBLE AGENCIES AND STREETS. The cities or towns eligible for city hardship assistance program funding are: Clarkston, Old SR 128, 0.13 Miles, SR 12 to Poplar Street; Des Moines, Old SR 509, 1.46 Miles, 50 feet south of 252nd Street to Junction SR 516; Kelso, Old SR 431, 0.90 Miles, SR 5 to Cowlitz Way; Kelso, Old I-5, 1.20 Miles, north end of Coweeman River Bridge to 2,480 feet south of Haussler Road and those sections of Kelso Drive, Minor road, Grade Street and Kelso Avenue referred to in the memorandum of understanding for this turnback, approximately 2.7 miles; Leavenworth, Old SR 209, 0.11 Miles, SR 2 to 260 feet north of Fir Street; Milton, Old SR 514, 2.46 Miles, Junction SR 99 to 50 feet west of SR 161; Napavine, Old SR 603, 0.79 Miles, 810 feet southwest of Lincoln Street to 8th Avenue West; Pomeroy, Old SR 128, 0.72 Miles, SR 12 to 2,690 feet south of Arlington Avenue; Port Orchard, Old SR 160, 2.30 Miles, Retsil Road to 160 feet west of Short Avenue; Skykomish, Old SR 2 Spur, 0.16 Miles, SR 2 to Railroad Avenue; Stanwood, Old SR 530, 1.59 Miles, 790 feet north of 86th Drive NW to 740 feet northwest of 72nd Avenue NW; Toledo, Old SR 505, 0.12 Miles, Fifth Street to 210 feet northwest of Sixth Street; Toppenish, Old SR 220, 0.27 Miles, Junction SR 22 to 630 feet east of Linden Road; Tukwila, Old SR 900, 0.10 Miles, Ryan Way South to 530 feet north of Ryan Way; Vader, Old SR 411, 0.25 Miles, 520 feet south of SR 506 to 1,840 feet south of SR 506; Washougal, Old SR 140, 0.70 Miles, SR 14 to west end of Washougal River Bridge; Winlock, Old SR 603, 0.61 Miles, Walnut Street to 160 feet south of Olequa Creek Bridge, and other cities under 20,000 population could become eligible for turnbacks approved after January 1, 1991.

#### NEW SECTION

WAC 479-312-050 POPULATION REQUIREMENT FOR ELIGIBLE AGENCIES. Except for cities that meet the criteria of section 60(4), chapter 342, laws

of 1991, any city which exceeds fifteen thousand population as determined by the office of financial management on or before the annual application date, will no longer be eligible for city hardship assistance program projects. Any city that became eligible for city hardship assistance program funding through section 60(4), chapter 342, laws of 1991 will no longer be eligible for funding when its population is twenty thousand or greater.

NEW SECTION

**WAC 479-312-100 DATA TO BE SUBMITTED FOR CHAP PROJECT APPLICATION.** Prior to April 1, yearly, each eligible agency shall submit their proposed CHAP projects to the board on forms provided by the board. The type of work involved in the proposed projects shall be in accordance with the requirements of chapter 479-316 WAC. The application must be specific and accompanied by a detailed cost estimate.

NEW SECTION

**WAC 479-312-150 SIX-YEAR TRANSPORTATION PLAN REQUIREMENTS.** Upon board approval of a CHAP project, such project, if required by RCW 35.77.010, shall be included in the annual update of the six-year transportation program of the local agency.

NEW SECTION

**WAC 479-312-200 OTHER APPLICABLE FEDERAL, STATE AND LOCAL REGULATIONS.** All CHAP projects shall comply with applicable federal, state and local laws, policies, regulations and ordinances.

NEW SECTION

**WAC 479-312-250 PROCESS AND SELECTION CRITERIA FOR PRIORITY ARRAY.** The board will use the following criteria to prioritize proposed CHAP projects:

- (1) Structural ability to carry loads (pavement condition),
- (2) deterioration rate for the roadway,
- (3) safety, and
- (4) other factors:
  - (a) relationship to other local agency projects,
  - (b) extent of previous participation in the program, and
  - (c) other criteria deemed appropriate by the board on a case-by-case basis.

NEW SECTION

**WAC 479-312-300 MATCHING REQUIREMENTS FOR CITY HARDSHIP ASSISTANCE PROGRAM PROJECTS.** There will be no local agency matching requirements for CHAP funded projects.

New Chapter  
Chapter 479-316 WAC  
**ALLOWABLE ACTIVITIES FOR CHAP  
PROJECTS**

WAC  
479-316-010 Allowable activities.

- 479-316-050 Minimum roadway widths.
- 479-316-100 Participation with other funds.
- 479-316-150 Record requirements.
- 479-316-200 Audits of CHAP projects.
- 479-316-250 Project plantings on CHAP projects.

NEW SECTION

**WAC 479-316-010 ALLOWABLE ACTIVITIES.** Unless otherwise approved by the board, CHAP funding shall be limited to the direct and attributable indirect costs associated with rehabilitation activities on the eligible project.

NEW SECTION

**WAC 479-316-050 MINIMUM ROADWAY WIDTHS.** CHAP funds will not participate in the cost involved with adding lanes or turn lanes. Unless specifically approved by the board, all CHAP-funded projects must be in accordance with the city and county design standards, as adopted by the city and county design standard committee in accordance with RCW 35.78.030 and RCW 43.32.020.

NEW SECTION

**WAC 479-316-100 PARTICIPATION WITH OTHER FUNDS.** CHAP funds may be used to fund rehabilitation work associated with the widening of the section of roadway but participation will be limited to the minimum standard or existing lane and shoulder widths. CHAP funds will be considered local agency funds if they are used in the urban arterial trust account or transportation improvement account programs.

NEW SECTION

**WAC 479-316-200 RECORD REQUIREMENTS.** Record procedures for CHAP funded projects shall be in accordance with the requirements of WAC 479-20-025.

NEW SECTION

**WAC 479-316-250 AUDITS OF CHAP PROJECTS.** Audits of CHAP funded projects will be performed in accordance with the requirements of WAC 479-20-027.

NEW SECTION

**WAC 479-316-300 PROJECT PLANTINGS ON CHAP PROJECTS.** CHAP funds will not participate in cost for project plantings.

New Chapter  
Chapter 479-320 WAC  
**FINANCIAL AND PAYMENT REQUIREMENTS  
FOR CITY HARDSHIP ASSISTANCE PROGRAM  
PROJECTS**

- WAC
- 479-320-050 Eligible project costs.
- 479-320-100 Eligible costs for engineering.



- 479-320-150 Procedure for requesting an increase in authorized amount of city hardship assistance program funds.
- 479-320-200 Partial or progress payments for city hardship assistance program costs.

**NEW SECTION**

**WAC 479-320-050 ELIGIBLE PROJECT COSTS.** Project costs eligible for reimbursement from the city hardship assistance program shall be those proper and allowable costs incurred on a project after the project is authorized by the board. Projects will be authorized in two-phases, the first phase being design and right of way and the second phase being construction.

**NEW SECTION**

**WAC 479-320-100 ELIGIBLE COSTS FOR ENGINEERING.** The eligible design and construction engineering costs shall be limited to twenty-five percent of the approved contract bid amount including adjustments for construction increases, decreases, or agency force construction. Agency costs for a value engineering study, if required, will not be used to determine the amount subject to the limit.

**NEW SECTION**

**WAC 479-320-150 PROCEDURE FOR REQUESTING AN INCREASE IN AUTHORIZED AMOUNT OF CITY HARDSHIP ASSISTANCE PROGRAM FUNDS.** Increases to the authorized amount of CHAP funds will be in accordance with the board policy for TIA funded projects.

**NEW SECTION**

**WAC 479-320-200 PARTIAL OR PROGRESS PAYMENTS FOR CITY HARDSHIP ASSISTANCE PROGRAM COSTS.** Participation and payment of CHAP funds shall be governed by the requirements of WAC 479-20-020.

**WSR 91-20-057****PERMANENT RULES****DEPARTMENT OF LICENSING**

[Filed September 24, 1991, 2:55 p.m.]

Date of Adoption: September 20, 1991.

Purpose: Amendatory section WAC 308-66-120, punctuation correction; amendatory section WAC 308-66-135, deletes subsection (1); amendatory section WAC 308-66-140, deletes subsection (10); amendatory section WAC 308-66-155, correction to RCW citation; amendatory section 308-66-160, defines a term used in RCW 46.70.090 (5)(b); new section WAC 308-66-165, defines transaction year for computing the number of dealer plates allowed; amendatory section WAC 308-66-170, corrects statutory and rule citations; amendatory section WAC 308-66-190, corrects statutory citation;

amendatory section WAC 308-66-212, describes the licensing process when ownership interest in a noncorporate license changes; amendatory section WAC 308-66-214, describes the licensing process when a noncorporate licensee converts to a corporate licensee; amendatory section WAC 308-66-215, describes the licensing process when a corporate licensee merges or consolidates with a noncorporate license; and new section WAC 308-66-240, describes the procedure for license cancellation and posting of closure notices when a bond is cancelled.

Citation of Existing Rules Affected by this Order: Amending WAC 308-66-120 Dealer's license application; 308-66-135 Expiration of dealer, salesperson and manufacturer licenses; 308-66-140 place of business and places of business; 308-66-155 Consignment; 308-66-160 Dealer's and manufacturer's license plates; 308-66-170 Denial, suspension or revocation of license; 308-66-190 Transfer of certificate of title by dealer; 308-66-212 Sale, transfer or other disposition of noncorporate licensee; 308-66-214 Incorporation of licensee while licensed; 308-66-215 Mergers and consolidations of corporations; new sections 308-66-165 Vehicle sales transactions; 308-66-240 Bond cancellation, closure notice; and repealing 308-66-213 Partial sales transfer or disposition of noncorporate licensee.

Statutory Authority for Adoption: WAC 308-66-120 is RCW 46.70.160 and 46.70.041; WAC 308-66-135 is RCW 46.70.160 and 46.70.085; WAC 308-66-140 is RCW 46.70.160 and 46.70.023; WAC 308-66-155 is RCW 46.70.160 and 46.70.028; WAC 308-66-160 is RCW 46.70.160 and 46.70.090; WAC 308-66-165 is RCW 46.70.160 and 1991 c 140; WAC 308-66-170 is RCW 46.70.160 and 46.70.101; WAC 308-66-190 is RCW 46.70.160, 46.12.120 and [46.12].124; WAC 308-66-212 is RCW 46.70.160 and 46.70.041; WAC 308-66-214 is RCW 46.70.160 and 46.70.041; WAC 308-66-215 is RCW 46.70.160 and 46.70.041; and WAC 308-66-240 is RCW 46.70.160 and 46.70.070.

Pursuant to notice filed as WSR 91-14-097 on July 2, 1991.

Changes Other than Editing from Proposed to Adopted Version: Took out the word "salespersons" on WAC 308-66-135 as we no longer license salespersons. Changed "he" gender to "he/she" in WAC 308-66-190.

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

September 20, 1991

Mary Faulk  
Director

Chapter 308-66 WAC  
MOTOR VEHICLE DEALERS AND ((SALES-  
MEN)) MANUFACTURERS

**AMENDATORY SECTION** (Amending Order DLR 115, filed 12/9/86)

**WAC 308-66-120 DEALER'S LICENSE APPLICATION.** (1) Each application shall contain in addition to the information required by RCW 46.70.041:

(a) The names and addresses of all owners of ten percent or more of the assets of the firm and the names and addresses of managing employees;

(b) The name and address of the principal place of business of the firm;

(c) The names and addresses of each and every subagency of the firm, if any;

(d) A current balance sheet of assets and liabilities which shall have been prepared within ninety days of its submission((f;f;f));

(e) A statement of whether or not the applicant or any partner, officer, director, owner of ten percent or more of the assets of the firm, or managing employee, was the holder of a license issued pursuant to chapter 46.70 RCW which was revoked for cause and never reissued by the department, or which license was suspended for cause and the terms of the suspension have not been fulfilled;

(f) A detailed list of all dealerships previously operated by each person named on the application and with which each person presently or was formerly connected or employed.

(2) An applicant shall appear for a personal interview if requested by the department.

(3) The department may require a credit report for each party named on each application for a dealer's license.

(4) An applicant shall provide as evidence of leasehold or ownership interest of business location either:

(a) A copy of the rental or lease agreement between the applicant and landowner showing the business location by commonly known address, or

(b) A copy of the county assessor's record showing ownership of the business location, the applicant's name and the commonly known address.

(5) The bank reference for verifying financial condition consisting of:

(a) The name of applicant's bank, a person to contact at that bank concerning applicant's financial condition, or

(b) A letter of credit current within last 90 days, or

(c) A flooring agreement, if with a financial institution, or

(d) A line of credit with a financial institution.

(6) The department may require an applicant for a vehicle dealer license to provide evidence that the business location conforms to all zoning and land use ordinances.

(7) A corporation applicant shall provide the corporation number and corporation name issued by the secretary of state's office authorizing the company to do business within this state.

(8) The name and address on the license application and all required supporting documents must be the same. The sign at the certified location must identify the doing business as name (dba), if any, and that name shall appear on all documents as the applicant's name. The business telephone listing must also reflect the business name or the doing business as name.

#### AMENDATORY SECTION (Amending Order DLR-091, filed 3/26/86)

WAC 308-66-135 EXPIRATION OF DEALER((; SALESPERSON)) AND MANUFACTURER LICENSES. ((1) Any dealer, vehicle salesperson and vehicle manufacturer's license shall expire twelve consecutive months from the date of issuance for purposes of staggered licensing. During the initial licensing period the renewal dates shall be established by a random alphabetical selection commencing with a minimum license period of six months, extended month by month to a maximum of eighteen consecutive months as determined by the random selection process. Upon completion of the initial staggering of these licenses each subsequent renewal period shall be twelve consecutive months from the established date of the staggered issuance, subject to the provisions of chapter 46.70 RCW.

(2)) Motor vehicle dealer license plates and vehicle manufacturer license plates shall expire on the same date as the expiration of the license.

#### AMENDATORY SECTION (Amending Order DLR 115, filed 12/9/86)

WAC 308-66-140 PLACE OF BUSINESS AND PLACES OF BUSINESS. (1) A dealer shall advise the department of each and every:

- (a) Name under which the firm does business, and
- (b) Location at which the firm does business.

If there is any addition, deletion or change in the above, the dealer shall so inform the department within ten days of such action.

(2) A dealer shall designate one name and one location as the principal name and principal place of business of the firm.

(a) All other locations that are physically and geographically separated from the principal place of business shall be designated and licensed as subagencies of that dealership;

(b) All other names shall be designated and licensed as subagencies of that dealership;

(c) If a dealer is required to obtain a subagency license under (2)(a) of this section, he shall not be required to obtain an additional subagency license under (2)(b) of this section, unless he does business under more than one name at that location;

(3) The director shall fail to renew, suspend or revoke a subagency license of a dealership if the dealer ceases to maintain "an established place of business" at that subagency location.

(4) All temporary subagencies shall be covered by the bond of the dealer's principal place of business.

(5) A ((new motor)) vehicle dealer that is unable to locate his/her used vehicle sales facilities adjacent to or at the established place of business need not obtain and hold a subagency license if:

- (a) Vehicle sales lot is contained within the same city block, or
- (b) Directly across the street, or
- (c) Is within sight, and
- (d) Location is zoned properly, and
- (e) Dealer bond covers sales lot.

(6) If sales lot referred to in section 5 is in sight of the principal place of business, no sign is required at that sales lot.

(7) The department may require that a dealer provide evidence that each place of business conforms to all zoning and land use ordinances.

(8) Each and every subagency license of a dealership shall automatically be deemed cancelled upon the termination, for whatever reason, of the principal license of that dealership.

(9) No license shall be issued to any applicant for a vehicle dealer or vehicle manufacturer license under a name that is the same as that of any dealer or manufacturer holding a current license issued pursuant to chapter 46.70 RCW.

~~((10) The fee will be ten dollars for each temporary subagency prior to July 1, 1986 and thereafter the fee will be twenty-five dollars.))~~

**AMENDATORY SECTION** (Amending Order DLR 115, filed 12/9/86)

WAC 308-66-155 CONSIGNMENT. (1) Contract.

(a) It shall be considered an unlawful practice within the meaning of RCW 46.70.180 for a vehicle dealer to accept any vehicle on consignment without first reducing the consignment to writing.

(b) Minimum information required for consignment contracts.

(i) The names of the parties to the contract including the identity of the legal owner.

(ii) A statement by the consignor indicating the location of the title and the unpaid balance of the vehicle, if any.

(iii) The date of the consignment agreement.

(iv) The specific effective duration of the contract.

(v) The agreed upon price which the consignor will receive for his vehicle.

(vi) The description of the consigned vehicle, by make, model, vehicle identification number, and license number.

(vii) The signatures of the parties to the contract.

(viii) If no price has been specified in (v) above, then the minimum retail price and the commission, fee, or compensation to which the vehicle dealer will be entitled upon the sale of the consigned vehicle.

(2) In the event the dealer-consignee and the consignor shall deem it appropriate to vary the terms of the written contract, the dealer-consignee shall obtain written authorization from the consignor prior to the sale of the subject vehicle.

(3) Requirements for selling consigned vehicles.

(a) All funds received, including deposits or payments in full or proceeds from the sale of trade-ins, shall be placed in a trust account as required under RCW ~~((46.69.180))~~ 46.70.180(9), and said funds shall remain in such trust account until the consignor's and the legal

owner's interest, if any, have been fully satisfied as provided in the consignment agreement. It shall be considered an unlawful practice for a vehicle dealer or salesperson to commingle funds received on a consigned vehicle with the assets of the dealer and the salesperson until all terms of the agreement have been completed.

(b) The amount due a consignor after the sale of the consigned vehicle shall be paid by the consignee immediately where title has been delivered to the purchaser, and in all cases shall be paid within ten days.

(c) The consignor shall receive a copy of the purchase order used to complete the sale at the time the funds are remitted where the sale has been on a fee or commission basis.

(4) Consignee's duty to transfer title.

(a) The sale of consigned vehicles imposes the same duty under RCW 46.12.120 to consignee as any other sale.

(b) Prior to accepting a vehicle for consignment and offering it for sale, it shall be the duty of the consignee to verify or confirm the title location. Failure to do so shall be considered an unlawful and deceptive practice under RCW 46.70.180(1).

**AMENDATORY SECTION** (Amending Order DLR-114, filed 10/8/86)

WAC 308-66-160 **DEALER'S AND MANUFACTURER'S LICENSE PLATES.** (1) When dealer's plates are used on any vehicle being demonstrated to a prospective customer, it is not necessary that the dealer or a member of his firm accompany the prospective customer except as provided in RCW 46.70.090. Prospective customers, when not accompanied by a dealer or member of his firm, shall be issued a demonstration permit by the dealer authorizing them to operate the vehicle for a period not to exceed seventy-two hours for the purpose of demonstration and possible purchase.

(2) When a dealer receives a vehicle bearing foreign license plates, such plates shall be covered by the dealer's plates while that vehicle is being demonstrated. Upon the sale of the vehicle, the foreign plates shall be removed and destroyed by the dealer prior to the delivery of the vehicle. When a foreign-plated vehicle is sold to a resident of the state whose plate is so displayed on the vehicle and the purchaser returns the vehicle immediately to his home state for use there and not in Washington, the dealer may deliver the vehicle with foreign plates attached if either one of two conditions is also met. The conditions are:

(a) The purchaser must have applied to his home state's vehicle licensing authority to register the vehicle in his own name, or

(b) The purchaser must have obtained a one-transit permit to move the vehicle from the dealer's place of business to his own state.

(3) An employee of a dealer shall carry an employee identification card when operating any vehicle bearing dealer's plates.

(4) Dealer's plates may not be used on any vehicle belonging to a member of the dealer's family.

(5) Dealer's plates may not be used on any vehicle owned by the dealer if such vehicle is used exclusively by members of the dealer's family.

(6) Vehicles bearing dealer's plates may not be loaned to the dealer's service customers.

(7) Dealers are required to provide reasonably accurate records reflecting the use of dealer plates.

(8) Pursuant to RCW 46.70.090 (5)(b), testing vehicles for repair is limited to testing for a preexisting, identifiable problem known to the manufacturer before the testing is to begin.

#### NEW SECTION

WAC 308-66-165 VEHICLE SALES TRANSACTIONS. Vehicle sales transactions reported to the department as required by RCW 46.70.083 shall be determined by reporting the number of vehicles sold in each license classification held by the dealer during the twelve-month period ending sixty days prior to the expiration of the license.

AMENDATORY SECTION (Amending Order DLR 115, filed 12/9/86)

WAC 308-66-170 DENIAL, SUSPENSION OR REVOCATION OF LICENSE. (1) When the license of a vehicle dealer has been suspended or revoked or an application has been denied, the department shall post a closure notice at or near the principal entry to the place of business. Such notice shall include a statement that the dealership is closed as to the sale of vehicles because of the denial, suspension or revocation of a license. In case of a suspension, the duration of the suspension shall be stated on the notice. A dealer shall not remove any closure notice without written permission from an authorized representative of the director.

(2) Practices inimical to the health and safety of the citizens of the state of Washington pursuant to RCW 46.70.101 (3)(k) shall include, but not be limited to, failure to comply with the following federal and state standards, as presently constituted and as hereafter amended, amplified or revised, pertaining to the construction and safety of vehicles:

(a) "Federal motor vehicle safety standards," 49 Code of Federal Regulations, part 571;

(b) "Control of air pollution from new motor vehicles and new motor vehicle engines," 40 Code of Federal Regulations, part 85;

(c) "Vehicle lighting and other equipment," chapter 46.37 RCW;

(d) Rules and regulations adopted by the ~~((state commission on equipment))~~ Washington state patrol pursuant to RCW 46.37.005, Title 204 ~~((Washington Administrative Code[;]))~~ WAC;

(e) "Mobile homes, ~~((trailer))~~ commercial coaches, park trailers, and recreational vehicles," chapter ~~((296-48 Washington Administrative Code))~~ 296-150B WAC;

(f) Housing and Community Development Act of 1974, Public Law 93-383, Title VI Mobile home construction and safety standards, §§ 603, 604, 610, 615, 616, 617.

AMENDATORY SECTION (Amending WSR 90-24-054, filed 12/3/90, effective 1/3/91)

WAC 308-66-190 TRANSFER OF CERTIFICATE OF TITLE BY DEALER. (1) When a vehicle displaying current Washington plates is sold by a dealer, the dealer shall make an application for a certificate of title in the purchaser's name within thirty days following the sale of the vehicle.

(2) The dealer shall in every case sign or type his/her name on the certificate of title accompanying the transfer. If an authorized agent signs for the dealer, he/she shall give his/her title.

(3) The name and address of the previous registered owner shall be shown on the application for transfer of title.

(4) The dealer shall provide a vehicle odometer disclosure statement with the title application as required by ~~((section 6, chapter 238, Laws of 1990))~~ RCW 46.12.124.

AMENDATORY SECTION (Amending Order MV 170, filed 7/16/73)

WAC 308-66-212 SALE, TRANSFER OR OTHER DISPOSITION OF NONCORPORATE LICENSEE. Upon the sale, transfer or other disposition of ~~((fifty percent or more of the))~~ an ownership interest in a non-corporate licensee~~((:~~

~~((1) A rider to the bond revealing the change in ownership shall be filed with the department.~~

~~((2))~~ a new application for ~~((an))~~ the appropriate license ~~((by the purchaser or transferee))~~ is required and the fee will be the same as for an original application.

~~((3) The former owner must turn into the department his special license plates. The new owner or transferee must purchase new plates in his own name.))~~ The special license plates issued to the original licensee(s) may continue to be used.

AMENDATORY SECTION (Amending Order MV 170, filed 7/16/73)

WAC 308-66-214 INCORPORATION OF LICENSEE WHILE LICENSED. A licensee which incorporates while licensed~~((:~~

~~((1))~~ shall file ~~((an))~~ a new application for ~~((an))~~ the appropriate license and the fee will be the same as for an original application.

~~((2) Shall file a new bond with the department.~~

~~((3) If the transfer involves a change in the business structure only and does not involve the transfer of fifty percent or more of the ownership interest in the firm, the corporation may be considered temporarily licensed until the end of the licensing period or until the application is denied, and during such period:~~

~~((a) No additional fees will be required until renewal, at which time an original application for license and fee will be required.~~

~~((b))~~ The ~~((same))~~ special license plates ~~((may be used until renewal))~~ issued to the original licensee(s) may continue to be used. The firm may request the incorporation license number upon renewal.

AMENDATORY SECTION (Amending Order MV 170, filed 7/16/73)

WAC 308-66-215 MERGERS AND CONSOLIDATIONS OF CORPORATIONS. The merger or consolidation of an incorporated licensed firm with a nonlicensed corporation shall be governed by the provisions of WAC 308-66-212 (~~except that a new bond must be filed~~). Where, in the case of merger, the incorporated licensed firm becomes the surviving corporation, the department may waive WAC 308-66-212(~~(3)~~).

NEW SECTION

WAC 308-66-240 BOND CANCELLATION, CLOSURE NOTICE. (1) When the department of licensing has received notification from a bonding company that a dealer's bond has been cancelled or the bond has expired and has not been renewed or a replacement bond has not been received with no lapse in coverage, the department shall notify the licensee to surrender the certificate issued for each license classification and dealer plates to the department.

(2) A bond cancellation closure notice shall be posted by the department at the established place of business and shall remain in effect until the license and bond has been reinstated or when the current license expires.

(3) The closure notice will not be posted if the licensee voluntarily surrenders the license certificate and dealer plates and signs a statement that he/she does not plan to obtain a replacement bond or conduct further business.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-66-213 PARTIAL SALES TRANSFER OR DISPOSITION OF NONCORPORATE LICENSEE.

**WSR 91-20-058**  
**PERMANENT RULES**  
**DEPARTMENT OF REVENUE**  
 [Filed September 24, 1991, 2:56 p.m.]

Date of Adoption: September 24, 1991.

Purpose: To implement change of chapter 80, Laws of 1991, effective June 1, 1991.

Citation of Existing Rules Affected by this Order: Amending WAC 458-20-255.

Statutory Authority for Adoption: RCW 82.32.300.

Pursuant to notice filed as WSR 91-16-010 on July 26, 1991.

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

September 24, 1991

Edward L. Faker  
Assistant Director

AMENDATORY SECTION (Amending Order 89-13, filed 8/3/89, effective 9/3/89)

WAC 458-20-255 CARBONATED BEVERAGE AND SYRUP TAX. (1) INTRODUCTION. Under the provisions of chapter ~~((271))~~ 80, Laws of ~~((1989))~~ 1991, a ~~((carbonated beverage and syrup))~~ tax is imposed, effective ~~((July))~~ June 1, ~~((1989))~~ 1991, upon the volume of carbonated beverages and syrups ~~((possessed))~~ sold at wholesale and retail in this state with specific credits and exemptions provided. This tax is an excise tax upon the ~~((privilege of possessing))~~ business activity of selling carbonated beverages or syrups in this state. It is imposed in addition to all other taxes of an excise or property tax nature and is not in lieu of any other such taxes.

~~((a) The tax provisions relate exclusively to the possession of carbonated beverages and syrups. The incidence or privilege which incurs tax liability is simply the possession of the carbonated beverages or syrup and is imposed upon any possession of carbonated beverages or syrup in this state by any person who is not expressly exempt of the tax. However, it is the intent of the law that the economic burden of the tax should fall upon the first such possession in this state. Therefore, the law provides that if the tax has not been paid upon any carbonated beverage or syrup the department may collect the tax from any person who has had possession. The amount of tax paid then constitutes a debt owed by the first person having had taxable possession to the person who pays the tax.))~~

(2) DEFINITIONS. For purposes of this section the following terms will apply.

(a) "Tax" means the carbonated beverage or syrup tax imposed by chapter ~~((271))~~ 80, Laws of ~~((1989))~~ 1991.

(b) "Carbonated beverage" has its ordinary meaning and includes any nonalcoholic liquid intended for human consumption which contains carbon dioxide.

(i) Thus, "carbonated beverage" includes but is not limited to soft drinks, "soda pop," mineral waters, seltzers, fruit juices, or any other nonalcoholic beverages, including carbonated waters, which are produced for human consumption and which contain any amount of carbon dioxide.

(ii) However, "carbonated beverage" does not include bromides or other carbonated liquids commonly sold as pharmaceuticals.

(c) ~~(("Possession" means the control of a carbonated beverage or syrup located within this state and includes both actual and constructive possession:))~~

~~((i) "Actual possession" occurs when the person with control has physical possession:))~~

~~((ii) "Constructive possession" occurs when the person with control does not have physical possession:))~~

~~((iii) "Control" means the power to sell or use a carbonated beverage or syrup or to authorize the sale or use by another:))~~

~~((d))~~ "Previously taxed carbonated beverage or syrup" means a carbonated beverage or syrup in respect to which a tax has been paid under this chapter. A "previously taxed carbonated beverage" includes carbonated beverages in respect to which the tax has been paid on

either the carbonated beverage or on the syrup in the carbonated beverage.

(i) Example. A retailer who produces a carbonated beverage by adding water and carbonation to a syrup, upon which the tax has been paid to and collected by a ~~((prior possessor, possesses a "previously taxed carbonated beverage or syrup" and))~~ wholesaler incurs no additional tax liability ~~((as))~~ because the tax has been paid upon the syrup ~~((used in the production process))~~ and collected by the wholesaler.

~~((c))~~ (d) "Syrup" means a concentrated liquid which is added to carbonated water to produce a carbonated beverage.

(i) Thus, "syrup" includes the concentrated liquid marketed by manufacturers to which the purchaser adds water and/or carbon dioxide, or, carbonated water to produce a carbonated beverage.

~~((f))~~ (e) "State" means for the credit provisions of this section:

(i) A state of the United States other than Washington, or any political subdivision of such other state,

(ii) The District of Columbia, and

(iii) Any foreign country or political subdivision thereof.

~~((g))~~ (f) Except as otherwise expressly defined in this section, the definitions of terms provided in chapters 82.04, 82.08, and 82.12 RCW apply equally for this section. Other terms not expressly defined in these chapters or this section are to be given their common and ordinary meanings.

(3) TAX IMPOSITION, RATE AND MEASURE.

(a) The tax is imposed upon the ~~((privilege))~~ wholesale or retail business activity of ((possessing)) selling carbonated beverages or syrups within this state. The tax shall be paid by the buyer to the wholesaler and each wholesaler shall collect the tax from the buyer unless the wholesaler is prohibited from collecting the tax from the buyer under the Constitution of this state or the Constitution or laws of the United States in which case the wholesaler is liable for the amount of the tax. The amount of the tax required to be collected by the wholesaler is a debt from the buyer to the wholesaler until the tax is paid by the buyer to the wholesaler. A wholesaler who fails or refuses to collect the tax with intent to violate the provisions of this chapter or to gain some advantage directly or indirectly, is guilty of a misdemeanor. When a retailer sells carbonated beverages or uses syrup which the retailer has purchased from an out-of-state wholesaler who has not collected the tax, the retailer must report and pay the tax.

(i) When a ~~((manufacturer or))~~ bottler produces a carbonated beverage end product, the measure of the tax shall be the volume of the carbonated beverage ((produced and not an ingredient in the production process)) end product sold at wholesale or retail.

(ii) Manufacturers of syrup are taxable on the ((possession)) business activity of selling syrup only when such syrup is removed from the production process ((for purposes of sale or other transfer of possession)) and sold without further processing by them or another manufacturer or bottler.

(iii) Example. An ingredient used in the manufacturing process by a ~~((manufacturer or))~~ bottler of carbonated beverages is never taxed even if the ingredient is a syrup. ~~((Therefore))~~ Therefore, a manufacturer of syrup who ~~((uses, or))~~ sells ~~((or transfers possession of))~~ an ingredient to another manufacturer of syrup or a bottler, is not taxed on the ingredient ~~((possessed))~~ sold even if the ingredient is a syrup. The product ~~((used,))~~ sold ~~((or transferred))~~ is not a taxable syrup but an ingredient in the manufacturing process. The ~~((using or))~~ purchasing manufacturer or bottler is taxed upon the end product produced by such manufacturer of syrup or bottler, or by a contract bottler hired by him.

Similarly, a manufacturer of syrup or bottler who receives a product from an out-of-state source for use as an ingredient in the manufacturing or bottling process ~~((is not taxed on the possession of the ingredient even if the ingredient is a syrup. The manufacturer of the carbonated beverage))~~ is taxed ~~((upon))~~ when the end product produced is sold.

(b) The tax rate and measure for carbonated beverages is eighty-four one thousandths of a cent per ounce. The tax rate and measure for syrup is seventy five cents per gallon. Fractional amounts shall be taxed proportionally.

(4) EXEMPTIONS. The following are exempt from the tax:

(a) Any successive possession of a previously taxed carbonated beverage or syrup.

(i) In order to verify the payment of the tax, all persons selling or otherwise transferring possession of taxed beverages or syrup, except retailers, shall separately itemize the amount of the tax on the invoice, bill of lading, or other ~~((delivery document))~~ instrument of sale. Beer and wine wholesalers selling carbonated beverages or syrup upon which the tax has been paid and who are prohibited under RCW 68.28.010 from having a direct or indirect financial interest in any retail business may, in lieu of a separate itemization of the amount of the tax, provide a statement on the instrument of sale that the carbonated beverage and syrup tax has been paid. For purposes of the payment and the itemization of the tax, the tax computed on standard units of a product, cases, liters, gallons, etc., may be stated in an amount rounded to the nearest cent. ((To allow sufficient time for the installation of equipment and procedures necessary to itemize the tax, the requirement for itemization of the tax shall take effect November 1, 1989:)) In competitive bid documents, the tax will be considered to not be included in the bid price unless the bid documents separately itemizes the tax. In either case, the tax must be separately itemized on the instrument of sale except when the separate itemization is prohibited by law.

(ii) Any person prohibited by federal or state law, ruling or requirement from itemizing the tax on an invoice, bill of lading, or other document of delivery shall retain the documentation necessary for verification of the payment of the tax.

(iii) A subsequent ~~((possessor))~~ sale of carbonated beverages or syrups sold or delivered upon an invoice, bill of lading, or other document of sale which contains a

separate itemization of the tax shall be exempt from the tax.

(iv) However, a ~~((possessor))~~ subsequent sale of carbonated beverages or syrups sold or delivered to the subsequent seller upon an invoice, bill of lading or other document of sale which does not contain a separate itemization of the tax is conclusively presumed to be ~~((the first possessor of the))~~ previously untaxed carbonated beverage or syrup ~~((in this state))~~ and ~~((is liable for))~~ the wholesaler must report and pay the tax. The retailer must report and pay the tax when the retailer purchases from an out-of-state wholesaler who has not collected the tax.

(v) This exemption for taxes previously paid is available for any person ~~((in successive possession of a))~~ selling previously taxed carbonated beverage or syrup even though the previous payment may have been satisfied by the use of credits or offsets available to the ~~((previous person in possession))~~ prior seller.

(vi) Example. Company A ~~((brings))~~ sells to Company B a carbonated beverage or syrup ~~((into this state))~~ upon which it has paid a similar carbonated beverage or syrup tax in another state. Company A takes a credit against its Washington tax liability in the amount of the other state's tax paid. It ~~((then sells the substance to Company B, and))~~ provides Company B with an invoice containing a separate itemization of the tax. Company B's ~~((possession))~~ subsequent sale is tax exempt even though Company A has not directly paid Washington's tax but has used a credit against its Washington liability.

(b) Any carbonated beverage or syrup that is transferred to a point outside the state for use outside the state.

(i) The exemption for ~~((possessions))~~ the sale of exported carbonated beverages or syrups ~~((for export sale or use))~~ may be taken by any ~~((possessor))~~ seller within the chain of distribution of such products in this state. To perfect its entitlement to this exemption the ~~((pos- sessor))~~ seller of such carbonated beverage or syrup must take from its buyer or transferee of the carbonated beverage or syrup a written certification in substantially the following form:

Certificate of Tax Exempt Export Carbonated Beverages or Syrup

I hereby certify that the carbonated beverages or syrups specified herein, purchased by ~~((or transferred to))~~ the undersigned, from ~~((seller ((or transferor)))~~, are for export for use or sale outside Washington state. I will become liable for and pay any carbonated beverage or syrup tax due upon all or any part of such products which ~~((are))~~ is not so exported outside Washington state. This certificate is given with full knowledge of, and subject to the legally prescribed penalties for fraud and tax evasion.

Registration No. \_\_\_\_\_ Type of Business \_\_\_\_\_  
 ((If applicable))  
 Firm Name \_\_\_\_\_ Registered Name \_\_\_\_\_  
 (If different)  
 Firm Name \_\_\_\_\_  
 Registered Name \_\_\_\_\_  
 (If different)  
 Authorized Signature \_\_\_\_\_  
 Title \_\_\_\_\_  
 Identity of Carbonated Beverages or Syrups. \_\_\_\_\_  
 (Kind and amount by volume)  
 Date \_\_\_\_\_

This certificate may be used so long as some portion of the product is exported. ~~((Transferors))~~ Sellers are under no obligation to verify the amount of the product to be exported by their ~~((transferees))~~ buyers providing such certificates. ~~((Transferees))~~ Buyers providing such certificates are, however, subject to penalties and interest, for any late payment of tax due on products not exported.

(ii) Each successive ~~((possessor))~~ sale of such carbonated beverages or syrups must, in turn, take a certification in substantially this form from any other person to whom such carbonated beverages or syrups are sold ~~((or transferred in this state))~~. Failure to take and keep such certifications as part of its permanent records will incur carbonated beverage or syrup tax liability by such sellers ~~((or transferors of carbonated beverages or syrups))~~ if the tax has not been previously paid.

(iii) Persons ~~((in possession of carbonated beverages or syrups))~~ who themselves export or cause the exportation of such products to persons outside this state for further sale or use outside this state must keep the proofs of actual exportation required by WAC 458-20-193 ~~((, Parts A or C))~~.

(c) Persons or activities which the state is prohibited from taxing under the United States Constitution are tax exempt.

~~((†))~~ This exemption extends to the U.S. Government, its agencies and instrumentalities, and to any ~~((possession))~~ sale the taxation of which has been expressly reserved or preempted under the laws of the United States. This exemption applies only ~~((when))~~ to purchases by the United States, its agencies and instrumentalities ~~((, is the first possessor of carbonated beverages or syrup in this state))~~. The exemption does not apply to persons who ~~((possess))~~ sell carbonated beverages or syrups ~~((for sale or delivery))~~ to agencies and instrumentalities of the United States located in this state. When the United States or its agencies or instrumentalities purchases carbonated beverages or syrup from a wholesaler who is required to collect this tax from its buyer, the wholesaler itself is liable for, and must report and pay, the tax on the volume of product sold to the United States or its agencies or instrumentalities.

~~((ii))~~ The tax will not apply with respect to any possession of any carbonated beverage or syrup purchased, extracted, produced or manufactured outside this state which is shipped or delivered into this state until the interstate transportation of such carbonated beverage or syrup has finally ended in this state. Thus, out of state

~~sellers or producers need not pay the tax on carbonated beverages or syrups shipped directly to customers in this state. The customers must pay the tax upon their first possession unless the out of state seller chooses to pay the tax and evidences such payment on its invoice to its customer, or the customer is otherwise expressly exempt.~~

~~(iii) Out of state sellers or producers will be subject to tax upon carbonated beverages or syrups shipped or delivered into storage (including public storage), or, to distribution centers, or, to other in state facilities owned, leased, or otherwise controlled by them.~~

~~(iv) However, the tax will not apply with respect to possessions of carbonated beverages or syrups which are only temporarily stored or possessed in this state in connection with through, interstate movement of the substances from points of origin to points of destination both of which are outside of this state.)~~

~~(d) The ((possession)) sale of any carbonated beverages or syrups prior to ((July 1, 1989)) June 1, 1991, is tax exempt. ((This exemption extends to current inventories and stocks of carbonated beverages or syrups on hand on July 1, 1989 when the tax first takes effect. The intent is that the carbonated beverage or syrup tax has no retroactive application.)) Sales of carbonated beverages and syrups after June 1, 1991, are exempt if carbonated beverage and syrup possession tax has been paid on the product.~~

~~((†)) It is the intent, under the law, that this exemption will apply to the carbonated beverages or syrups throughout their succeeding chain of distribution((; in the possession of any person,)) for the life of those carbonated beverages or syrups. That is, carbonated beverages or syrups already possessed as of ((June 30, 1989)) May 31, 1991, and upon which the possession carbonated beverage and syrup tax has been paid will not incur another tax liability ((in the possession of any person at any time)) upon the sale of the product after May 31, 1991.~~

~~((ii) Persons who already possess any carbonated beverages or syrups on June 30, 1989 must use a first-in-first-out (FIFO) accounting method for depleting such supplies, supported by their purchase, sales, or transfer records. For purposes of this exemption only, persons may choose to account for product possessed as of June 30, 1989 on a product by product basis or a total volume basis.~~

~~(iii) Because this exemption will follow the carbonated beverage or syrup into the possession of any subsequent or succeeding possessors, sellers of such exempt current inventory of carbonated beverages or syrups should provide their registered buyers in this state with a separately itemized statement on the invoice, bill of lading, or other delivery document indicating that the product is tax exempt inventory.)~~

~~(e) Any sale at wholesale of a trademarked carbonated beverage or syrup by any person to a person commonly known as a bottler who is appointed by the owner of the trademark to manufacture, distribute, and sell such trademarked carbonated beverage within a specific geographic territory.~~

~~(5) CREDIT. Credit shall be allowed against the taxes imposed in this section for any carbonated beverage or~~

~~syrup tax paid to another state with respect to the same carbonated beverage or syrup. The amount of the credit shall not exceed the tax liability arising under this chapter with respect to that carbonated beverage or syrup.~~

~~(a) "Carbonated beverage or syrup tax" means a tax:~~

~~(i) That is imposed on the ((act or privilege of possessing)) sale at wholesale of carbonated beverages or syrup and is not generally imposed on other activities or privileges; and~~

~~(ii) That is measured by the value or volume of the carbonated beverage or syrup ((possessed)).~~

~~(b) In order for this credit to apply, the other state's tax must be significantly similar to Washington's tax in all its various respects. The taxable incident must be ((possessing)) the wholesale sale of carbonated beverages or syrups without deductions for costs of doing business, such that the other state's tax does not constitute an income tax or added value tax.~~

~~(c) This credit may be taken for the amount of any other state's qualifying tax which has actually been paid as a result of the same carbonated beverage or syrup being previously ((possessed)) sold by the same person in another taxing jurisdiction before Washington State's tax is incurred.~~

~~(d) The amount of credit is limited to the amount of tax paid in this state upon ((possession)) the wholesale sale of the same carbonated beverage or syrup in this state. Also, the credit may not be applied against any tax paid or owed in this state other than the carbonated beverage tax imposed by chapter ((27†)) 80, Laws of ((1989)) 1991.~~

~~(6) ((RECURRENT TAX LIABILITY. It is the intent of the law that all carbonated beverages or syrups possessed in this state should incur this tax liability only once unless they are expressly exempt. This is true of carbonated beverages or syrups used as ingredients of products as well as the manufactured end product itself. When a manufacturer is in possession of both syrup and carbonated beverage and where the syrup is an ingredient or step in the production of the carbonated beverage end product, the measure of the tax shall be the carbonated beverage produced and not the syrup which is only an ingredient in the production process.~~

~~(a) Manufacturers are taxable on the possession of syrup only when such syrup is removed from the production process for purposes of sale or other transfer of possession without further processing by them or another manufacturer or bottler.~~

~~(b) Example. When a retailer (soda fountain, convenience store, fast food outlet, etc.) who produces carbonated beverages by combining syrup with water and carbon dioxide purchases the syrup from an out-of-state seller who is not the first possessor of the syrup in this state, the retailer incurs tax liability as the first possessor of the syrup in this state. The tax is measured by the volume of syrup first possessed.~~

~~(7)) HOW AND WHEN TO PAY TAX.~~

~~(a) The tax must be reported on a special line of the combined excise tax return designated "carbonated beverage or syrup". The volume reported shall be the net volume subject to tax, i.e., the gross volume ((possessed)) sold less volume exempt.~~



(b) The tax is due for payment together with the timely filing of the return upon which it is reported, covering the tax reporting period during which the carbonated beverage or syrup is ~~((first possessed within this state. Any person who is not expressly exempt of the tax and who possesses any carbonated beverage or syrup in this state, without having proof that the tax has previously been paid on that carbonated beverage or syrup, must report and pay the tax))~~ sold.

(i) A wholesaler making a wholesale sale of carbonated beverage or syrup in this state must collect the tax from the buyer and report and pay it to the department. The buyer is not obligated to report or pay the tax.

(ii) A retailer making a retail sale in this state of carbonated beverage or syrup purchased from an out-of-state wholesaler who has not collected the tax must collect the tax from the buyer and report and pay it to the department. The buyer is not obligated to report or pay the tax.

(c) The taxable incident or event is the ~~((possession))~~ sale of the carbonated beverage or syrup. Tax is due for payment by the first ((possessor in this state whether or not the carbonated beverage or syrup has been sold or transferred or whether, if sold, the purchase price has been paid in part or in full)) seller, whether wholesaler or retailer, of carbonated beverage or syrup upon which the tax has not been paid. It is the intent of the law that all carbonated beverages or syrups sold in this state should incur this tax liability only once unless they are expressly exempt.

(d) Various circumstances may arise whereby a person will sell carbonated beverages or syrups in this state, some of which have been previously taxed in this or other states and some of which may not. In such cases formulary tax reporting may be used, only after receipt of a special ruling issued by the department of revenue authorizing such formulary reporting.

~~((d))~~ Special provision for manufacturers, bottlers, and wholesalers. Because it is not possible to know, at the time of first possession in this state, whether a carbonated beverage or syrup may be used or sold in a manner which would entitle the first possession to tax exemption, manufacturers, bottlers, wholesalers, and other persons giving their suppliers export exemption certificates who possess carbonated beverages or syrups may report the tax and take any available exemptions and credits at the time that such carbonated beverages or syrups are withdrawn from storage for purposes of their sale, transfer of possession, export, or consumption.

~~(8))~~ (7) HOW AND WHEN TO CLAIM CREDIT. Any tax credit available to the taxpayer should be claimed and offset against tax liability reported on the same excise tax return when possible. The tax return form provides a line for reporting tax on carbonated beverages and syrups and the credit shall be taken on the line for taking "other credits" as an offset against the tax reported. A statement showing the computation of the credit must be provided. It is not required that any other documents or other evidences of entitlement to credits be submitted with the report. Such proofs must be retained in permanent records for the purpose of verification of credits taken.

~~((9) CARBONATED BEVERAGES OR SYRUPS ON CONSIGNMENT. Consignees who possess carbonated beverages or syrups in this state with the power to sell such things, in their own name or on behalf of a disclosed or undisclosed consignor have "control" of the product and are liable for payment of the tax unless the tax has been paid by a prior possessor. The exemption for previously taxed carbonated beverages or syrups is available for such consignees if the consignor or the previous possessor has paid the tax and the consignee has retained the document of sale or delivery containing a separately itemized statement of the payment of the tax. Possession of consigned carbonated beverages or syrups by a consignee who has control of the product does not constitute constructive possession by the consignor.~~

~~(10) Various circumstances may arise whereby a person will possess carbonated beverages or syrups in this state, some of which have been previously taxed in this or other states and some of which may not. In such cases formulary tax reporting may be used, only after receipt of a special ruling issued by the department of revenue authorizing such formulary reporting.~~

~~(a) Example. Fungible carbonated beverages or syrups from sources both within and outside this state are commingled in common storage facilities. Formulary reporting may be appropriate based upon volume percentages reflecting the ratio of in-state production to out-of-state production or other form of acquisition.))~~

(8) NOTICE TO CONSUMERS BY RETAILERS THAT PURCHASE PRICE INCLUDES WASHINGTON DRUG FUND TAX. Chapter 80, Laws of 1991 authorizes the voluntary posting or print advertising by certain retailers that the price of the product includes the Washington drug fund tax. The intent of this voluntary program is to increase public and consumer awareness of the state's drug problem and its enforcement measures.

~~((11))~~ (9) ADMINISTRATIVE PROVISIONS. The provisions of chapters 82.32 and 82.04 RCW regarding due dates, reporting periods, tax return requirements, interest and penalties, tax audits and limitations, disputes and appeals, and all such general administrative provisions apply equally to the carbonated beverage or syrup tax.

**WSR 91-20-059**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**NATURAL RESOURCES**

[Order 582—Filed September 24, 1991, 3:41 p.m.]

Date of Adoption: September 24, 1991.

Purpose: Suspending rule burn privileges on department protected lands.

Statutory Authority for Adoption: RCW 76.04.165.

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: Weather conditions have created a situation of increasing fire danger in Clark and Skamania counties, whereby there is a need to further regulate outdoor burning to protect life and property.

Effective Date of Rule: Immediately.

September 24, 1991

Brian J. Boyle  
Commissioner of  
Public Lands

### NEW SECTION

**WAC 332-26-015 OUTDOOR RULE BURN SUSPENSION.** *Effective midnight Tuesday, September 24, 1991, to midnight Tuesday, October 15, 1991, privileges to have an outdoor fire without a written burning permit, as allowed by WAC 332-24-201 and 332-24-205, on lands protected by the Department of Natural Resources in Clark and Skamania Counties are suspended: PROVIDED, that campfires and barbecues in established and approved campgrounds are exempt from these restrictions.*

**WSR 91-20-060  
PERMANENT RULES  
DEPARTMENT OF  
NATURAL RESOURCES**

[Order 583—Filed September 24, 1991, 3:44 p.m., effective October 16, 1991]

Date of Adoption: September 15, 1991.

Purpose: To make current parts of the rule that are outdated, and to tighten the requirements for burning permits.

Citation of Existing Rules Affected by this Order: Repealing WAC 332-48-010, 332-48-020, and 332-24-225; amending WAC 332-24-005, 332-24-201, 332-24-211, 332-24-231, 332-24-234, 332-24-238, 332-24-301, 332-24-405, and 332-24-600.

Statutory Authority for Adoption: RCW 76.04.015.

Pursuant to notice filed as WSR 91-15-107 on July 24, 1991.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: The primary purpose of the rule changes is to reduce the peril to public health, safety, or welfare. There are currently emergency rules in effect until midnight, October 15, 1991, that have put the major changes in place. The permanent rules need to take effect upon expiration of the emergency rules.

Effective Date of Rule: October 16, 1991.

September 15, 1991  
Brian J. Boyle  
Commissioner of  
Public Lands

### AMENDATORY SECTION (Amending Order 504, filed 5/8/87)

WAC 332-24-005 DEFINITIONS. Items defined herein have reference to chapter 76.04 RCW and all other provisions of law relating to forest protection and have the meanings indicated unless the context clearly requires otherwise.

(1) "Abatement" means the elimination of additional fire hazard by burning, physical removal, or other means.

(2) "Additional fire hazard" means additional fire hazard as defined in RCW 76.04.005.

(3) "Adze eye hoe" means a serviceable forest fire fighting hoe with a blade width of at least five and three-quarters inches and a rectangular eye. The blade shall be sharpened, solid, and smooth. The handle shall be hung solid with no more than three-quarters of an inch nor less than one-eighth of an inch extending beyond the head, smooth, aligned, and at least thirty-two inches long.

(4) "Approved exhaust system" means a well-mounted exhaust system free from leaks and equipped with spark arrester(s) rated and accepted under United States Department of Agriculture Forest Service current standards.

(a) Turbochargers qualify as an approved exhaust system when all gases pass through the turbine wheel. The turbine must be turning at all times, and there must be no exhaust bypasses. A straight mechanical-driven supercharger does not qualify as an approved exhaust system in lieu of an approved spark arrester.

(b) Passenger vehicles and trucks may be equipped with an adequately baffled muffler in lieu of a spark arrester.

(c) General purpose spark arresters for use on equipment, vehicles, and motorcycles operating on forest land must meet the performance levels set forth in the Society of Automotive Engineers (SAE) Recommended Practice SAE J350, "Requirements of Single Position Application General Purpose Arresters." The spark arrester shall be permanently marked with the model number and the manufacturer's identification or trademark. When the inlet and outlet of an arrester are not easily identified, they must be marked. Arresters on mobile equipment shall not be mounted more than forty-five degrees from the qualified position.

(d) Portable power saws purchased after June 30, 1977, and used on forest land, must meet the performance levels set forth in the Society of Automotive Engineers (SAE) Recommended Practice SAE J335b, "Multi-Positioned Small Engine Exhaust Fire Ignition Suppression." Requirements to obtain the SAE J335b specifications are as follows:

(i) The spark arrester shall be designed to retain or destroy ninety percent of the carbon particles having a major diameter greater than 0.023 inches (0.584mm.)

(ii) The exhaust system shall be designed so that the exposed surface temperature shall not exceed five hundred fifty degrees Fahrenheit (288 degrees Centigrade) where it may come in direct contact with forest fuels.

(iii) The exhaust system shall be designed so that the exhaust gas temperature shall not exceed four hundred seventy-five degrees Fahrenheit (246 degrees Centigrade) where the exhaust flow may strike forest fuels.

(iv) The exhaust system shall be designed in such a manner that there are no pockets or corners where flammable material might accumulate. Pockets are permissible only if it can be substantiated by suitable test that material can be prevented from accumulating in the pockets.

(v) The exhaust system must be constructed of durable material and so designed that it will, with normal use and maintenance, provide a reasonable service life. Parts designed for easy replacement as a part of routine maintenance shall have a service life of not less than fifty hours. Cleaning of parts shall not be required more frequently than once for each eight hours of operation. The spark arrester shall be so designed that it may be readily inspected and cleaned.

(vi) Portable power saws will be deemed to be in compliance with SAE J335b requirements if they are certified by the United States Department of Agriculture, Forest Service, and the San Dimas Equipment Development Center.

(e) Portable power saws which were purchased prior to June 30, 1977, and which do not meet the Society of Automotive Engineers Standards, must meet the following requirements:

(i) The escape outlet of the spark arrester shall be at an angle of at least forty-five degrees from a line parallel to the bar;

(ii) The configuration of spark arrester shall be such that it will not collect sawdust no matter in what position the saw is operated;

(iii) Spark arrester shall be designed and made of material that will not allow shell or exhaust temperature to exceed eight hundred fifty degrees Fahrenheit;

(iv) The arrester shall have a screen with a maximum opening size of 0.023 inches (0.584mm.);

(v) The arrester shall be capable of operating, under normal conditions, a minimum of eight hours before cleaning is needed;

(vi) The screen shall carry a manufacturer's warranty of a minimum of fifty-hour life when installed and maintained in accordance with the manufacturer's recommendation;

(vii) The arrester shall be of good manufacture and made so that the arrester housing and screen are close fitting;

(viii) The arrester shall be at least ninety percent efficient in the destruction, retention or attrition of carbon particles over 0.023 inches (0.584mm.);

(ix) Efficiency is to be measured as described in Power Saw Manufacturer's Association Standard, Number S365;

(x) Construction of the arrester shall permit easy removal and replacement of the screen for field inspection and cleaning.

(f) Multipositioned engine powered tools, other than power saws, used on forest land must meet the performance levels set forth in the Society of Automotive Engineers (SAE) Recommended Practice J335b, "Multi-

Positioned Small Engine Exhaust Fire Ignition Suppression."

(g) Locomotive spark arresters for use on logging, private or common carrier railroads operating on or through forest land must meet the performance levels set forth in the Association of American Railroads (AAR) Recommended Practice, "Standard for Spark Arresters for Non-Turbo Charged Diesel Engines Used in Railroad Locomotives."

(5) "Axe" means a serviceable, double-bitted, swamping axe or single-bitted axe of at least a three-pound head and thirty-two inch handle. The blades shall be sharpened, solid and smooth. The handle shall be hung solid, smooth and straight.

(6) (~~"Burning barrel" means a metal container in sound condition with several holes at the bottom for cleaning and sufficient air circulation with the top covered by a spark arresting woven wire cloth or wire screen of one-quarter of one inch (4x4) mesh, fourteen gauge or heavier. The spark arresting woven wire cloth or wire screen shall overlap at least four inches beyond the edge of the barrel~~) "Certified electrical fence controller" means an electrical fence controller that meets the standards for fire safety developed by Underwriters Laboratories (UL) and indicates approval by bearing the UL label on the controller.

(7) "Currently with the logging" and "current with the felling of live timber, or with the current logging operation" means during the logging operation or associated activities on any landing, setting or similar part of the operation.

(8) "Debris disposal fire" means an outdoor fire for the elimination of a fire hazard and for the purpose of clean-up of natural vegetation(~~(, such as yard and garden refuse)~~) and residue of a natural character such as leaves, clippings, prunings, trees, stumps, brush, shrubbery, and wood so long as it has not been treated by an application of prohibited material or substance in a pile no larger than ((ten feet in diameter)) that allowed in WAC 332-24-211.

(9) "Department" means the department of natural resources, or its authorized representatives, as defined in chapter 43.30 RCW.

(10) "Dump" includes, without limitation, dumping, depositing, or placing.

(11) "Electrical fence controller" includes any controller, equipment, appliance, device, or apparatus used as an electrical fence controller, energizer, or pulsator which uses or conveys an electrical current.

(12) "Fire extinguisher" means, unless otherwise stated, a fully charged and operational chemical fire extinguisher rated by underwriters' laboratory or factory mutual, appropriately mounted in either a vertical or horizontal position, and located so as to be readily accessible to the operator. When two fire extinguishers are required, they are to be appropriately mounted and located so that one is readily accessible to the operator and the other is separate from the operator and readily accessible to other personnel. The fire extinguisher shall be equipped with a gauge to determine the level of charge present to propel the chemical from the extinguisher; however fire extinguishers required for use with portable

power saws are not required to be equipped with a gauge to determine the level of charge.

~~((12))~~ (13) "Fire hazard" means the accumulation of combustible materials in such a condition as to be readily ignited and in such a quantity as to create a hazard from fire to nearby structures, forest areas, life and property.

~~((13))~~ (14) "Fire tool box" means a compartment of sound construction with a waterproof lid, provided with hinges and hasps and so arranged that the box can be properly sealed and the contents kept dry. The box shall be red in color and marked "fire tools" in white or black letters at least three inches high. The fire tool box shall contain a minimum of:

- (a) Two axes or pulaskis;
- (b) Three adze eye hoes;
- (c) Three shovels.

~~((14))~~ (15) "Firewatch" means at least one competent person to be at the site(s) for one hour following the operation of spark-emitting equipment on class 3L days or above, or as determined by the department based on the national fire danger rating system and other fire danger conditions. The firewatch shall be vigilant and so located or positioned to be able to detect within five minutes fires which may originate at the site(s) of the equipment operation. The firewatch shall report a fire to the responsible protection agency within fifteen minutes of detection.

~~((15))~~ (16) "Fixed-position machine" means any machine used for any portion or phase of harvesting, thinning, site preparation, land clearing, road, railroad and utility right of way clearing or maintenance, mineral or natural resources extraction, or other operation that performs its primary function from a fixed-position. This definition applies even though said machine is capable of moving under its own power to a different fixed position.

~~((16))~~ (17) "Forest debris" means forest debris as defined in RCW 76.04.005.

~~((17))~~ (18) "Forest land" means forest land as defined in RCW 76.04.005.

~~((18))~~ (19) "Isolation" means the division or separation of an additional fire hazard into compartments by a constructed barrier of at least one hundred feet in width at its narrowest point. The constructed barrier must be free and clear of forest debris as defined in RCW 76.04.005 and must be approved, in writing, by the department.

~~((19))~~ (20) "Mill waste" means waste of all kinds from forest products, including, but not limited to, sawdust, bark, chips, slabs, and cuttings from lumber or timber.

~~((20))~~ (21) "Operation" means the use of equipment, tools, and supporting activities on or adjacent to forest land that may cause a forest fire to start. Such activities may include, but are not limited to, any phase of harvesting, thinning, site preparation, land clearing, road, railroad, and utility right of way clearing and maintenance, and mineral or natural resource extraction. The operating period shall be that time period when the activity is taking place and includes that time when a firewatch would be required to be in attendance.

~~((21))~~ (22) "Outdoor fire" means the combustion of material in the open, or in a container, with no provisions for the control of such combustion or the control of the emissions from the combustion products.

~~((22))~~ "Person" means any person, firm or corporation, public or private, governmental agency or entity.)

(23) "Person" shall mean any individual, partnership, private, public, or municipal corporation, county, the department or other state or local governmental entity, or association of individuals of whatever nature.

(24) "Prohibited material or substance" includes rubber products, plastics, asphalt, garbage, dead animals, petroleum products, paints, or any similar materials that emit dense smoke or create offensive odors when burned, pursuant to RCW 70.94.775(1).

(25) "Pulaski" means a serviceable axe and hoe combination tool with not less than a three and one-half pound head and thirty-two inch handle. The blades shall be at least two and one-half inches wide, sharpened, solid and smooth. The handle shall be hung solid, smooth and straight.

~~((24))~~ (26) "Pump truck or pump trailer" means:

(a) A serviceable truck or trailer which must be able to perform its functions efficiently and must be equipped with a water tank of not less than a three hundred gallon capacity, filled with water. The complete pump truck or pump trailer shall be kept ready for instant use for suppressing forest fires. If a trailer is used, it shall be equipped with a hitch to facilitate prompt moving. A serviceable tow vehicle shall be immediately available for attachment to the trailer. The pump truck, or pump trailer with its tow vehicle, must be available throughout the operating and watchperson periods.

(b) The pump may be a portable pump or suitable power take-off pump. It shall be plumbed with a bypass or pressure relief valve. The pump shall develop, at pump level, pressure sufficient to discharge a minimum of twenty gallons per minute, using a one-quarter inch nozzle tip through a fifty foot length of one inch or one and one-half inch rubber-lined hose.

(c) The pump truck or pump trailer shall be equipped with the following:

(i) A minimum of five hundred feet of one or one and one-half inch cotton or synthetic jacket hose;

(ii) A fully stocked fire tool box.

(d) The tank shall be plumbed so that water may be withdrawn by one person by gravity feed. This outlet shall be adapted to accept the hose used with the pump truck or pump trailer. The outlet shall be located for easy filling of pump cans.

(e) The pump truck or pump trailer must be equipped with fuel, appropriate tools, accessories and fittings to perform its functions for a continuous period of four hours. A recommended list of tools, fittings and accessories may be obtained from the department.

~~((25))~~ (27) "Recreational fire" means an outdoor fire for the purpose of sport, pastime or refreshment, such as camp fires, bonfires, cooking fires, etc., in a hand-built pile no larger than four feet in diameter and not associated with any debris disposal activities related to fire hazard elimination or yard and garden refuse clean-up.

((26)) (28) "Reduction" means the elimination of that amount of additional fire hazard necessary to produce a remaining average volume of forest debris no greater than nine tons per acre of material three inches in diameter and less.

((27)) (29) "Shovel" means a serviceable, long-handled or "D"-handled, round-point shovel of at least "0" size with a sharpened, solid and smooth blade. The handle on the shovel shall be hung solid, smooth and straight.

((28)) (30) "Snag" means a standing dead conifer tree over twenty-five feet in height and sixteen inches and over in diameter, measured at a point four and one-half feet above the average ground level at the base.

((29)) (31) "Tractor or other mobile machine" means any machine that moves under its own power when performing any portion or phase of harvesting, thinning, site preparation, land clearing, road, railroad and utility right of way clearing or maintenance, mineral or natural resource extraction, or other operation. This definition includes any machine, whether crawler or wheel-type, whether such machine be engaged in yarding or loading, or in some other function during the operation.

(32) "Uncertified electrical fence controller" includes all electrical fence controllers that do not meet the standards for fire safety developed by Underwriters Laboratories (UL) and does not have the UL label on the controller.

AMENDATORY SECTION (Amending Order 504, filed 5/8/87)

WAC 332-24-201 WRITTEN BURNING PERMIT REQUIREMENTS AND EXCEPTIONS. Under authority granted in RCW 76.04.015 and 76.04.205, the following regulation is hereby promulgated:

(1) The department is responsible, by law, for the granting of burning permits for certain types of outdoor fire;

(2) The department aids in the protection of air quality under its smoke management program;

(3) Pursuant to its authority and responsibility, the department has studied and determined the effects of such burning on life, property and air quality to be of year-round effect;

(4) Throughout the year, outdoor fire is prohibited within any department forest protection assessment area unless a written burning permit is obtained from the department and signed by the permittee and afterwards, having the permit in possession while burning and complying with the terms of such permit. Except, a written burning permit for an outdoor fire is not required from the department under the following conditions:

(a) In certain geographic areas of the state as designated by the department in this chapter;

(b) When the outdoor fire is:

(i) Contained within a campfire pit, approved by the department, located in a state, county, municipal, or other campground;

(ii) Contained within a camp stove or barbecue situated on bare soil, gravel bars, beaches, green field, or

other similar areas free of flammable material for a sufficient distance adequate to prevent the escape of fire;

~~((iii) Contained in an approved burning barrel complying with WAC 332-24-225;))~~

(c) When the general rules and requirements specified in WAC 332-24-205 and 332-24-211 and the conditions for the protection of life, property and air quality are met.

AMENDATORY SECTION (Amending Order 504, filed 5/8/87)

WAC 332-24-211 REQUIREMENTS—RECREATIONAL OR DEBRIS DISPOSAL FIRES. (1) The fire must not include rubber products, plastics, asphalt, garbage, dead animals, petroleum products, paints, or any similar materials that emit dense smoke or create offensive odors when burned, pursuant to RCW 70.94.775(1).

(2) A person capable of extinguishing the fire must attend the fire at all times and the fire must be extinguished before leaving it.

(3) No recreational or debris disposal fires are to be within fifty feet of structures.

(4) A recreational fire shall be in a hand-built pile no larger than four feet in diameter and a written burning permit is not required. A serviceable shovel must be within the immediate vicinity of the fire.

(5) A debris disposal fire requiring a written burning permit has established size limitations based on time of year and the county within which the burning occurs.

(a) From July 1 to October 15 individual pile size shall be ~~((in a pile))~~ limited to no larger than ~~((ten feet in diameter.))~~ that indicated in the following table:

SUMMER RULES

<u>Burning Permit Required For</u>	<u>Four Foot Piles</u>	<u>Ten Foot Piles</u>
<u>All Fires</u>		
<u>Asotin</u>	<u>Clark</u>	<u>Clallam</u>
<u>Chelan</u>	<u>Cowlitz</u>	<u>Jefferson</u>
<u>Columbia</u>	<u>Grays Harbor</u>	
<u>Ferry</u>	<u>Island</u>	
<u>Garfield</u>	<u>King</u>	
<u>Kittitas</u>	<u>Kitsap</u>	
<u>Klickitat</u>	<u>Lewis</u>	
<u>Lincoln</u>	<u>Mason</u>	
<u>Okanogan</u>	<u>Pacific</u>	
<u>Pend Oreille</u>	<u>Pierce</u>	
<u>Spokane</u>	<u>San Juan</u>	
<u>Stevens</u>	<u>Skagit</u>	
<u>Walla Walla</u>	<u>Skamania</u>	
<u>Yakima</u>	<u>Snohomish</u>	
	<u>Thurston</u>	
	<u>Wahkiakum</u>	
	<u>Whatcom</u>	

(b) From October 16 through June 30 individual pile size is limited to ten feet; except the following counties are limited to four feet:

WINTER RULESFour Foot PilesIslandKingKitsapMasonPierceSan JuanSpokane

(c) A serviceable shovel and a minimum of five gallons of water must be within the immediate vicinity of the fire. A bucket is acceptable if the outdoor fire is adjacent to an accessible body of water. A charged garden hose or other adequate water supply may be substituted for the five gallon water requirement.

(6) Only one pile may be burned at any one time and each pile must be extinguished before lighting another.

(7) No outdoor fire is permitted in or within five hundred feet of forest slash without a written burning permit.

(8) The material to be burned must be placed on bare soil, gravel bars, beaches, green fields or other similar area free of flammable material for a sufficient distance adequate to prevent the escape of the fire.

(9) Burning must be done during periods of calm to very light winds. Burning when wind will scatter loose flammable materials, such as dry leaves and clippings, is prohibited.

(10) If the fire creates a nuisance from smoke or fly ash, it must be extinguished.

(11) A landowner or the landowner's designated representative's written permission must be obtained before kindling an outdoor fire on the property of another.

(12) Persons not able to meet the requirements of subsections (1) through (10) of this section must apply for a written burning permit through the department.

AMENDATORY SECTION (Amending Order 504, filed 5/8/87)

WAC 332-24-231 BURNING PERMITS—YACOLT BURN IN PORTIONS OF CLARK AND SKAMANIA COUNTIES. (1) Under the authority granted in RCW 76.04.015 and 76.04.205, the department requires, throughout the year, any person wishing to burn flammable material, within the area described, to first obtain a written burning permit from the department and, thereafter, comply with the terms of said permit. The requirements for a written burning permit may be waived if the fire is contained in a suitable device sufficient, in the opinion of the department, to prevent the fire from spreading. This chapter shall be in effect until such time as the department deems it no longer necessary.

(2) The following describes parts of Clark and Skamania counties subject to the requirements of subsection (1) of this section:

Starting at the east quarter corner of Section 12, Township 5 North, Range 4 East, that point lying on the boundary of the Gifford Pinchot National Forest. Thence, west one mile; north one-half mile; west two

miles; (~~south two miles, west one mile, north one mile, west one mile, south one mile, west two miles~~) north three miles to I.P. Road 100. Thence, westerly then southerly following I.P. Road 100 approximately six miles to the west section line of Section 7, Township 6 North, Range 4 East. Thence south approximately one mile to the southwest corner of Section 13, Township 5 North, Range 3 East. Thence, south three miles; east approximately one-quarter of one mile to the north quarter corner of Section 1, Township 4 North, Range 3 East. Thence, south two and one-quarter of a mile; westerly along the county road one and one-half miles; south one-quarter of one mile to the east quarter corner of Section 15, Township 4 North, Range 3 East. Thence, west one mile; south two and one-half miles; east one and one-half miles; south six miles to the south quarter corner of Section 26, Township 3 North, Range 3 East, that point lying on the north boundary of the Camp Bonneville - U.S. Military Reservation. Thence, east one-half of one mile; south one mile; east one mile; south two miles; east approximately one and one-half miles to the Little Washougal River. Thence, southwest-erly approximately two and one-quarter miles along the Little Washougal River. Thence, east along the Bonneville Power line five miles. Thence, northeasterly along the county road to the northeast corner of Section 24, Township 2 North, Range 4 East. Thence, north one-half of one mile to a Bonneville Power line. Thence, east one mile to the West Fork of the Washougal River. Thence, southeasterly along said river to the east-west center line of Section 20, Township 2 North, Range 5 East, and then east along said center line to the east quarter corner of said Section 20. Thence, south one-half mile to a Bonneville Power line. Thence, east nine and one-half miles. Thence, south to the Evergreen Highway in the approximate center of Section 25, Township 2 North, Range 6 East, and then along said highway in a northeasterly direction approximately three miles to the northwest city limits of North Bonneville. Thence, north to the Bonneville Power line and north-easterly along it approximately four miles to where it intersects the north-south center line of Section 35, Township 3 North, Range 7 East. Thence, north approximately two and three-quarters mile to the center of Section 23, Township 3 North, Range 7 East. Thence, east one and one-half miles; south approximately one-third mile to the southwest corner of Section 24, Township 3 North, Range 7 and one-half miles east. Thence, east one mile; south one mile to the Bonneville Power line; northeasterly along said power line to the east section line of Section 30, Township 3 North, Range 8 East. Thence, northerly to the northeast corner of Section 18, Township 3 North, Range 8 East. Thence, west two and one-quarter miles to the road running up from Carson Creek; westerly along said road through Section 12 along the south side of Sections 2 and 3, Township 3 North, Range 7 East. Thence, southwest-erly across Section 9 to the southwest corner of Section 9, Township 3 North, Range 7 East. Thence, west approximately ten miles to the northwest corner of Section 14, Township 3 North, Range 5 East. Thence, south one mile; west four

miles; north thirteen and one-half miles to the point of beginning.

**AMENDATORY SECTION** (Amending Order 504, filed 5/8/87)

WAC 332-24-234 EXEMPTION FROM BURNING PERMIT REQUIREMENTS—PARTS OF OKANOGAN COUNTY. (1) Pursuant to the authority granted in RCW 76.04.205, parts of Okanogan County, described in subsection (2) of this section, are exempt from the requirements of RCW 76.04.205 and permits for the burning of flammable material will not, from the effective date of this chapter, be required in such exempt parts; however nothing herein shall affect the operation and effectiveness of the rules of the rural fire protection district and/or local air pollution control authority in which said lands are located.

(2) The following described parts of Okanogan County, Washington, are exempt from the burning permit requirements of RCW 76.04.205 in accordance with subsection (1) of this section: All lands lying within the following described line:

(a) Starting at the junction of the Canadian-United States boundary and the north end of the Boundary Point Road, thence, southerly along the Boundary Point Road to U.S. Highway 97; southerly along U.S. Highway 97 to the Tom Dull Road; southerly along the Tom Dull Road to 23rd Avenue. Thence, west approximately five hundred feet to the Oroville-Tonasket Reclamation District irrigation ditch. Thence, southerly along the ditch to the siphon across the Similkameen River; southerly along the siphon and/or ditch to the Gunsolley Road (Ellemehan Mountain Road). Thence, northeasterly along the Gunsolley Road to the Golden Road. Thence, southerly along the Golden Road to the Janis Oroville Westside Road; southerly along the Janis Oroville Westside Road to a point west of the south end of the Janis Bridge on U.S. Highway 97. Thence, northerly along U.S. Highway 97 to the McLoughlin Canyon Road. Thence, easterly along the McLoughlin Canyon Road to the State Frontage Road. Thence, northerly along the State Frontage Road to the Clarkston Mill Road; northerly along the Clarkston Mill Road to the Longnecker Road. Thence, northwesterly along the Longnecker Road to U.S. Highway 97 to the city limits of Tonasket. Thence, along the south, east and north boundary of the Town of Tonasket to U.S. Highway 97. Thence, northerly along U.S. Highway 97 to the O'Neil Road; northerly along the O'Neil Road to U.S. Highway 97; northerly along U.S. Highway 97 to the Eastside Oroville Road; northerly along the Eastside Oroville Road to the northeast end of the Thorndike Loop Road. Thence, west to the east shore of Osoyoos Lake. Thence, northerly along the east shore of Osoyoos Lake to the Canadian-United States boundary to point of beginning.

(b) Beginning at the intersection of U.S. Highway 97 and State Route Number 16, in the Town of ((Peteros)) Pateros, thence, proceeding northerly along U.S. Highway 97 to the junction of Paradise Hill Road, within the Town of Brewster; northerly along the Paradise Hill Road to the junction of the Paradise Hill Road and North Star-Paradise Hill Cutoff Road, located within

the south one-half of Section 35, Township 31 North, Range 24 East. Thence, northeasterly along the North Star-Paradise Hill Cutoff Road to the intersection at the North Star Road. Thence, south and east along the North Star Road until it intersects with Old Highway 97. Thence, northerly along Old Highway 97 to the junction with the ((Malott)) B & O Road within the Town of Malott. Thence, north and east along the ((Malott)) B & O Road to the junction of B & O Road West. Thence, northerly along the B & O Road West to the junction of State Route Number 20. Thence, southeasterly along State Route Number 20 to the junction of the ((Old Loop Loop Highway. Thence, east along the Old Loop Loop Highway into the Town of Okanogan)) B & O North Road. Thence, northeasterly along the B & O North Road to the junction of the Fletcher Loop Road. Thence, north and east along the Fletcher Loop Road to the junction of the Spring Coulee Road. Thence, northerly along the Spring Coulee Road to the junction of the Dry Coulee Road. Thence, northerly along the Dry Coulee Road to the junction of the East Dry Coulee Road to the Town of Okanogan. Thence, from the Town of Okanogan northerly along the Salmon Creek Road to the junction of the Danker Cutoff Road. Thence, easterly along the Danker Cutoff Road to the junction of the Pouge Road. Thence, north and east on the Pouge Road to the junction of the Conconully Highway. Thence, ((north)) northerly along the Conconully Highway to the junction of the ((Ross Canyon)) Riverside Cutoff Road. Thence, ((east)) easterly along the ((Ross Canyon)) Riverside Cutoff Road to the ((junction of the Johnson Creek Road. Thence, north along the Johnson Creek Road to the junction of the BIDE-A-WEE Road. Thence, east along the BIDE-A-WEE Road to the junction of Old Highway 97. Thence, north along Old Highway 97 to the junction with the Pharr Road within the)) Town of Riverside(;;). Thence, from the Town of Riverside northerly along the Pharr Road to a point on the north line of Section 6, Township 35 North, Range 27 East, W.M. Thence, east along that section line, across the Okanogan River to the Keystone Road. Thence, southerly along the Keystone Road to the Tunk Valley Road; southerly along the Tunk Valley Road into the Town of Riverside at a point where the Tunk Valley Road and the west bank of the Okanogan River intersect. Thence, south along the west bank of the Okanogan River to the Columbia River. Thence, southwesterly along the west bank of the Columbia River to the point of beginning.

**AMENDATORY SECTION** (Amending Order 504, filed 5/8/87)

WAC 332-24-238 EXEMPTION FROM BURNING PERMIT REQUIREMENTS—PARTS OF COWLITZ COUNTY. (1) Pursuant to the authority granted in RCW 76.04.205, the parts of Cowlitz County described in subsection (2) of this section are exempt from the requirements of RCW 76.04.205 and permits for burning flammable material will not, from the effective date of this chapter, be required in such exempt parts; however nothing herein shall affect the operation

and effectiveness of the rules of the rural fire protection district and/or local air pollution control authority in which said lands are located.

(2) The following described parts of Cowlitz County, Washington, are exempt from the burning permit requirements of RCW 76.04.205, in accordance with subsection (1) of this section:

An area consisting of all shorelands and uplands lying within the following described boundaries: Beginning at a point where Interstate Highway 5 intersects with the west line of Section 34, Township 6 North, Range 1 West, thence, southeasterly along the west boundary of said Interstate Highway 5 to its junction with the Lewis River; thence, southwesterly along the north bank of the Lewis River to its confluence with the Columbia River; thence, northerly along the east bank of the Columbia River to the south tip of Burke Island; thence, northerly along the west boundary of Burke Island to the southern tip of Martins Island; thence, northerly along the west boundary of Martins Island to the north end thereof; thence, westerly to the boundary line between the states of Oregon and Washington approximately in the center of the Columbia River; thence, northwesterly along the state boundary line, in the center of the Columbia River, to the Town of Stella; thence, easterly along the north shoulder of State Highway 4 approximately four and one-half miles to the junction of the Coal Creek Road; thence, northerly along the west shoulder of the Coal Creek Road to its junction with Pacific Way; thence, easterly along the north shoulder of Pacific Way to its junction with the Lone Oak Road; thence, easterly along the north shoulder of the Lone Oak Road to its junction with the Columbia Heights Road; thence, southerly along the east shoulder of the Columbia Heights Road to the west one-quarter corner of Section 16, Township 8 North, Range 2 ((East)) West, thence east one and one-half miles to the center of Section 15, Township 8 North, Range 2 West; thence, north one and one-half miles to the north one quarter corner of Section 10, Township 8 North, Range 2 West; thence, east along the north line of Section 10, Township 8 North, Range 2 West, to its junction with the east bank of the Cowlitz River; thence, southeasterly along the east bank of the Cowlitz River to its confluence with Ostrander Creek; thence, easterly along the south bank of Ostrander Creek to its intersection with the east shoulder of Interstate Highway 5 in Section 11, Township 8 North, Range 2 West; thence, southerly along the east shoulder of Interstate Highway 5 to the south bank of the Coweeman River; thence, easterly along the south bank of the Coweeman River to the west line of Section 36, Township 8 North, Range 2 West; thence, south approximately one mile to the east shoulder of Interstate Highway 5 in Section 1, Township 7 North, Range 2 West; thence, southeasterly along the east shoulder of Interstate Highway 5 to its junction with the Old Pacific Highway lying in Section 12, Township 7 North, Range 2 West; thence, southerly along the east shoulder of the Old Pacific Highway to its junction with the north city limits of the City of Kalama; thence, west along the north city limits of Kalama to its junction with the east shoulder of Interstate Highway 5 to the beginning point

where Interstate Highway 5 intersects with the west line of Section 34, Township 6 North, Range 1 West.

(3) The following described parts of Cowlitz County lying within the area described in subsection (2) of this section, which are exceptions and are not exempt from the requirements of RCW 76.04.150, as amended, and do require permits for the burning of inflammable material; however these requirements do not apply to developed lands situated within these boundaries.

An area known as Mt. Solo, bounded on the west and south by the Mt. Solo Road, bounded on the east by 38th Avenue, bounded on the north by State Highway 4, all situated within Sections 23, 24, 25, 26, Township 8 North, Range 3 West, and Section 30, Township 8 North, Range 2 West.

#### AMENDATORY SECTION (Amending Order 504, filed 5/8/87)

WAC 332-24-301 INDUSTRIAL RESTRICTIONS. (1) When in the opinion of the ((area)) regional manager, for the department's administrative ((area)) region, weather conditions arise which present a hazard to lands protected by the department, whereby life and property may be endangered, the ((area)) regional manager, through the authority granted the department in RCW 76.04.015 and 76.04.325, may designate industrial precaution levels thereby regulating logging, land clearing or other industrial operations which may cause a fire to start on or adjacent to forest lands. The restrictions shall be for periods designated and shall only affect those portions of the state under the administrative jurisdiction of the area manager.

(2) In making a decision as to when restrictions or shutdowns should occur, the area manager shall utilize available information as to current and projected fire danger, current and projected weather, current fire activity and available resources for fire suppression.

(3) All persons performing logging, land clearing or other operations which may cause a fire to start on or adjacent to forest lands shall comply with the restrictions described in the designated industrial precaution level.

(a) The industrial fire precaution levels shall be:

(i) Level 1. Closed season - Fire precaution requirements are in effect. A fire watch/security is required at this and all higher levels unless otherwise waived.

(ii) Level 2. Partial hootowl - The following ((are prohibited from 1-8)) may operate only between the hours of 8 p.m. and 1 p.m. local time:

- ((Use of)) Power saws except at loading sites;
- Cable yarding;
- Blasting;
- Welding or cutting of metal.

(iii) Level 3. Partial shutdown - The following are prohibited except as indicated:

• Cable yarding - except that gravity operated logging systems employing nonmotorized carriages may operate between 8 p.m. and 1 p.m. when all block and moving lines, except for the line between the carriage and the chokers, are suspended ten feet above the ground;



● ~~((Use of))~~ Power saws – except power saws may be used at loading sites and on tractor/skidder operations between the hours of 8 p.m. and 1 p.m. local time.

In addition, the following are ~~((prohibited from 1-8))~~ permitted to operate between the hours of 8 p.m. and 1 p.m. local time:

~~((Use of all power saws at loading sites;))~~

- Tractor ~~((yarding))~~ /skidder operations;
- Mechanized loading and hauling of any product or material;
- Blasting;
- Welding or cutting of metal;
- Any other spark emitting operation not specifically mentioned.

(iv) Level 4. General shutdown – All operations are prohibited.

(b) The following definitions shall apply to these industrial fire precaution levels:

(i) "Loading sites" means a place where any product or material, including but not limited to logs, firewood, slash, soil, rock, poles, posts, etc., is placed in or upon a truck or other vehicle.

(ii) "Cable yarding systems" means a yarding system employing cables and winches in a fixed position.

(iii) "Low hazard area" means any area where the department has determined the combination of elements reduces the probability of fire starting and/or spreading.

(iv) "Closed season" is that season of the year when a fire hazard exists as declared by the department or other responsible agency.

(v) "Tractor/skidder operations" include a harvesting operation, or portion of a harvesting operation, where tractors, skidders, or other harvesting equipment capable of constructing fireline, are actively yarding forest products and can quickly reach and effectively attack a fire start.

(c) A written waiver may be issued by the department for fire-safe activities in low-hazard areas.

(d) Where hauling involves transit through more than one shutdown/regulated use area, the precaution level at the woods loading site shall govern the level of haul restriction, unless otherwise prohibited by other than the industrial precaution level system.

#### AMENDATORY SECTION (Amending Order 504, filed 5/8/87)

WAC 332-24-405 SPARK EMITTING EQUIPMENT REQUIREMENTS. It shall be unlawful for anyone to operate, during the closed season as defined in RCW 76.04.005, any steam, internal combustion, electric engines or any other devices which emit sparks on any forest land or any other place where, in the opinion of the department, fire could be communicated to forest land without first complying with the following requirements for equipment or operations:

(1) Fixed-position machine:

- (a) Two fire extinguishers, each of at least a 5 B C rating;
- (b) An approved exhaust system;
- (c) An appropriately mounted shovel.

(2) Logging railroad locomotive or common carrier locomotive:

(a) An approved exhaust system;

(b) Communications between the train and dispatcher for reporting fires to the responsible protection agency;

(c) Each locomotive shall be followed by a speeder patrol at such times, and in such locations, as designated by the department. The speeder patrol shall be equipped with:

(i) Two shovels;

(ii) One pulaski;

(iii) One adze eye hoe;

(iv) Two serviceable five gallon backpack pump cans filled with water;

(v) An approved exhaust system;

(vi) Communications between the speeder and the dispatcher for reporting fires to the responsible protection agency;

(vii) One fire extinguisher of at least a 5 B C rating.

(3) Passenger vehicle used for industrial or commercial operations:

(a) A fire extinguisher of at least a 5 B C rating;

(b) An approved exhaust system.

(4) Portable power saw:

(a) A chemical fire extinguisher of at least eight ounce capacity, fully charged and in good working order. The fire extinguisher shall be kept in the immediate possession of the operator;

(b) An approved exhaust system;

(c) A shovel, which shall be kept within two minutes round-trip of the operator;

(d) A firewatch ~~((shall be required in fire protection Zones C and D west side of the Cascade Mountains. A firewatch may also be required in other areas of the state as may be designated by the department in writing)).~~

(5) Spark-emitting engines used for purposes not specifically mentioned herein, which, in the opinion of the department, may cause a forest fire to start, unless equipped with:

(a) An approved exhaust system;

(b) One fire extinguisher of at least a 5 B C rating; however two-wheeled, three-wheeled, and four-wheeled motorcycles shall only be required to have an approved exhaust system.

(6) Tractor or mobile machine:

(a) One fire extinguisher of at least a 5 B C rating;

(b) An approved exhaust system;

(c) An appropriately mounted shovel.

(7) Truck or vehicle used for hauling:

(a) One fire extinguisher of at least a 5 B C rating;

(b) An approved exhaust system;

(c) An appropriately mounted shovel.

(8) During yarding, loading, milling, land clearing and right of way clearing, there must be kept at each landing, yarding tree, mill or other suitable place designated by the department, two serviceable five gallon backpack pump cans filled with water; however such operations ~~((in fire protection Zones C and D on the west side of the Cascade Mountains or))~~ in other areas of the state as may be designated by the department, in writing, must comply with the following additional requirements:

(a) A pump truck or pump trailer to be kept on the landing or within five minutes round-trip of the operation;

(b) A firewatch;

(c) Adequate facilities to report a fire to the responsible protection agency within fifteen minutes of detection.

(9) Balloon, skyline and other similar long-line or aerial logging systems with greater than a twelve hundred foot distance between the yarder and tailhold or tailblock unless complying with the following requirements:

(a) Two serviceable five gallon backpack pump cans filled with water at each landing, yarding tree or other suitable place designated by the department;

(b) Portable water supply available and equipped in order to supply water to the furthest extremity of the operation within a maximum of ten minutes from the time of detection. The portable water supply shall contain a minimum of three hundred gallons of water and the complement of accessories and equipment identified in the definition of the pump truck or pump trailer. The portable water supply shall be equipped with a pump capable of delivering twenty gallons per minute, at sufficient pressure, using a one-quarter inch nozzle tip through a fifty foot length of one inch or one and one-half inch rubber-lined hose. The pump shall be plumbed with a bypass or pressure relief valve. The water supply shall be located and outfitted for immediate use at the landing, and so that it may also be readily lifted and transported by use of the rigging system or cargo hook. Logging systems which are not capable of lifting the portable water supply and the fire tool kit in one lift must accomplish this in no more than three separate lifts. The fire tool kit shall be packaged and located for ready attachment to the rigging for delivery to the portable water supply while it is in operation. The fire tool kit shall contain:

(i) Three axes or pulaskis;

(ii) Six shovels;

(iii) Six adze eye hoes.

(c) Firewatch;

(d) Adequate facilities to report a fire to the responsible protection agency within fifteen minutes of detection.

(10) Each helicopter used for yarding, loading and land clearing or slash burning unless equipped and complying with the following:

(a) A VHF radio, maintained in operational use, at frequency 122.9 MHz;

(b) A portable water bucket of the following capacities, with necessary cargo hooks and tripping mechanism for dropping water on a fire, shall be located at the heliport serving the operation;

<u>External Payload of Helicopter</u>	<u>Minimum Required Bucket Size</u>
780 pounds and below	50 gallons
781 pounds - 1600 pounds	100 gallons
1601 pounds - 3900 pounds	200 gallons
3901 pounds and larger	300 gallons

(c) A water source of sufficient capacity readily accessible to allow the bucket to be filled three times without refilling the source. The water source must be located within five minutes round-trip flying time of every part of the operation;

(d) The following sized fire tool kit packaged for ready attachment to the cargo hook and located at the heliport serving the operation:

(i) Two axes or pulaskis;

(ii) Three shovels;

(iii) Three adze eye hoes.

(e) Two fire extinguishers of at least 20 B C rating shall be kept with refueling equipment. They shall be appropriately mounted, suitably marked and available for immediate use.

(11) Railroad track installation and maintenance:

(a) Crews - ten people or less:

(i) A pump truck or pump trailer as defined in WAC 332-24-005(24); however the water capacity of the pump truck or pump trailer may be less than three hundred gallons, but greater than one hundred fifty gallons when the unit is capable of producing department-approved high expansion foam;

(ii) One serviceable five gallon backpack pump can;

(iii) Communications between the crew and dispatcher for reporting fires to the responsible protection agency.

(b) Crews - greater than ten people:

(i) A pump truck or pump trailer as defined in WAC 332-24-005(24) that is also capable of producing department-approved high expansion foam;

(ii) A fire tool box containing a minimum of:

(A) Six pulaskis;

(B) Six adze eye hoes;

(C) Six shovels.

(iii) Communications between the crew and dispatchers for reporting fires to the responsible protection agency.

(c) Track welding, cutting and grinding shall be curtailed by not less than a four foot high canvas type curtain, which completely encloses the operation and prevents the escapement of sparks from welding, cutting or grinding.

(12) Prior to beginning operations, all snags, stubs and dead trees over fifteen feet in height shall be cut within fifty feet of each fixed-position machine which will operate for two consecutive days or more in one position.

The ground shall be initially cleared of all flammable debris under four inches in diameter beneath and within ten feet of each fixed-position machine which will operate for two consecutive days or more in one position.

(13) The area around the tail, corner and haul back blocks must be kept clean of all flammable debris under four inches in diameter for a distance of six feet in all directions. Suitable flame-resistant blanket devices may be substituted for the clearing requirement when the six foot diameter area is covered. Each block must be equipped with one serviceable five gallon backpack pump can filled with water, one shovel and one pulaski. Operations with multiple blocks must have this complement of tools and water within one hundred feet of each block.

(14) It shall be the operator's responsibility to identify points of line rub on cable logging operations during the closed season. If line rub occurs, the operator shall do what is necessary to stop, alleviate or control the line rub in order to prevent fires at these points. Satisfactory means include, but are not limited to:

(a) Removal of the object which the line is rubbing on;

(b) Changing the logging system;

(c) Moving the cable location.

(15) The department may designate certain areas which are known to have rapid fluctuations of extreme fire weather and/or concentrations of additional hazards. Operators in such areas may be required to monitor the humidity and/or wind speed and maintain a daily log of such readings. Relative humidity readings and wind speed must be determined and recorded by instruments and methods approved by the department.

The department may further require the operator in such areas to restrict operations when, in the opinion of the department, the recorded readings or current conditions are such that if a fire starts in that area it would probably spread to conflagration proportions regardless of personnel and equipment available for initial fire suppression.

#### NEW SECTION

WAC 332-24-409 ELECTRICAL FENCE CONTROLLERS. Electrically caused fires present a hazard to the health and safety of the people of Washington, therefore:

(1) No person shall use or energize any uncertified electrical fence controller on any forest land in the state of Washington except during the months of November, December, January, February, and March: PROVIDED, That this section shall not be construed to mean that the person may not have, establish, install, or erect such an uncertified electrical fence controller which does not contain a current of electricity during the prohibited months.

(2) No person shall sell, offer for sale, or dispose of by gift or otherwise to any consumer or user in the state of Washington, any uncertified electrical fence controller without informing that consumer or user that the electrical fence controller is uncertified.

(3) Certified electrical fence controllers may be maintained, used, sold, offered for sale, disposed of by gift or otherwise without restriction.

(4) The responsibility of presenting sufficient evidence of certification such as the Underwriters Laboratories label, brand name, model number, etc., shall be upon the user.

(5) Failure to present sufficient evidence of certification such as Underwriters Laboratories label, brand name, model number, etc., at an inspection of the usage of electrical fence controllers during the months prohibited by subsection (1) of this section, shall be prima facie evidence of noncompliance with the provision of this regulation.

#### AMENDATORY SECTION (Amending Order 504, filed 5/8/87)

WAC 332-24-600 FOREST FIRE PROTECTION AND SPECIAL FOREST FIRE SUPPRESSION ACCOUNT MINIMUM ASSESSMENT REFUND PROCEDURE. This section implements the provisions of RCW 76.04.610 and 76.04.630, which provides that an owner of forest land owning two or more parcels, each containing less than ((thirty)) fifty acres in a county, may obtain a refund of the assessments paid on all such parcels over one.

(1) The forest landowner must:

(a) Obtain a forest protection assessment refund form from any department or county treasurer office;

(b) Complete refund form per instructions on form;

(c) Pay taxes and assessments to county treasurer and obtain treasurer's signature on refund form to verify assessments have been paid in full;

(d) Mail refund form before December 31 of the year the assessments are due to: Department of Natural Resources, Fire Control Division, Olympia, WA 98504.

(2) The department's fire control division will complete the refund due the landowner(, prepare a refund voucher) and process for payment through the department's financial services' division. The financial services' division will prepare the refund check and send the check and a copy of the refund ((voucher)) form to the landowner.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 332-24-225 BURNING BARRELS.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 332-48-010 ELECTRICAL FENCE CONTROLLERS.

WAC 332-48-020 UNAUTHORIZED USE OF COLOCKUM AIRSTRIP.

#### **WSR 91-20-061**

#### **PERMANENT RULES**

#### **OFFICE OF**

#### **FINANCIAL MANAGEMENT**

[Order 91-73—Filed September 24, 1991, 4:51 p.m.]

Date of Adoption: September 24, 1991.

Purpose: Establish state pay dates for calendar year 1992.

Citation of Existing Rules Affected by this Order: Amending WAC 82-50-021.

Statutory Authority for Adoption: RCW 42.16.010(1) and 42.16.017.

Pursuant to notice filed as WSR 91-17-057 on August 20, 1991.

Effective Date of Rule: Thirty-one days after filing.  
 September 24, 1991  
 Dan Pensula  
 Assistant Director  
 State Accounting and  
 Fiscal Services Division

**WSR 91-20-062**  
**PERMANENT RULES**  
**LOTTERY COMMISSION**  
 [Filed September 25, 1991, 8:33 a.m.]

**AMENDATORY SECTION** (Amending Order 90-72, filed 8/7/90, effective 9/7/90)

WAC 82-50-021 OFFICIAL LAGGED, SEMI-MONTHLY PAY DATES ESTABLISHED. Unless exempted otherwise under the provisions of WAC 82-50-031, the salaries of all state officers and employees are paid on a lagged, semimonthly basis for the official twice-a-month pay periods established in RCW 42.16.010(1). The following are the official lagged, semimonthly pay dates for calendar years (~~1990 and~~) 1991 and 1992:

<del>((CALENDAR YEAR 1990</del>	<del>CALENDAR YEAR 1991</del>		CALENDAR YEAR 1991	CALENDAR YEAR 1992
<del>Wednesday, January 10, 1990</del>	<del>Thursday, January 10, 1991</del>		Thursday, January 10, 1991	Friday, January 10, 1992
<del>Thursday, January 25, 1990</del>	<del>Friday, January 25, 1991</del>		Friday, January 25, 1991	Friday, January 24, 1992
<del>Friday, February 9, 1990</del>	<del>Monday, February 11, 1991</del>		Monday, February 11, 1991	Monday, February 10, 1992
<del>Monday, February 26, 1990</del>	<del>Monday, February 25, 1991</del>		Monday, February 25, 1991	Monday, February 25, 1992
<del>Friday, March 9, 1990</del>	<del>Monday, March 11, 1991</del>		Monday, March 11, 1991	Tuesday, March 10, 1992
<del>Monday, March 26, 1990</del>	<del>Monday, March 25, 1991</del>		Monday, March 25, 1991	Wednesday, March 25, 1992
<del>Tuesday, April 10, 1990</del>	<del>Wednesday, April 10, 1991</del>		Wednesday, April 10, 1991	Friday, April 10, 1992
<del>Wednesday, April 25, 1990</del>	<del>Thursday, April 25, 1991</del>		Thursday, April 25, 1991	Friday, April 24, 1992
<del>Thursday, May 10, 1990</del>	<del>Friday, May 10, 1991</del>		Friday, May 10, 1991	Monday, May 11, 1992
<del>Friday, May 25, 1990</del>	<del>Friday, May 24, 1991</del>		Friday, May 24, 1991	Friday, May 22, 1992
<del>Monday, June 11, 1990</del>	<del>Monday, June 10, 1991</del>		Monday, June 10, 1991	Wednesday, June 10, 1992
<del>Monday, June 25, 1990</del>	<del>Tuesday, June 25, 1991</del>		Tuesday, June 25, 1991	Thursday, June 25, 1992
<del>Tuesday, July 10, 1990</del>	<del>Wednesday, July 10, 1991</del>		Wednesday, July 10, 1991	Friday, July 10, 1992
<del>Wednesday, July 25, 1990</del>	<del>Thursday, July 25, 1991</del>		Thursday, July 25, 1991	Friday, July 24, 1992
<del>Friday, August 10, 1990</del>	<del>Friday, August 9, 1991</del>		Friday, August 9, 1991	Monday, August 10, 1992
<del>Friday, August 24, 1990</del>	<del>Monday, August 26, 1991</del>		Monday, August 26, 1991	Tuesday, August 25, 1992
<del>Monday, September 10, 1990</del>	<del>Tuesday, September 10, 1991</del>		Tuesday, September 10, 1991	Thursday, September 10, 1992
<del>Tuesday, September 25, 1990</del>	<del>Wednesday, September 25, 1991</del>		Wednesday, September 25, 1991	Friday, September 25, 1992
<del>Wednesday, October 10, 1990</del>	<del>Thursday, October 10, 1991</del>		Thursday, October 10, 1991	Friday, September 25, 1992
<del>Thursday, October 25, 1990</del>	<del>Friday, October 25, 1991</del>		Friday, October 25, 1991	Friday, October 9, 1992
<del>Friday, November 9, 1990</del>	<del>Friday, November 8, 1991</del>		Friday, November 8, 1991	Monday, October 26, 1992
<del>Monday, November 26, 1990</del>	<del>Monday, November 25, 1991</del>		Monday, November 25, 1991	Tuesday, November 10, 1992
<del>Monday, December 10, 1990</del>	<del>Tuesday, December 10, 1991</del>		Tuesday, December 10, 1991	Wednesday, November 25, 1992
<del>Monday, December 24, 1990</del>	<del>Tuesday, December 24, 1991</del>		Tuesday, December 24, 1991	Thursday, December 10, 1992
			Thursday, December 24, 1991	Thursday, December 24, 1992

Date of Adoption: September 20, 1991.  
 Purpose: To establish new rules for Quinto in chapter 315-33A WAC and provide an ending date for Quinto under chapter 315-33 WAC; to amend the rules for Instant Game 66 (Tumbling Dice); to establish the game play rules and criteria for determining winners of instant games 69 (Gold Rush) and 70 (Tic-Tac-Toe Money Match); to establish a rule regarding EFT accounts for instant retailers; to establish a rule for lottery promotions with an element of chance; to amend the rule governing debts owed the state to include the Department of Labor and Industries in the debt collection process; and to amend the rule on compensation of retailers.

Citation of Existing Rules Affected by this Order: Amending WAC 315-04-190, 315-06-125, 315-11-660, 315-11-661, 315-11-662, and 315-33-060.

Statutory Authority for Adoption: RCW 67.70.040.

Pursuant to notice filed as WSR 91-16-084 on August 6, 1991.

Changes Other than Editing from Proposed to Adopted Version: WAC 315-33A-040(3), the amount "\$100,000" has been replaced by the word "jackpot" to eliminate any ambiguity about the amount that rolls over; 315-11-690 (1) and (2), the picture play symbol in the game "Gold Rush" is changed from a nugget with the caption "\$NUGETS" to a money bag with the caption "\$GOLDS"; 315-11-691(5), the proposed rules provided for prizes in the grand prize drawing: One prize of each \$10,000; \$20,000; \$30,000; \$40,000; \$50,000; \$60,000; \$70,000; \$80,000; \$90,000; \$100,000. Each of the prizes would be won by one of the ten finalists, for a total amount won of \$550,000. The adopted rules also provide for ten prizes in the grand prize drawing. However, each finalist will have the opportunity to win from \$10,000 to \$100,000. If the ten finalists win a total of less than \$550,000, they will divide equally the difference between the aggregate amount won and \$550,000; and 315-11-691(6), the proposed rule provided for one preliminary drawing to select fifty semifinalists who will each win \$1,000. The adopted rule provides for a series of weekly drawings to select a total of fifty semifinalists. Each semifinalist will still receive \$1,000.

Effective Date of Rule: Thirty-one days after filing.  
 September 24, 1991  
 Evelyn Y. Sun  
 Director

**Chapter 315-33A WAC**  
**QUINTO RULES**

**NEW SECTION**

WAC 315-33A-010 DEFINITIONS FOR QUINTO. (1) Card suit: Heart, diamond, club, or spade symbol.

(2) Number: Any integer from 2 through 10 inclusive and jack, queen, king, or ace.

(3) Set: One number and one card suit.

**NEW SECTION**

WAC 315-33A-020 PRICE OF QUINTO TICKET. The price of each Quinto ticket shall be \$1.00 and shall contain one five set play.

**NEW SECTION**

WAC 315-33A-030 PLAY FOR QUINTO. (1) Type of play: Each play is a selection of five sets. A winning play is achieved only when 2, 3, 4, or 5 of the sets selected match, in any order, the five winning sets drawn by the lottery.

(2) Method of play: An on-line computer system will make all set selections with the use of a random number generator, a method commonly referred to as "quick play."

**NEW SECTION**

WAC 315-33A-040 PRIZES FOR QUINTO. (1) The prize amount to be paid to each Quinto player who holds a winning combination of sets in the first prize category shall vary due to the parimutuel calculation of prizes. The prize amount to be paid to each Quinto player who holds a winning combination of sets in the second prize category shall be \$1,000.00. The prize amount to be paid to each Quinto player who holds a winning combination of sets in the third prize category shall be \$20.00. The prize amount to be paid to each Quinto player who holds a winning combination of sets in the fourth prize category shall be \$1.00.

WINNING COMBINATIONS	PRIZE CATEGORIES	ODDS OF WINNING (ONE PLAY)
All five winning sets in one play	First Prize	1:2,598,960
Any four but not five winning sets in one play	Second Prize: \$1,000	1:11,059
Any three but not four or five winning sets in one play	Third Prize: \$20	1:240
Any two, but not three, four or five winning sets in one play	Fourth Prize: \$1	1:16

(2) Prize amounts.

(a) First prize.

(i) A \$100,000.00 prize is to be divided equally among all players who hold all five winning sets in one play in any sequence, provided, that the first prize shall be increased pursuant to subsection (3) of this section.

(ii) The director may utilize revenue accumulated in the Quinto prize reserve, under WAC 315-33-040 (2)(d) to increase the first prize jackpot to an amount greater than \$100,000.

(iii) The first prize may be set at an amount greater than \$100,000 at the discretion of the director.

(b) Second prize. A \$1,000.00 prize is to be paid to each player who holds four of the five winning sets in one play in any sequence.

(c) Third prize. A \$20.00 prize is to be paid to each player who holds three of the five winning sets in one play in any sequence.

(d) Fourth prize. A \$1.00 prize is to be paid to each player who holds two of the five winning sets in one play in any sequence.

(e) The holder of a winning ticket may win only one prize per play in connection with the winning sets drawn and shall be entitled only to the highest prize amount won by those sets.

(f) In the event any player who holds two, three, four or five of the five winning sets does not claim the prize won within one hundred eighty days after the drawing in which the prize was won, that player's prize shall be retained in the state lottery account for use, pursuant to RCW 67.70.190.

(3) Roll-over feature. If no player holds all five winning sets for any given drawing, the jackpot allocated for first prize for that drawing will be added to the first prize for the next drawing. This process is repeated until the first prize is won.

(4) Prize payments will be made in accordance with WAC 315-30-030(6). Each prize shall be paid in a single payment. Federal income tax shall be withheld from prize payments as required by law.

**NEW SECTION**

WAC 315-33A-050 TICKET PURCHASES. (1) Quinto tickets may be purchased or redeemed no less than seventeen hours each day in accordance with a schedule to be determined by the director, provided that on-line retailers shall sell and redeem tickets only during their normal business hours.

(2) Quinto tickets may be purchased only from a lottery retailer authorized by the director to sell on-line tickets.

(3) Quinto tickets shall, on the front of the ticket, contain the quick-play selection of sets, amount, drawing date, and validation and reference numbers. The back of the ticket shall contain player instructions, player information, and signature area, and the ticket serial number. The overall odds of winning shall appear on the ticket.

**NEW SECTION**

WAC 315-33A-060 DRAWINGS. (1) The Quinto drawing pursuant to this chapter shall be held once each Saturday evening beginning November 2, 1991, except that the director may change the drawing schedule if Saturday is a holiday.

(2) The drawing will be conducted by lottery officials.

(3) Each drawing shall determine, at random, five winning sets with the aid of mechanical drawing equipment which shall be tested before and after that drawing. Any drawn sets are not declared winners until the drawing is certified by the lottery. The winning sets shall be used in determining all Quinto winners for that drawing. If a drawing is not certified, another drawing will be conducted to determine actual winners.

(4) The drawing shall not be invalidated based on the liability of the lottery.

**NEW SECTION**

**WAC 315-33A-070 SUSPENSION/TERMINATION OF QUINTO.** At the discretion of the director, Quinto may be suspended or terminated at any time, to be effective prior to the beginning of sales for any future drawing. The director may suspend or terminate sales and a drawing only where no sales have been made for the drawing.

**AMENDATORY SECTION (Amending WSR 90-06-060, filed 3/6/90, effective 4/6/90)**

**WAC 315-33-060 DRAWINGS.** (1) The Quinto drawing shall be held once each Saturday evening, except that the director may change the drawing schedule if Saturday is a holiday.

(2) The drawing will be conducted by lottery officials.

(3) Each drawing shall determine, at random, five winning sets with the aid of mechanical drawing equipment which shall be tested before and after that drawing. Any drawn sets are not declared winners until the drawing is certified by the lottery. The winning sets shall be used in determining all Quinto winners for that drawing. If a drawing is not certified, another drawing will be conducted to determine actual winners.

(4) The drawing shall not be invalidated based on the liability of the lottery.

(5) The final drawing under this chapter shall take place on October 26, 1991.

**AMENDATORY SECTION (Amending WSR 91-11-033, filed 5/9/91, effective 6/9/91)**

**WAC 315-11-660 DEFINITIONS FOR INSTANT GAME NUMBER 66 ("TUMBLING DICE").** (1) Play symbols: The following are the "play symbols": "1," "2," "3," "4," "5," and "6." One of these play symbols appears in each of the five play spots under the latex covering on the front of the ticket. The latex covered area shall be known as the playfield. The five play spots shall be configured with one play symbol at the top of the playfield which shall be labeled "winning number." The other four play symbols shall appear in a horizontal row below the play symbol labeled "winning number."

(2) Play symbol captions: The small printed characters appearing below each play symbol which correspond with and verify that play symbol. The caption is a spelling out, in full or abbreviated form of the play symbol. One and only one of these captions appears under each play symbol. The three-digit ticket number shall appear before each play symbol caption. For Instant Game Number 66, the captions which correspond with and verify the play symbols are:

<u>PLAY SYMBOL</u>	<u>CAPTION</u>
1	ONE
2	TWO
3	THR
4	FOR
5	FIV
6	SIX

(3) Prize symbols: The following are the "prize symbols": "\$1.00," "\$2.00," "\$4.00," "\$6.00," "\$12.00," "\$50.00," and "\$5,000." One of these prize symbols appears ((above)) below each of the four play symbol~~(s)~~ captions in the horizontal row. There is no prize symbol ((above)) below the play symbol labeled "winning number."

(4) Prize symbol captions: The small printed characters which ((follow)) appear below the ((play)) prize symbol ((caption)) and verify and correspond with that prize symbol. The prize symbol caption is a spelling out, in full or abbreviated form, of the prize symbol. For Instant Game Number 66, the prize symbol captions which correspond with and verify the prize symbols are:

<u>PRIZE SYMBOL</u>	<u>CAPTION</u>
\$1.00	ONE
\$2.00	TWO
\$4.00	FOR
\$6.00	SIX
\$12.00	TLV
\$50.00	FFTY
\$5,000	FVTH

(5) Validation number: The unique nine-digit number on the front of the ticket. The number is covered by latex.

(6) Pack-ticket number: The eleven-digit number of the form 06600001-000 printed on the front of the ticket. The first three digits are the game identifier. The first eight digits of the pack-ticket number for Instant Game Number 66 constitute the "pack number" which starts at 06600001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(7) Retailer verification codes: Codes consisting of small letters found under the removable covering on the front of the ticket which the lottery retailer uses to verify instant winners of \$25.00 or less. For Instant Game Number 66, the retailer verification code is a three-letter code, with each letter appearing in a varying three of six locations beneath the removable covering and among the play symbols on the front of the ticket. The retailer verification codes are:

<u>VERIFICATION CODE</u>	<u>PRIZE</u>
ONE	\$ 1.00 (\$1)
TWO	\$ 2.00 (\$2; \$1 and \$1)
FOR	\$ 4.00 (\$2 and \$2; \$1, \$1, \$1 and \$1)
SIX	\$ 6.00 (\$4 and \$2; \$2, \$2 and \$2)
TLV	\$ 12.00 (\$12; \$6, \$4 and \$2)
EGN	\$ 18.00 (\$12 and \$6; \$12, \$4 and \$2)

(8) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in a plastic bag or plastic shrinkwrapping.

**AMENDATORY SECTION (Amending WSR 91-11-033, filed 5/9/91, effective 6/9/91)**

**WAC 315-11-661 CRITERIA FOR INSTANT GAME NUMBER 66.** (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(a) When one of the four play symbols in the horizontal row matches exactly the play symbol labeled "winning number," the matching horizontal row play symbol shall be a winning play symbol, and the bearer of the ticket shall win the prize ~~((above))~~ below the winning play symbol.

(b) The bearer of a ticket which has more than one winning play symbol shall win the total amount of the prizes ~~((above))~~ below each winning play symbol.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 66 set forth in WAC 315-11-662, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

**AMENDATORY SECTION** (Amending WSR 91-11-033, filed 5/9/91, effective 6/9/91)

WAC 315-11-662 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 66. (1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 66, all of the following validation requirements apply:

(a) Exactly one play symbol must appear in each of the five play spots in the playfield on the front of the ticket.

(b) Each play symbol must have a play symbol caption below it and each must agree with its caption.

(c) Each of the four play symbol~~((s))~~ captions in the horizontal row shall have a prize symbol ~~((above))~~ below it. Each of the ~~((horizontal row play))~~ prize symbols shall also have a prize symbol caption ~~((following))~~ below it~~((s play symbol caption))~~.

(d) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the artwork on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbols	Play Symbol Font
Prize Symbols	Prize Symbol Font
Captions	Caption Font
Pack-Ticket Number	Validation Font
Validation Number	Validation Font
Retailer Verification Code	Validation Font


(e) Each of the play symbols and its caption, the validation number, pack-ticket number and retailer verification code must be printed in black ink.

(f) Each of the play symbols must be exactly one of those described in WAC 315-11-660(1) and each of the play symbol captions must be exactly one of those described in WAC 315-11-660(2).


(g) Each of the prize symbols must be exactly one of those described in WAC 315-11-660(3) and each of the prize symbol captions must be exactly one of those described in WAC 315-11-660(4).

(2) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

**NEW SECTION**

WAC 315-11-690 DEFINITIONS FOR INSTANT GAME NUMBER 69 ("GOLD RUSH"). (1) Play symbols: The following are the "play symbols": "  "; "\$1.00"; "\$2.00"; "\$5.00"; "\$9.00"; "\$18.00"; "\$50.00"; "\$100.00"; "\$10,000." One of these play symbols appears in each of the six blocks under the scratch-off material covering the game play data.

(2) Play symbol captions: The small printed characters appearing below each play symbol which verify and correspond with that play symbol. The caption is a spelling out, in full or abbreviated form of the play symbol. One and only one of these captions appears under each play symbol. For Instant Game Number 69, the captions which correspond with and verify the play symbols are:

<u>PLAY SYMBOL</u>	<u>CAPTION</u>
	\$GOLDS
\$1.00	ONE DOL
\$2.00	TWO DOL
\$5.00	FIV DOL
\$9.00	NIN DOL
\$18.00	EIGHTEEN
\$50.00	\$FIFTYS
\$100.00	ONEHUND
\$10,000	TENTHOU

(3) Validation number: The unique nine-digit number on the front of the ticket. The number is covered by latex covering.

(4) Pack-ticket number: The eleven-digit number of the form 06900001-000 printed on the front of the ticket. The first eight digits of the pack-ticket number for Instant Game Number 69 constitute the "pack number" which starts at 06900001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(5) Retailer verification codes: Codes consisting of small letters found under the removable covering on the front of the ticket which the lottery retailer uses to verify instant winners of \$25.00 or less. For Instant Game Number 69, the retailer verification code is a three-letter code, with each letter appearing in a varying three of six locations beneath the removable covering and among the play symbols on the front of the ticket. The retailer verification codes are:

<u>VERIFICATION CODE</u>	<u>PRIZE</u>
ONE	\$ 1.00
TWO	\$ 2.00
FIV	\$ 5.00
NIN	\$ 9.00
EGN	\$18.00

(6) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in plastic shrinkwrapping.

**NEW SECTION**

**WAC 315-11-692 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 69.** (1) A valid instant game ticket for Instant Game Number 69 shall meet all of the following validation requirements as well as all other requirements in these rules and regulations:

(a) Exactly one play symbol must appear under each of the six rub-off spots on the front of the ticket.

(b) Each of the six play symbols must have a caption below it and each must agree with its caption.

(c) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the artwork on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbols	Play Symbol Font
Captions	Caption Font
Pack-Ticket Number	Validation Font
Validation Number	Validation Font
Retail Verification Code	Validation Font

(d) Each of the play symbols and its caption, the validation number, pack-ticket number and retailer verification code must be printed in black ink.

(e) Each of the play symbols must be exactly one of those described in WAC 315-11-690(1) and each of the captions must be exactly one of those described in WAC 315-11-690(2).

(2) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

**NEW SECTION**

**WAC 315-11-700 DEFINITIONS FOR INSTANT GAME NUMBER 70. ("TIC-TAC-TOE MONEY MATCH")** (1) Ticket configuration: The front of the ticket shall have two playfields. The playfield on the left side of the ticket shall be titled "Tic-Tac-Toe." The playfield on the right side of the ticket shall be titled "Money Match."

(2) Play symbols for the Tic-Tac-Toe playfield: The following are the play symbols for Tic-Tac-Toe: "x" and "o." One of these symbols appears under each of the nine rub-off spots in the Tic-Tac-Toe playfield.

(3) Play symbol captions for the Tic-Tac-Toe playfield: The small printed characters appearing below each play symbol which correspond with and verify that play symbol. The caption contains five characters. The first character indicates the location of the play symbol in either column one, column two or column three. The second character repeats the play symbol. The last three characters represent the ticket number. One and only one caption appears under each play symbol. An example of play symbol captions for Instant Game Number 70 Tic-Tac-Toe, follows:

<u>PLAY SYMBOL</u>	<u>CAPTION</u>	(Example for ticket number 122)
x	1 x 122	(Play symbol in column 1)
o	2 o 122	(Play symbol in column 2)
x	3 x 122	(Play symbol in column 3)

(4) Prize symbols for the Tic-Tac-Toe playfield: The following are the prize symbols for Tic-Tac-Toe: "\$1.00"; "\$2.00"; "\$4.00"; "\$8.00"; "\$16.00"; "\$40.00"; and "\$2,500." One of these prize symbols appears under the prize box on the front of the ticket which has the word "PRIZE" printed on the latex covering.

(5) Prize symbol captions for the Tic-Tac-Toe playfield: The small printed characters appearing below the prize symbol which verify and correspond with that prize symbol. The caption is a spelling out, in full or abbreviated form, of the prize symbol. Only one caption appears under the prize symbol. For Instant Game Number 70 Tic-Tac-Toe, the prize symbol captions which correspond with and verify the prize symbols are:

<u>PRIZE SYMBOL</u>	<u>CAPTION</u>
\$1.00	ONE DOL
\$2.00	TWO DOL
\$4.00	FOR DOL
\$8.00	EGT DOL
\$16.00	SIXTEEN
\$40.00	\$FORTY\$
\$2,500	TWFIHVH

(6) Play symbols for the Money Match playfield: The following are the play symbols for Money Match: "\$1.00"; "\$2.00"; "\$4.00"; "\$8.00"; "\$16.00"; "\$40.00"; and "\$2,500." One of these play symbols appears in each of the six blocks under the scratch-off material covering the game play data.

(7) Play symbol captions for the Money Match playfield: The small printed characters appearing below each play symbol which verify and correspond with that play symbol. The caption is a spelling out, in full or abbreviated form of the play symbol. One and only one of these captions appears below each play symbol. For Instant Game Number 70 Money Match, the captions which correspond with and verify the play symbols are:

<u>PRIZE SYMBOL</u>	<u>CAPTION</u>
\$1.00	ONE DOL
\$2.00	TWO DOL
\$4.00	FOR DOL
\$8.00	EGT DOL
\$16.00	SIXTEEN
\$40.00	\$FORTY\$
\$2,500	TWFIHVH

(8) Validation number: The unique nine-digit number on the front of the ticket. The number is covered by latex.

(9) Pack-ticket number: The eleven-digit number of the form 07000001-000 printed on the front of the ticket. The first three digits are the game identifier. The first eight digits of the pack-ticket number for Instant Game Number 70 constitute the "pack number" which starts at 07000001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(10) Retailer verification codes: Codes consisting of small letters found under the removable covering on the front of the ticket which the lottery retailer uses to verify instant winners of \$25.00 or less. For Instant Game



Number 70, each playfield shall have its own retailer verification code which shall correspond with the prize in that playfield. The retailer verification code is a three-letter code, with each letter appearing in a varying three of six locations beneath the removable covering and among the play symbols on each side on the front of the ticket. The retailer verification codes are:

VERIFICATION CODE	PRIZE
ONE	\$ 1.00
TWO	\$ 2.00
FOR	\$ 4.00
EGT	\$ 8.00
SXT	\$16.00

(11) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in a plastic bag or plastic shrinkwrapping.

**NEW SECTION**

WAC 315-11-701 CRITERIA FOR INSTANT GAME NUMBER 70. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets:

(a) An instant prize winner in the Tic-Tac-Toe playfield is determined in the following manner: The bearer of a ticket having 3 "x" play symbols or 3 "o" play symbols in any row, column or diagonal beneath the removable covering on the front of the ticket shall win the prize shown in the prize box.

(b) An instant prize winner in the Money Match playfield is determined in the following manner: The bearer of a ticket having the following play symbols in any three of the six spots beneath the removable covering in the Money Match playfield shall win the following prize:

Three	\$1.00	play symbols - Win	\$1.00
Three	\$2.00	play symbols - Win	\$2.00
Three	\$4.00	play symbols - Win	\$4.00
Three	\$8.00	play symbols - Win	\$8.00
Three	\$16.00	play symbols - Win	\$16.00
Three	\$40.00	play symbols - Win	\$40.00
Three	\$2,500	play symbols - Win	\$2,500

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 70 set forth in WAC 315-11-702, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) Notwithstanding any other provisions of these rules, the director may:

(a) Vary the length of Instant Game Number 70; and/or

(b) Vary the number of tickets sold in Instant Game Number 70 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

**NEW SECTION**

WAC 315-11-702 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 70. (1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 70 all of the following validation requirements apply:

(a) Each ticket must have a Tic-Tac-Toe playfield on the left and a Money Match playfield on the right.

(b) In the Tic-Tac-Toe playfield:

(i) Exactly one Tic-Tac-Toe play symbol must appear under each of the nine rub-off spots in the Tic-Tac-Toe playfield on the front of the ticket.

(ii) Each of the nine Tic-Tac Toe play symbols must have caption below and each must agree with its caption.

(iii) Exactly one prize symbol must appear under the rub-off material covering the prize box on the front of the ticket.

(iv) The prize symbol must have a caption below and it must agree with its caption.

(c) In the Money Match playfield:

(i) Exactly one Money Match play symbol must appear under each of the six rub-off spots in the Money Match playfield on the front of the ticket.

(ii) Each of the six Money Match play symbols must have a caption below it, and each must agree with its caption.

(2)(a) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the artwork on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbols	Play Symbol Font
Prize Symbols	Prize Symbol Font
Captions	Caption Font
Pack-Ticket Number	Validation Font
Validation Number	Validation Font
Retail Verification Code	Validation Font

(b) Each of the play symbols and its caption, the validation number, pack-ticket number and retailer verification code must be printed in black ink.

(c)(i) Each of the Tic-Tac-Toe play symbols must be exactly one of those described in WAC 315-11-700(2).

(ii) Each of the Money Match play symbols must be exactly one of those described in WAC 315-11-700(6).

(d)(i) Each of the Tic-Tac-Toe play symbol captions must be exactly one of those described in WAC 315-11-700(3).

(ii) Each of the Money Match play symbol captions must be exactly one of those described in WAC 315-11-700(7).

(e) Each of the Tic-Tac-Toe prize symbols must be exactly one of those described in WAC 315-11-700(4).

(f) Each of the Tic-Tac-Toe prize symbol captions must be exactly one of those described in WAC 315-11-700(5).

(3) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsections (1) and (2) of this section is invalid and ineligible for any prize.

**NEW SECTION**

**WAC 315-11-691 CRITERIA FOR INSTANT GAME NUMBER 69.** (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(a) The bearer of a ticket having the following play symbol in any three of the six spots beneath the removable covering on the front of the ticket shall win the following prize:

Three	\$1.00	play symbols – Win	\$1.00
Three	\$2.00	play symbols – Win	\$2.00
Three	\$5.00	play symbols – Win	\$5.00
Three	\$9.00	play symbols – Win	\$9.00
Three	\$18.00	play symbols – Win	\$18.00
Three	\$50.00	play symbols – Win	\$50.00
Three	\$100.00	play symbols – Win	\$100.00
Three	\$10,000	play symbols – Win	\$10,000

(b) In any event, only the highest instant prize amount meeting the standards of (a) of this subsection will be paid on a given ticket.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 69 set forth in WAC 315-11-692, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) There will be a grand prize drawing held in conjunction with Instant Game Number 69. It will be conducted at a time and place and pursuant to procedures to be established and announced by the director. There will be ten finalists at the grand prize drawing who will each win a prize ranging in amount from \$10,000 to \$100,000. In the event that the aggregate prize amount won by the ten finalists at the grand prize drawing is less than \$550,000, each finalist shall also receive one-tenth of the difference between \$550,000 and the aggregate amount won. Qualifying entries for Instant Game Number 69 will be entered into the grand prize drawing.

(a) To be eligible for entry into the grand prize drawings, an entrant must:

(i) Be eligible to win a prize pursuant to chapter 67.70 RCW and Title 315 WAC.

(ii) Collect three tickets each of which have one play symbol.

(iii) Write or print legibly the entrant's name and address on each and every ticket. An entry containing more than one name shall be disqualified.

(iv) Place the tickets in an envelope. An envelope which contains extraneous material or which has had the exterior altered for the apparent sole purpose of making the envelope more prominent shall be disqualified.

(v) Mail the envelope with proper postage and a legible return address of the entrant to the address specified in the player's brochure, or deliver it in person during

normal business hours to lottery headquarters or any of the regional offices at the address listed in the player's brochure.

(b) There is no limit to the number of entries a person may submit, but each entry must be submitted in a separate envelope and both the entry and the entrant of each must meet the qualifications set forth above.

(c) An entry which contains one or more stolen tickets may be disqualified by the director.

(d) A nonconforming entry, at the sole discretion of the director, may be disqualified.

(e) The lottery shall not be responsible for any other material, including winning tickets, mailed or delivered to the "GRAND PRIZE DRAWING." All mail not drawn will be shredded unopened.

(f) The lottery shall not be responsible for any entries mailed or delivered to the wrong address.

(6) Weekly drawings will be held to select a total of fifty winners who will each be awarded a \$1,000 prize. Entries received by the lottery at lottery headquarters by 5:00 p.m. local time on the last business day prior to each weekly drawing shall be entitled to participation in that week's drawing. Entries received at one of the regional offices must arrive no later than 5:00 p.m. two business days prior to the date of each weekly drawing to be eligible for participation in that week's drawing. The weekly drawings will be conducted at times and places and pursuant to procedures established and announced by the director. A drawing will be held to select ten finalists from the fifty \$1,000 winners. The ten finalists will be eligible to participate in the grand prize drawing provided they have not been disqualified pursuant to these rules.

(7) Notwithstanding any other provisions of these rules, the director may:

(a) Vary the length of Instant Game Number 69 and/or

(b) Vary the number of tickets sold in Instant Game Number 69 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

**NEW SECTION**

**WAC 315-10-080 RETAILER SETTLEMENT.**

(1) Each retailer licensed with the lottery after May 31, 1991, to sell instant tickets shall establish an account for deposit of moneys derived from instant game sales with a financial institution that has the capability of electronic funds transfer (EFT). Funds generated from the sale of instant tickets shall be held in trust by the retailer for the lottery.

(2) Each retailer required to establish an account pursuant to this section shall make deposits periodically to that account sufficient to cover moneys due the lottery. The director shall specify the days on which moneys due shall be withdrawn by EFT. Moneys not deposited by a specified day of withdrawal shall be overdue and delinquent.

**NEW SECTION**

**WAC 315-06-095 PROMOTIONAL CONTESTS OF CHANCE.** The director has the authority to conduct promotional contests of chance for the enhancement of ticket sales.

**AMENDATORY SECTION** (Amending Order 96, filed 12/16/86)

**WAC 315-06-125 DEBTS OWED THE STATE.**

(1) The terms used in RCW 67.70.255 and these regulations are defined as follows:

(a) **Creditor** - Any state agency or political subdivision of this state that maintains records of debts owed to the state or political subdivision, or that the state is authorized to enforce or collect.

(b) **Debt** - A judgment rendered by a court of competent jurisdiction or obligations established pursuant to RCW 50.20.190, ~~((71.02.411))~~ 51.32.240, 51.48.140, 74.04.300, 74.20A.040, and 74.20A.055 or administrative orders as defined in RCW 50.24.110, 51.32.240, 51.48.150, and 74.20A.020(6).

(c) **State** - The state of Washington.

(d) **Two working days** - Two days not to include Saturdays, Sundays, and holidays as defined in RCW 1.16.050 commencing the day following the date the claim was validated by the lottery.

(e) **Verification** - A facsimile or photo copy of a judgment or final order received by the lottery during the requisite two working day period.

(2) Any creditor may submit, to the lottery, in a format specified by the director, data processing tapes containing debt information specified by the director. Tapes which do not contain the required information or are not in the proper format will be returned to the creditor. The creditor submitting debt information tapes shall provide replacement tapes on a regular basis at intervals not to exceed one month or less than one week. The creditor shall be solely responsible for the accuracy of the information contained therein.

(3) Creditors submitting data processing tapes to the lottery shall also submit the name or names of designated contact persons.

(4) The lottery shall include the debt information submitted by the creditor in its validation and prize payment process. The lottery shall delay payment of a prize, exceeding six hundred dollars, for a period not to exceed two working days, to any person owing a debt to a creditor pursuant to the information submitted in subsection (2) of this section. The lottery shall make a reasonable attempt to contact the creditor's designated contact person(s) by phone, followed by written correspondence, to verify the debt. Three phone calls, excluding busy signals, shall constitute a reasonable attempt. The prize shall be paid to the claimant if the debt is not verified by the submitting creditor within two working days. If the debt is verified, the prize shall be disbursed pursuant to subsection (6) of this section.

(5) A creditor shall verify the debt by submitting to the lottery at lottery headquarters in Olympia, Washington within the requisite two working day period,

a facsimile or photocopy of a judgment or final order which is the basis for the debt.

(6) Prior to disbursement, any verified debts owed to a creditor by the winner of any lottery prize exceeding six hundred dollars shall be set off against the prize owing to the winner. In the event a prize winner owes debts to more than one creditor, and the total prize is insufficient to pay all debts, the set off shall be paid to the creditors on a pro rata basis based on the amount of debt owed to each creditor unless priority is established by statute.

**AMENDATORY SECTION** (Amending Order 103, filed 8/10/87)

**WAC 315-04-190 COMPENSATION.** (1) Lottery retailers shall be entitled to a five percent discount from the retail price of the instant game tickets established by rule for each game.

(2) Lottery retailers authorized to sell on-line tickets shall be entitled to a five percent discount from the total of gross on-line ticket sales less on-line ticket cancellations.

(3) Lottery retailers may receive additional compensation through programs including but not limited to additional discounts, retailer games, retailer awards, and retailer bonuses. ~~((The total additional compensation provided through such programs shall not exceed \$200,000 per program.))~~

(a) The commission must approve each such program prior to its implementation.

(b) The director shall establish and publish the procedures necessary to implement any such program approved by the commission prior to initiation of the program.

(4) The lottery, when selling instant or on-line tickets, as a lottery retailer, may use the proceeds from the five percent discount from the retail price of the tickets sold to pay fees or other charges associated with those sales.

**WSR 91-20-063****NOTICE OF PUBLIC MEETINGS****BOARD FOR****VOCATIONAL EDUCATION**

[Memorandum—September 24, 1991]

The Washington State Board for Vocational Education meeting scheduled for September 26, 1991 is hereby cancelled.

**WSR 91-20-064****RULES COORDINATOR****BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

[Filed September 25, 1991, 1:13 p.m.]

The State Board for Community College Education became the State Board for Community and Technical Colleges on September 1, 1991. The address and phone numbers remain the same.

Dr. Gil Carbone retired as rules coordinator on July 31. The new rules coordinator is: Robert G. Wark, Director - Communications, State Board for Community and Technical Colleges, 319 Seventh Avenue, FF-11, Olympia, WA 98504.

Earl Hale  
Executive Director

**WSR 91-20-065**  
**NOTICE OF PUBLIC MEETINGS**  
**GREEN RIVER**  
**COMMUNITY COLLEGE**  
[Memorandum—September 19, 1991]

The Green River Community College board of trustees has indicated a change in the date of its regular October board meeting from Thursday, October 18 to Thursday, October 24.

**WSR 91-20-066**  
**NOTICE OF PUBLIC MEETINGS**  
**PUBLIC WORKS BOARD**  
[Memorandum—September 23, 1991]

Notice is hereby given of a special meeting of the Public Works Board to be held on Tuesday, October 8, 1991, beginning at 8:30 a.m. The meeting will be held at the SeaTac Hilton, Elliott West Room, Sea-Tac International Airport.

The purpose of the meeting will be to discuss the following: Marshland flood control district emergency loan request; time of completion extension request for Federal Way water and sewer district; and policy development for newly-formed public works trust fund timber impact assistance loan program.

**WSR 91-20-067**  
**NOTICE OF PUBLIC MEETINGS**  
**FOREST PRACTICES BOARD**  
[Memorandum—September 25, 1991]

There will be a special Forest Practices Board meeting on October 9, 1991, at 10:00 a.m. The meeting will be held in Grand Ballroom One at the SeaTac Red Lion, 18740 Pacific Highway South, SeaTac, WA. Additional information may be obtained from: Forest Practices Division, 1007 South Washington, EL-03, Olympia, WA 98504, (206) 753-5315.

**WSR 91-20-068**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
[Filed September 26, 1991, 9:32 a.m.]

Continuance of WSR 91-14-104.  
Title of Rule: Prevailing wages for public works.  
Date of Intended Adoption: November 20, 1991.  
September 26, 1991  
Joseph A. Dear  
Director

**WSR 91-20-069**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
[Filed September 26, 1991, 9:37 a.m.]

Continuance of WSR 91-17-068.  
Purpose: Public hearing was held September 24, 1991. There were not stakeholders in attendance and no business was conducted. The hearing is continued to October 3, 1991.

Hearing Location: General Administration Building Auditorium, Olympia, Washington 98504, on October 3, 1991, at 9:30 a.m.

Submit Written Comments to: J. N. Kirchoff, Assistant Director, Division of Industrial Safety and Health, by 5:00 p.m., October 3, 1991.

Date of Intended Adoption: November 22, 1991.  
September 26, 1991  
Joseph A. Dear  
Director

**WSR 91-20-070**  
**PERMANENT RULES**  
**HIGHER EDUCATION**  
**COORDINATING BOARD**  
[Filed September 26, 1991, 1:07 p.m., effective September 26, 1991]

Date of Adoption: September 25, 1991.  
Purpose: To establish administrative procedures for disbursing the academic grants awarded through the Washington excellence in education (Christa McAuliffe) academic grant program.

Statutory Authority for Adoption: Chapter 28B.80 RCW.

Other Authority: 2nd SSB 5022, chapter 255, Laws of 1991.

Pursuant to notice filed as WSR 91-16-088 on August 7, 1991.

Changes Other than Editing from Proposed to Adopted Version: Two additions made to word definition section; amend language of WAC to more accurately reflect the terms and intent of 2nd SSB 5022, chapter 255, Laws of 1991, under "eligibility to participate" and "award amount" sections, as recommended by the Attorney General's Office.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: As directed in 2nd SSB 5022, section 13, chapter 255, Laws of 1991: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately."

Effective Date of Rule: September 26, 1991.

September 26, 1991  
Ann Daley  
Executive Director

STATE OF WASHINGTON  
WASHINGTON AWARD FOR EXCELLENCE IN EDUCATION  
ACADEMIC GRANT  
(also known as the Washington State Christa McAuliffe  
Academic Grant Award)

Chapter 255, Laws of 1991

RULES AND REGULATIONS

WAC 250-78

WAC 250-78-010	Purpose
WAC 250-78-020	Authority to Administer
WAC 250-78-030	Definitions
WAC 250-78-040	Eligibility to Participate
WAC 250-78-050	Award Amount
WAC 250-78-060	Management of Funds

NEW SECTION

WAC 250-78-010 PURPOSE. The Washington award for excellence in education program, also known as the Washington state Christa McAuliffe award program, was established to recognize teachers, principals, administrators, classified staff, school district superintendents, and school boards for their leadership, contributions, and commitment to education. The purpose of this chapter is to establish administrative procedures for disbursing academic grants awarded through this program to teachers, principals, and administrators.

NEW SECTION

WAC 250-78-020 AUTHORITY TO ADMINISTER. The authority for this chapter is 28B.80 RCW which authorizes the higher education coordinating board to adopt rules relating to the administration of programs assigned to the board, and chapter 255, laws of 1991, which assigns to the board the administration of the academic grants awarded through the Washington award for excellence in education (Christa McAuliffe) academic grant award program. The 1991 legislation corrects inequities inherent in the related preceding tuition waiver program by creating an academic cash grant in lieu of a tuition and fee waiver. Not all institutions awarded the waiver, thus some recipients received a benefit while others did not. These regulations are intended not only to implement the new legislative changes but also to provide continued benefits to those previously granted the award.

NEW SECTION

WAC 250-78-030 DEFINITIONS. (1) "Institution of higher education" or "institution" shall mean:

(a) Any public university, college, community college, or technical college operated by the state of Washington or any political subdivision thereof; or any other university, college, school, or institute in the state of Washington offering instruction beyond the high school level which is a member institution of the northwest association of schools and colleges; and providing such institution agrees to participate in the program in accordance with all applicable rules and regulations. Any institution, branch, extension, or facility operating within the state of Washington which is affiliated with an institution operating in another state must be a separately accredited member institution of the northwest association of schools and colleges or another regional accrediting association.

(b) Any other university, college, school, or institute located in another state offering instruction beyond the high school level which is a member institution of a regional accrediting association or otherwise approved by the board in accordance with WAC 250-78-050 (3)(d)(i); or

(c) Any other university, college, school, or institute located in another country outside of the United States of America offering instruction beyond the high school level which in the judgment of the board meets academic standards comparable to those established by a regional accrediting association.

(2) "Academic grant" shall mean the monetary award which shall be used to take courses at an institution of higher education. The academic grant may be used to pay for reasonable educational expenses including, but not limited to, tuition/fees, room and board, and books and supplies.

(3) "Board" means the higher education coordinating board. When a duty or responsibility of the board is referenced in these regulations, the authority needed to discharge that responsibility lies with the executive director or his or her designee.

(4) "Recipient" means a teacher, principal, or administrator who has been designated to receive the Washington award for excellence in education by the superintendent of public instruction, and who has elected to receive his or her award in the form of the academic grant.

(5) "Academic year" shall mean two semesters or three quarters of full-time graduate coursework.

(6) "Stipend" shall mean an amount not to exceed \$1,000, payable only to cover costs incurred in taking courses for which a tuition and fee waiver was authorized under preexisting law (RCW 28A.625.020 (3)(a)). No award recipient named after May 17, 1991 shall be entitled to receive payment of the stipend.

NEW SECTION

WAC 250-78-040 ELIGIBILITY TO PARTICIPATE. (1) Each year, the higher education coordinating board shall receive from the superintendent of public instruction, or his or her designee, an official list of the

names of the current-year Washington award for excellence in education (Christa McAuliffe) recipients who have elected to receive the academic grant.

(2) The superintendent of public instruction, or his or her designee, shall provide the higher education coordinating board with an official list of the names of Washington award for excellence in education (Christa McAuliffe) recipients who were awarded the waiver of forty-five quarter or thirty semester credits of tuition and fees under RCW 28B.15.547 prior to May 17, 1991.

(3) Recipients may not use the academic grant for any courses that include any religious worship or exercise, or for any degree in religious, seminarian, or theological academic studies.

(4) On and after May 17, 1991, individual benefits under this program must be fully utilized and courses completed within four years of the date of official notification of the award recipient's selection and receipt of the academic grant, as provided by the superintendent of public instruction, or his or her designee, to the higher education coordinating board.

(5) Recipients must agree to comply with all conditions of the award and provide documentation to the board as necessary for proper administration of the academic grant.

#### NEW SECTION

**WAC 250-78-050 AWARD AMOUNT.** (1) The current academic year full-time resident graduate tuition rate in effect at the state's public universities shall be the maximum academic grant available to any recipient in that year.

(2) Consistent with terms of prior law, recipients who received notification of their award by the office of the superintendent of public instruction prior to May 17, 1991 may be eligible to receive a stipend not to exceed \$1,000 to cover approved educational costs related to academic coursework.

(3) The recipient's initial institution of attendance following receipt of official notice of the academic grant award by the board shall be used to determine the dollar value of individual academic grant awards as follows:

(a) Award recipients who elect to use the academic grant for courses at one of the state's research universities shall receive an academic grant which shall not exceed the current academic year full-time resident graduate tuition for courses taken at one of the state's research universities.

(b) Award recipients who elect to use the academic grant for courses at one of the state's regional universities or The Evergreen State College shall receive an academic grant which shall not exceed the current academic year full-time resident graduate tuition for courses taken at one of the state's regional universities or The Evergreen State College.

(c) Washington private colleges and universities may elect to participate in the program. Participating private institutions shall match on at least a dollar-for-dollar

basis, either with actual money or by waiver of fees, the amount of the academic grant received by the recipient from the state. Award recipients who elect to use the academic grant for courses at one of the state's participating private institutions shall receive an academic grant which, when combined with the matching portion, shall not exceed the current academic year full-time resident graduate tuition and the services and activities fees in effect at the state-funded research universities. Any recipient who received notification of his or her award by the office of the superintendent of public instruction prior to May 17, 1991 has a vested right to the \$1,000 stipend, including those recipients who elect to attend a private institution. However, private institutions are not required to match the amount of the stipend.

(d) Award recipients who elect to use the academic grant for courses at a public or private higher education institution in another state or country shall receive an academic grant which shall not exceed the current academic year full-time resident graduate tuition and the services and activities fees in effect at the state-funded research universities, provided the following additional criteria are met:

(i) The institution has an exchange program with a public or private higher education institution in Washington and the exchange program is approved or recognized by the higher education coordinating board; or

(ii) The institution is approved or recognized by the higher education coordinating board; and

(iii) The recipient of the Washington award for excellence in education (Christa McAuliffe) academic grant has submitted in writing to the higher education coordinating board an explanation of why the preferred course or courses are not available at a public or private institution in Washington.

(e) The remaining value of the tuition/fee waiver for recipients who were awarded the tuition/fee waiver for forty-five quarter or thirty semester credits prior to May 17, 1991 shall be calculated as a ratio of available (unused) credits to the total credits originally awarded. That ratio shall be converted to a dollar value which is proportional to the current academic year full-time resident graduate tuition in effect at one of the state's public universities.

#### NEW SECTION

**WAC 250-78-060 MANAGEMENT OF FUNDS.**

(1) Disbursements of all grant funds are contingent upon appropriations and, in the event that funds are insufficient, disbursements will be issued term by term.

(2) At the option of the board, the academic grant may be disbursed as a lump sum award or in incremental amounts related to the recipient's plan of study and under a schedule of payments as developed by the board.

(3) Recipients who have not fully utilized their award benefit within the four year eligibility period shall forfeit the remaining value of their academic grant award.

**WSR 91-20-071****PERMANENT RULES****DEPARTMENT OF LICENSING****(Board of Funeral Directors and Embalmers)**

[Filed September 26, 1991, 1:28 p.m.]

Date of Adoption: September 10, 1991.

Purpose: This change removes the requirement for organizations sponsoring continuing education to provide the department with lists of attendees. Individuals will keep their own proof of attendance subject to inspection by the funeral director and embalmer inspector.

Citation of Existing Rules Affected by this Order: Amending WAC 308-48-600.

Statutory Authority for Adoption: RCW 18.39.175(4).

Pursuant to notice filed as WSR 91-15-048 on July 18, 1991.

Effective Date of Rule: Thirty days after filing.

September 21, 1991

Arthur A. Susumi

Chairman

**AMENDATORY SECTION** (Amending Order PL 504, filed 12/19/84)

WAC 308-48-600 PROCEDURE FOR OBTAINING BOARD APPROVAL OF CONTINUING EDUCATION ACTIVITY. (1) An application for approval of continuing education activity must be submitted to the board no less than ninety days before the activity is scheduled to commence. The board shall notify the applicant of approval or disapproval within forty-five days of submission of the application.

(2) The board may require examples of teaching materials and descriptive information about any continuing education activity and refuse approval of any continuing education activity that does not meet the qualifications.

(3) The board may monitor any approved activity and, upon a subsequent significant variation in the program, may disapprove any part of the credit hours. ~~((The board shall determine the manner in which attendance at all approved courses shall be monitored, recorded, and submitted to the department. Any organization sponsoring a continuing education activity shall make a written record of licensees and registrants in attendance and send a signed record to the board within thirty days of completion of the activity:))~~

(4) The board may grant post approval or disapprove participation in a nonapproved continuing education activity. If participation in such activity is approved, the board may consider and determine the number of hours of credit which shall be given for such participation. The board may determine that such nonapproved activities satisfy any, all, or none of the requirements. A petition for credit under this post approval subsection must be filed with the board within thirty days after completion of the activity. Such petition shall include documentation as the board may require. Failure to comply with these provisions shall be sufficient grounds to refuse credit.

**WSR 91-20-072****NOTICE OF PUBLIC MEETINGS****INTERAGENCY COMMITTEE FOR  
OUTDOOR RECREATION**

[Memorandum—September 25, 1991]

The Interagency Committee for Outdoor Recreation will meet on November 14-15, 1991, beginning at 9:00 a.m. at the Tye Motor Inn, Tumwater Washington. This meeting is a funding session of the IAC for the Washington Wildlife and Recreation Local Government Grant-in-Aid Program authorized by the state legislature, chapter 14, Laws of 1990, 1st Special Session.

**WSR 91-20-073****PERMANENT RULES****DEPARTMENT OF HEALTH  
(Board of Health)**

[Order 196B—Filed September 26, 1991, 2:46 p.m.]

Date of Adoption: September 11, 1991.

Purpose: To meet the new statutory requirements as set forth in SHB 2056 (amendment to chapter 70.58 RCW) to make certificates consistent with United States standard certificates.

Citation of Existing Rules Affected by this Order: Amending WAC 246-491-029 and 246-491-039.

Statutory Authority for Adoption: Chapter 70.58 RCW.

Pursuant to notice filed as WSR 91-16-105 on August 7, 1991.

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

September 13, 1991

Sylvia Beck

Executive Director

**AMENDATORY SECTION** (Amending Order 124B, filed 12/27/90, effective 1/31/91)

WAC 246-491-029 ADOPTION OF UNITED STATES STANDARD CERTIFICATES AND REPORT—MODIFICATIONS. Pursuant to ((RCW 70-58-200)) chapter 70.58 RCW, the Washington state board of health adopts and approves for use in the state of Washington, effective January 1, ((1989)) 1992, the 1988 revisions of the United States standard forms of live birth and fetal death. These forms are developed by the United States Department of Health and Human Services, National Center for Health Statistics. The board of health shall make the following modifications to the confidential section of the U.S. standard certificate of live birth and U.S. standard report of fetal death:

**U.S. STANDARD CERTIFICATE OF LIVE BIRTH**

Add ((~~"Hispanic"~~ to ~~"race."~~)) "Spanish" to "of Hispanic origin."

Add "or descent? (ancestry)" to "of Hispanic origin."

Add "Asian or Pacific Islander" to "race."

Add "occupation" and "type of business or industry" for both parents.

Add "parental identification of ethnicity and race of child."

Add "~~((more than))~~ twenty weeks or more, less than twenty weeks" to "pregnancy history."

Add separate categories for "spontaneous" and "induced" terminations to "pregnancy history."

Add "total prior pregnancies."

Add under the heading "medical risk factors for this pregnancy," "polyhydramnios, (~~first trimester bleeding, epilepsy,~~) genital herpes, syphilis, (~~rubella-test~~) "hepatitis B-HB<sub>s</sub>A<sub>e</sub> positive."

Add under the heading "method of delivery," "C-section with no labor, C-section with trial of labor."

Add under the heading "abnormal conditions of the newborn," (~~("sepsis, asphyxia/depression,))~~ drug withdrawal syndrome in newborn(~~(, Erb's palsy, jaundice (greater than ten in first forty-eight hours))~~))."

Delete under 38a "hydramnios."

Delete under item 37b "name of facility infant transferred to."

Add under the heading "other risk factors for pregnancy," "weight before pregnancy."

Add under the heading "complication of labor and/or delivery," "nuchal cord."

Change "tobacco use during pregnancy" to "did mother smoke at any time during pregnancy"?

Add "principal source of payment for prenatal care."

Add "during pregnancy mother participated in (special programs)."

#### U.S. STANDARD REPORT OF FETAL DEATH

Add "or descent? (ancestry)" to "of Hispanic origin."

Add "Spanish" to "of Hispanic origin."

Add "Asian or Pacific Islander" to "race."

((Add "Hispanic" to "race."))

Add "~~((more than))~~ twenty weeks or more, less than twenty weeks" to "other pregnancy outcomes."

Add under the heading "medical risk factors for this pregnancy" "polyhydramnios, first trimester bleeding, epilepsy, genital herpes, syphilis(~~(, rubella-test positive)~~))."

Add separate categories for "spontaneous" and "induced" terminations to "pregnancy history."

Add "total prior pregnancies."

Add "fetal hemorrhage, placenta and cord conditions (specify), hemolytic disease, fetal hydrops, shoulder dystocia, other (specify), and none."

Add "C-section with no labor" and "C-section with trial of labor."

Add under the heading "other risk factors for pregnancy," "weight before pregnancy."

Change "tobacco use during pregnancy" to "did mother smoke at any time during pregnancy"?

Add "principal source of payment for prenatal care."

Add "during pregnancy mother participated in (special programs)."

Delete under item 23a "hydramnios and uterine bleeding."

Delete under item 26 "hysterotomy/hysterectomy."

#### AMENDATORY SECTION (Amending Order 124B, filed 12/27/90, effective 1/31/91)

WAC 246-491-039 CONFIDENTIAL INFORMATION ON STATE OF WASHINGTON LIVE BIRTH AND FETAL DEATH CERTIFICATES PURSUANT TO (~~RCW 70-58-200~~) CHAPTER 70-58 RCW. The confidential sections of the certificate of live birth and the certificate of fetal death shall not be subject to public inspection and shall not be included on certified copies of the record except upon order of a court.

#### WSR 91-20-074

#### PERMANENT RULES

#### SECRETARY OF STATE

[Filed September 26, 1991, 2:52 p.m.]

Date of Adoption: September 26, 1991.

Purpose: Implementation of the address confidentiality program providing services to victims of domestic violence.

Citation of Existing Rules Affected by this Order: Amending WAC 434-40-010, 434-40-050 through 434-40-080, 434-40-180, and chapter 434-840 WAC.

Statutory Authority for Adoption: Chapter 23, Laws of 1991.

Pursuant to notice filed as WSR 91-17-046 on August 20, 1991.

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

September 26, 1991

Michelle Burkheimer

Deputy Secretary

of State

#### NEW SECTION

WAC 434-840-001 AUTHORITY AND PURPOSE. These rules are adopted pursuant to chapter 40, RCW (sections 3(1), 3(3) and 9, chapter 23, Laws of 1991). The purpose of this chapter is to provide the administrative procedures necessary to implement chapter 23, Laws of 1991; to provide a procedure for state and local agencies to respond to requests for public records without disclosing the location of a program participant; to provide a procedure to facilitate interagency cooperation in providing record address confidentiality for a program participant; to establish uniform statewide procedures for maintaining the confidentiality of a program participant's name and address information in marriage and voting records; and to provide a procedure for state and local agencies to accept a program participant's use of a substitute mailing address.



NEW SECTION

WAC 434-840-005 DEFINITIONS. For the purposes of this chapter:

"Address confidentiality program manager" means the agency employee designated by the secretary of state with responsibility for developing and administering the program that implements the provisions of chapter 23, Laws of 1991.

"Agency" means an office, department, division, bureau, board, commission, or other statutory unit of state or local government or any functional subdivision of that agency.

"Application assistant" means an employee of a state or local agency, or of a nonprofit program that provides counseling, referral, or shelter services to victims of domestic violence, who has been designated by the respective agency, and accepted and registered by the secretary of state to assist individuals in the completion of program participation applications.

"Authorization card form" means the incomplete form for an authorization card on which no identifying program participant information has been entered.

"Authorized personnel" means an employee of a county auditor's office, a county recording office, the Washington state department of health, or the office of the secretary of state who has been designated by the chief executive officer of the respective agency, to process and have access to voter application, voting records, and marriage applications and records pertaining to program participants.

"Bona fide statutory or administrative requirement" means that without possession of an individual's actual address the agency is unable to fulfill its statutory duties and obligations.

"Protected records voter" means a program participant who has applied and qualified as a service voter, as provided under RCW 29.01.155, with ongoing absentee ballot voter status, as provided under RCW 29.36.013.

"Record" means any information relating to the conduct or performance of a governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

"Substitute mailing address for voting purposes" means a mailing address designated on the program participant's service voter application as the address to which the program participant's absentee ballots shall be sent, but which shall not be the program participant's residential address as designated on her or his application for program participation.

NEW SECTION

WAC 434-840-010 APPLICATION AND CERTIFICATION PROCESS. (1) An applicant shall complete, date, sign, and provide all the information required under section 3, chapter 23, Laws of 1991, and as requested on the standard application form and the authorization card form provided by the secretary of state. An applicant shall specify a Washington state residential address and the new address(es) in Washington state for

which confidentiality is requested. The standard application form shall include the application preparation date, and the signature and registration number of the application assistant who assisted the applicant in applying to be a program participant, as provided in section 8, chapter 23, Laws of 1991.

(2) A properly completed application shall be filed on the day that it is received by the address confidentiality program manager.

(3) An individual who has filed a properly completed application shall be certified as a program participant and issued a program participant authorization card which includes the program participant's name, authorization code, substitute mailing address, certification expiration date, and applicant's signature.

(4) The term of a program participant's certification shall be four years following the filing date of her or his application unless the certification is withdrawn or invalidated before that date.

NEW SECTION

WAC 434-840-020 EXERCISE OF PROGRAM PARTICIPANT'S PRIVILEGES. (1) A program participant may request, at the time of creation of a new record, that an agency use the mailing address designated by the secretary of state as her or his address.

(2) A program participant shall show her or his authorization card to the agency official creating a new record and request address confidentiality through use of the designated address in lieu of her or his actual location. The designated address shall appear on the program participant's authorization card.

(3) Authorized personnel may make a file photocopy of the authorization card and shall immediately return the authorization card to the program participant.

(4) An agency shall accept the designated address unless the agency has received a written record exemption determination from the secretary of state.

NEW SECTION

WAC 434-840-030 CERTIFICATION RENEWAL. (1) A program participant may renew her or his program participation certification by filing with the address confidentiality program manager: (a) her or his current authorization card; (b) a properly completed certification renewal form; and (c) a new authorization card form provided by the secretary of state. The program participant shall complete, date, sign, and provide all the information required on the certification renewal form.

(2) The address confidentiality program manager shall: (a) certify a program participant, who has filed a properly completed certification renewal form, to participate in the program for an additional four year term unless the certification is withdrawn or invalidated before that date; (b) issue to the program participant a new authorization card which includes the program participant's name, authorization code, substitute mailing address, certification expiration date, and signature; and (c) notify in writing authorized personnel of the appropriate county auditor's office, county recording office,

and department of health of the certification renewal of a program participant.

#### NEW SECTION

WAC 434-840-040 CERTIFICATION WITHDRAWAL, INVALIDATION, EXPIRATION, AND TERMINATION. (1) A program participant may withdraw from program participation by submitting to the address confidentiality program manager: (a) written notification of withdrawal and (b) her or his current authorization card. Certification shall be terminated on the date of receipt of this notification.

(2) The address confidentiality program manager may terminate a program participant's certification and invalidate her or his authorization card if: (a) the program participant's certification term has expired and certification renewal has not been completed; (b) the address confidentiality program manager has determined that (i) false information was used in the application process or (ii) participation in the program is being used as a subterfuge to avoid detection of illegal or criminal activity or apprehension by law enforcement; (c) the program participant no longer resides at the residential address listed on the application, and has not provided seven days' prior notice in writing of a change in address; (d) a service of process document or mail forwarded to the program participant by the address confidentiality program is returned as nondeliverable; (e) the program participant obtains a legal name change; (f) the program participant fails to attend a specified meeting or fails to meet agency regulatory compliance standards as provided in WAC 434-840-090; or (g) the program participant fails to submit program experience and information survey forms requested by the address confidentiality program manager.

(3) If termination is a result of subsection (2)(a), or (c) through (g) of this section, the address confidentiality program manager shall send written notification of the intended termination to the program participant. The program participant shall have five business days in which to appeal the termination under procedures developed by the secretary of state.

(4) The address confidentiality program manager shall notify in writing authorized personnel of the appropriate county auditor's office, county recording office, and department of health of the program participant's certification withdrawal, invalidation, expiration, or termination.

(5) Upon receipt of this termination notification: (a) authorized personnel shall transmit to the address confidentiality program manager all appropriate administrative records pertaining to the program participant, using the confidential record transmission envelopes specially designed for this purpose; and (b) the record transmitting agency is no longer responsible for maintaining a terminated program participant's record confidentiality as provided under chapter 23, Laws of 1991.

(6) Following termination of program participant certification as a result of subsection (2)(b) of this section, the address confidentiality program manager may disclose information contained in the program participant's application.

#### NEW SECTION

WAC 434-840-050 NOTIFICATION OF PROGRAM PARTICIPANT STATUS. The address confidentiality program manager shall notify in writing authorized personnel of the appropriate county auditor's office, county recording office, and department of health of a program participant's renewal, withdrawal, invalidation, or termination. This notification shall contain the program participant's name, authorization code, and expiration date.

#### NEW SECTION

WAC 434-840-060 INFORMATION RELEASE TO LAW ENFORCEMENT OR UPON COURT ORDER. The disclosure of any marriage application or record, or voter application record, or information about a program participant, requested by a law enforcement agency or by direction of court order pursuant to sections 6, 7, and 12, chapter 23, Laws of 1991: (1) shall be in response to receipt of a written or faxed request directed to a county auditor, a county recording officer, the secretary of state, or the secretary of health: (a) a request from a law enforcement agency shall be on agency letterhead stationery, and shall contain (i) the signature of the agency's chief law enforcement officer as defined in RCW 10.98.040, (ii) the request date, (iii) the name of the program participant, (iv) the cause or reason for the requested information disclosure, and (v) state the purpose which the requested information will serve; (b) the county auditor, county recording officer, secretary of state, secretary of health, or authorized personnel may disclose the requested information to the chief officer of the law enforcement agency or to the person identified in the court order; and (c) unless specifically prohibited by court order, the county auditor, county recording officer, secretary of health, or authorized personnel shall immediately notify the address confidentiality program manager and the program participant of this information disclosure and provide a copy of the information disclosure request; or

(2) May be made by the address confidentiality program manager in response to her or his determination that an emergency situation exists and that the safety or health of a program participant is imperiled by withholding this information.

(3) Program participant information disclosed to a law enforcement agency or to a person identified in a court order shall be maintained in strict confidentiality by the party receiving information.

#### NEW SECTION

WAC 434-840-070 AGENCY EXEMPTION REQUEST. (1) An agency requesting an exemption under section 5, chapter 23, Laws of 1991, must provide in writing to the secretary of state: (a) identification of the statute or administrative rule which demonstrates the agency's bona fide requirement and authority for the use of the actual address of an individual; (b) identification of the specific record or record series for which the exemption is requested; (c) description of the specific

record or record series; (d) identification of the individuals who will have access to the record; (e) explanation of how the agency's acceptance of a substitute address will prevent the agency from meeting its obligations under the statute or rule identified above; and (f)(i) explanation of why the agency cannot meet its statutory or administrative obligations by a change in its internal procedures; and, where appropriate, (ii) description of any agency procedural change(s) that could be made that would allow it to accept the substitute address and meet its statutory or administrative obligations and an estimate of implementation time needed.

(2) The secretary of state shall file and review an agency's request for an exemption.

(3) During the review, evaluation and appeal of an agency's exemption request, the agency shall accept the use of a program participant's substitute address.

(4) The secretary of state's determination to grant or withhold a requested exemption shall be based on, but not limited to, an evaluation of the information provided under subsection (1) of this section in conformance with the statutory standard of a bona fide statutory or administrative requirement for the use of a program participant's actual address.

(5) If the secretary of state determines that an agency has a bona fide statutory or administrative requirement for the use of a program participant's actual address information and that the actual address information will be used only for those statutory and administrative purposes, the secretary may issue a written exemption determination for the agency. When granting an exemption, the secretary may include: (a) an agency's obligation to maintain the confidentiality of a program participant's address information; (b) limitations on use and access to that address information; (c) term during which the exemption is authorized for the agency; (d) designation of the record format on which the address information may be maintained; (e) designation of an address information disposition date after which the agency may no longer maintain a record of the address information; and (f) any other provisions and qualifications determined appropriate by the secretary of state.

(6) When a program participant requests use of the substitute address in a record, and the agency has received an exemption determination for that record, the agency shall immediately provide a copy of the written determination to the requesting program participant. The agency shall notify the address confidentiality program manager of the occurrence and denial of the program participant's request.

(7) The secretary of state's denial of an agency exemption request shall be made in writing and include a statement of the specific reasons therefor.

(8) An agency may appeal the denial of its request by resubmitting its written request together with additional data, information, and an explanation of corrective action taken to alleviate concerns and considerations included in the secretary of state's denial determination.

#### NEW SECTION

WAC 434-840-080 SERVICE OF PROCESS. (1) The secretary of state shall be an agent of the program

participant upon whom any summons, writ, notice, demand, or process may be served.

(2) Service on the secretary of state of any such summons, writ, demand, notice, or process shall be made by delivering to the address confidentiality program manager of the office of the secretary of state: (a) two copies of the summons, writ, notice, demand, or process; and (b) twenty-five dollars service-of-process fee for each action or document filed.

(3) If a summons, writ, notice, demand, or process is served on the secretary of state, the secretary of state shall immediately cause a copy to be forwarded to the program participant at the address as shown on the records of the address confidentiality program.

(4) The secretary of state shall keep a record of all summonses, writs, notices, demands, and processes served upon the secretary of state under section 3(b) of chapter 23, Laws of 1991, and shall record the time of such service and the secretary of state's action.

#### NEW SECTION

WAC 434-840-090 PROGRAM PARTICIPANT COMPLIANCE WITH AGENCY RULES. (1) An agency that cannot locate a program participant for regulatory compliance purposes may request that the address confidentiality program manager arrange a meeting between an agency representative and a program participant. The requesting agency shall: (a) explain the necessity for the meeting and the reason why the agency has been unable to locate the program participant; and (b) provide a suggested list of dates, times, and locations for the requested meeting.

(2) The address confidentiality program manager shall: (a) contact the program participant; (b) convey the nature and cause of the requesting agency's need for a meeting; and (c) confirm a mutually acceptable date, time, and location for such meeting.

(3) The program participant and the agency representative shall meet and discuss the agency's regulatory compliance concerns at the date, time, and location specified by the address confidentiality program manager.

(4) Within three business days following the specified meeting, the address confidentiality program manager shall contact both the agency representative and the program participant to confirm that the meeting was held and that the program participant has met the agency's compliance standards. (5) The address confidentiality program manager may cancel and terminate a program participant's certification, as provided in WAC 434-840-040, when a program participant fails to attend the specified meeting or fails to meet agency regulatory compliance standards.

#### NEW SECTION

WAC 434-840-100 ACKNOWLEDGEMENT FOR MARRIAGE AND VOTING RECORD CONFIDENTIALITY. (1) When a program participant requests name and address confidentiality for marriage records, both the program participant and her or his fiance(e) shall sign and date an acknowledgement form,

provided by the secretary of state, that specifies record access limitations on confidential marriage records.

(2) When a program participant requests name and address confidentiality for voting records, the program participant shall sign an acknowledgement form, provided by the secretary of state, that documents the date of this request and outlines the ongoing absentee ballot voting process to be used by protected record voters.

(3) The county auditor, county recording officer, or authorized personnel shall keep the original copy of this signed acknowledgement, forward a duplicate copy to the address confidentiality program in an envelope provided especially for that purpose, and give a duplicate copy to the program participant.

#### NEW SECTION

**WAC 434-840-110 PROOF OF PROGRAM PARTICIPANT'S AUTHORITY.** When a program participant requests name and address confidentiality for marriage or voting records, authorized personnel shall check the authorization card to confirm that the term of program participation has not expired and the signature of the program participant on the authorization card matches that on the acknowledgement form.

#### NEW SECTION

**WAC 434-840-120 RECORD CONFIDENTIALITY.** (1) A marriage application or record or a voting record created by a program participant who has requested name and address information confidentiality when creating the record is confidential and accessible only to authorized personnel, except as provided in WAC 434-840-060.

(2) Authorized personnel may make a photocopy of the program participant's authorization card. The authorization card shall be immediately returned to the program participant. The photocopy shall be kept with the confidential marriage or voting records for this program participant during the time the records are filed and maintained by the county auditor or county recording officer.

#### NEW SECTION

**WAC 434-840-130 AGENCY RESPONSE TO PUBLIC DISCLOSURE REQUESTS.** In response to a public disclosure request for access to, inspection, or copying of an address confidentiality program participant's voting or marriage record, an agency shall neither disclose nor acknowledge the presence or filing of such a record.

#### NEW SECTION

**WAC 434-840-200 NOTIFICATION FOR MARRIAGE RECORD CONFIDENTIALITY.** A program participant shall notify the appropriate county auditor or county recording officer of her or his request for name and address information confidentiality in marriage records by appearing in person with her or his fiancé(e) before the county auditor or county recording officer.

#### NEW SECTION

**WAC 434-840-210 MARRIAGE APPLICATION.** (1) Authorized personnel shall verify that the application for a marriage license and certificate of marriage form are correctly completed. The certificate of marriage form shall contain the program participant's authorization code and expiration date.

(2) Authorized personnel shall provide the program participant with a "Confidential Records" envelope in which the program participant shall transmit all completed marriage documents to the county auditor or county recording officer.

#### NEW SECTION

**WAC 434-840-220 MARRIAGE RECORD FILING.** Upon recording a completed marriage license application, certificate, or record, if the county auditor or county recording officer notes the presence of a confidential record in the recording index, this notation shall be made in a manner appropriate to maintaining the confidentiality of name and address information contained in that document.

#### NEW SECTION

**WAC 434-840-230 MARRIAGE RECORD TRANSMISSION TO DEPARTMENT OF HEALTH.** The county auditor, county recording officer, or authorized personnel shall transmit a correctly completed marriage certificate containing the name and address of a program participant to the department of health in an envelope distinctly marked "Confidential Records".

#### NEW SECTION

**WAC 434-840-240 CERTIFIED COPY OF MARRIAGE CERTIFICATES.** A certified copy of a marriage certificate containing the name of a program participant is only available through the address confidentiality program. The address confidentiality program manager may request in writing a certified copy of a program participant's marriage certificate. This written request may be directed to the originating county auditor, county recording office, or the department of health. The request shall accompany a complete application for certified copy and correspondent fee. The requested certified copy shall be provided to the address confidentiality program manager, who is responsible for its subsequent release.

#### NEW SECTION

**WAC 434-840-300 NOTIFICATION FOR VOTING RECORD CONFIDENTIALITY.** A program participant shall notify the appropriate county auditor or county recording officer of her or his request for name and address information confidentiality in voting records by appearing in person before the county auditor, county recording officer, or appropriate authorized personnel. The program participant shall present her or his program authorization card and request name and address

confidentiality for the voter record that she or he will be creating.

#### NEW SECTION

**WAC 434-840-310 PROTECTED RECORDS VOTER APPLICATION.** (1) The program participant shall: (a) cancel any previously existing voter registration; and (b) apply to vote by providing all the information required on the address confidentiality program ongoing absentee ballot application.

(2) The program participant shall designate a substitute mailing address for voting purposes.

(3) The program participant shall disclose the actual address of her or his residence only for the purpose of determining proper precinct and district designations.

(4) Application for protected records voter status may be made no later than the day before an election. Application for a ballot to be mailed to a substitute mailing address for voting purposes shall be made no later than twenty working days before the first election in which the program participant wishes to vote.

#### NEW SECTION

**WAC 434-840-320 MAINTAINING PROTECTED RECORDS VOTER INFORMATION.** All records pertaining to a protected records voter shall be confidentially maintained in a manner ensuring that these records are accessible only to authorized personnel, except as provided by WAC 434-840-060. A protected records voter shall not be included in any registered voter list, absentee ballot list, tape, label, or poll book. Information pertaining to a protected records voter shall not be publicly accessible regardless of the type of records management system.

#### NEW SECTION

**WAC 434-840-330 MAILING PROTECTED RECORDS VOTER BALLOTS.** At least twenty days before every special, primary, or general election, authorized personnel shall review all protected records voter files and forward the appropriate ongoing absentee ballot for each protected records voter via the designated substitute mailing address for voting purposes.

#### NEW SECTION

**WAC 434-840-340 PROCESSING PROTECTED RECORDS VOTER BALLOT.** (1) The ongoing absentee ballot for a protected records voter shall be processed by authorized personnel in the following manner:

(a) The ballot, corresponding reader guide, or paper ballot shall be grouped and placed with ballot security envelope, return envelope with oath, mailing envelope, and protected records voter envelope;

(b) The voter's name, authorization code, and substitute mailing address for voting purposes shall be entered onto the mailing envelope;

(c) The information shall be completed on the protected records voter envelope to ensure that the returned ballot will be segregated and routed to authorized personnel for processing;

(d) The signature on the returned ballot envelope shall be compared with the signature on the service voter ongoing absentee ballot application;

(e) If the signature does not correspond to the signature on file, indication of this discrepancy shall be entered onto the return envelope; and

(f) Whenever the signature on a protected records voter ongoing absentee ballot return envelope does not match the signature on the application on file the address confidentiality program manager shall (i) be notified of the discrepancy, (ii) locate the program participant and determine the cause of the discrepancy, and (iii) notify the county auditor or county recording officer of the cause of the discrepancy.

#### NEW SECTION

**WAC 434-840-350 CANVASSING PROCEDURE FOR A QUESTIONED BALLOT OF A PROTECTED RECORDS VOTER.** A questioned ballot, as defined in WAC 434-40-010, of a protected records voter shall be presented to the canvassing board, meeting in executive session. The canvassing board shall designate authorized personnel to verify the contents of the ballot. Authorized personnel shall remove the protected records voter envelope, prepare the ballot in the ballot security envelope, and verify the contents of the ballot for tabulation. The return envelope and the protected records voter envelope shall be placed in security with all other voting records for the program participant. The discardable envelopes may be destroyed under statutory provisions applicable to election materials.

#### NEW SECTION

**WAC 434-840-360 UNDELIVERABLE BALLOT.** If any protected records voter's ongoing absentee ballot is declared undeliverable by the post office and returned, the county auditor or county recording officer shall notify the address confidentiality program manager. The address confidentiality program manager shall determine the cause of this occurrence and inform the county auditor or county recording officer of the reason for the ballot's return.

#### NEW SECTION

**WAC 434-840-370 ELECTION CHALLENGES.** If any postelection challenges are brought pertaining to the outcome of any election and it becomes necessary to check the validity of all absentee ballots cast in the election by verifying the names and addresses of all voters casting absentee ballots, a protected records voter's ballot shall not be included in the review unless the county canvassing board determines that this ballot would be determinative of the election outcome. When the county canvassing board has determined that review of a protected records voter's ballot is necessary, authorized personnel shall verify the protected records voter's ballot using extreme caution to ensure continued confidentiality.

**AMENDATORY SECTION** (Amending Order 88-1, filed 1/12/88)

WAC 434-40-010 DEFINITIONS. As used in this chapter:

(1) An "elector" of the state of Washington is any person who qualifies under state or federal law as an overseas voter, service voter, or out-of-state voter and who:

(a) Is not currently a registered voter in Washington or any other state;

(b) Will be at least eighteen years of age at the time of the next election;

(c) Is a citizen of the United States;

(d) Is a legal resident of the state, county, and precinct for at least thirty days preceding the election at which he or she offers to vote;

(e) Is not currently being denied his or her civil rights by being convicted of a crime for which he or she could have been sentenced to the state penitentiary;

(2) "Out-of-state voters," "overseas voters," "protected records voters," and "service voters" are electors of the state of Washington and are not registered voters of Washington or any other state; electors of the state of Washington who are spouses or dependents of service voters shall be considered to be either out-of-state voters or overseas voters;

(3) "Service voters" are electors of the state of Washington who are outside the state during the period available for voter registration and who are members of the armed forces while in active service, are students or members of the faculty at a United States military academy, are members of the merchant marine of the United States, ((or)) are members of a religious group or welfare agency officially attached to and serving with the armed forces of the United States, or are certified participants in the address confidentiality program authorized by chapter 23, Laws of 1991.

(4) "Canvassing" is that process of examining, in detail, a ballot, groups of ballots, election subtotals, or grand totals in order to determine the final official returns of a primary, special, or general election and in order to safeguard the integrity of the election process;

(5) "Canvassing board" or "county canvassing board" is that body charged by law with the duty of canvassing absentee ballots, of ruling on the validity of questioned or challenged ballots, of verifying all unofficial returns as listed in the auditor's abstract of votes, and of producing the official county canvass report; it shall be composed of the county auditor, prosecuting attorney, and chairperson of the board of the county legislative authority, or their representatives, designated pursuant to the provisions of WAC 434-40-210;

(6) "Territorial limits of the United States" means the fifty United States and the District of Columbia;

(7) "Blind voter" is a voter who has no vision or whose vision with corrective lenses is so defective as to prevent performance of ordinary activities for which eyesight is essential, or who has an eye condition of a progressive nature which may lead to blindness;

(8) "Voter requiring assistance" is any voter who has a sensory or physical handicap that results in his or her

inability to vote at a polling place without assistance; such assistance shall be provided in the manner set forth by RCW 29.51.200;

(9) "Disabled voter" is any blind voter, voter requiring assistance, or any voter who has:

(a) Lost both lower limbs;

(b) Lost normal or full use of the lower limbs to sufficiently constitute severe disability;

(c) No ability to move without crutches or a wheelchair;

(d) Lost both hands;

(e) A lung disease where forced expiratory respiratory volume when measured by spirometry is less than one liter per second;

(f) Cardiovascular disease classified as Class III or IV under American Heart Association standards;

(10) "Ongoing absentee ballot" is that absentee ballot provided to disabled voters and voters over the age of sixty-five, pursuant to the provisions of RCW 29.36.013, and provided to voters who are certified participants in the address confidentiality program, pursuant to the provisions of chapter 23, Laws of 1991;

(11) "Hospital absentee ballot" is that absentee ballot provided to voters confined to a hospital no earlier than five days before a primary or election, pursuant to the provisions of RCW 29.36.010;

(12) "Special absentee ballot" is that ballot provided to registered voters and electors in state primary and general elections who indicate on their application that they believe they will be residing or stationed or working outside the continental United States at the time of the election and that they will be unable to vote and return a regular absentee ballot during the time period provided by law;

(13) "Regular absentee ballot" is that absentee ballot provided to voters or electors who request an absentee ballot and who do not either request or qualify for an ongoing absentee ballot, hospital absentee ballot, or special absentee ballot;

(14) "Secure storage" are those locations provided for the storage of all material connected with the absentee ballot process, including ballots, and shall be under the direct control of the county auditor; it shall be locked during those periods of time when the auditor's office is closed, and when the office is open, access shall be permitted only to the county auditor and to those persons authorized in writing by the county canvassing board;

(15) "Challenged ballot" is that ballot issued to any voter whose registration has been challenged pursuant to the provisions of chapter 29.10 RCW and this chapter;

(16) "Questioned ballot" is that ballot issued to a voter by precinct election officers pursuant to WAC 434-40-250 or whenever any doubt exists as to the voter's qualifications to vote in an election and no challenge has been made by either a registered voter or the precinct election officer.

(17) "County auditor" shall be as defined by RCW 29.01.043, and with respect to the processing of absentee ballots and applications, the term includes any employee of the county auditor who is directed in writing to perform those duties on behalf of the county auditor.

AMENDATORY SECTION (Amending Order 88-1, filed 1/12/88)

WAC 434-40-050 ONGOING ABSENTEE BALLOT APPLICATION. Each county auditor shall provide an application form for an ongoing absentee ballot. This form may be produced in any format deemed suitable to each county but must be produced in a manner that is readable by vision-impaired and elderly voters. The form should be printed in over-sized type and may be in distinctive colors. The form shall include, as a minimum, the following information:

(1) A place to indicate that the voter is eligible for an ongoing absentee ballot because he or she is either disabled or over the age of sixty-five or is a certified participant in the address confidentiality program authorized by chapter 23, Laws of 1991;

(2) A definition of disabled voter consistent with the definition appearing in WAC 434-40-010;

(3) Space to provide the voter's printed name, the address at which the voter is registered to vote, including city and zip code;

(4) A space for the voter to sign his or her name, provide a telephone number, and, if the voter is claiming status because of age, the date of birth;

(5) A summary of the reasons for termination of status as an ongoing absentee voter;

Signatures on applications for ongoing absent ballots shall be verified in the same manner as signatures on applications for regular absentee ballots. Ongoing absentee ballots shall be mailed to the address specified by the applicant on the application form.

AMENDATORY SECTION (Amending Order 88-1, filed 1/12/88)

WAC 434-40-060 TERMINATION OF ONGOING ABSENTEE VOTER STATUS. Status as an ongoing absentee voter shall be terminated upon the occurrence of any of the following:

(1) The cancellation of the voter's registration record;

(2) The written request of the voter;

(3) The death or disqualification of the voter;

(4) The return of an ongoing absentee ballot as undeliverable;

(5) January 1st of each odd-numbered year, provided at least one general election has been held since the voter acquired status as an ongoing absentee voter;

A service voter, as defined in RCW 29.01.155, who is a certified participant in the address confidentiality program authorized by chapter 23, Laws of 1991, shall maintain ongoing absentee voter status throughout the term of their program participation;

All persons terminated from the status of ongoing absentee voter who do not automatically renew their status pursuant to the provisions of WAC 434-40-080 shall have their original application form retained by the auditor for a period of one year after the date of termination.

AMENDATORY SECTION (Amending Order 88-1, filed 1/12/88)

WAC 434-40-070 NOTICE OF TERMINATION AS ONGOING ABSENTEE VOTER. Whenever any voter's status as an ongoing absentee voter is terminated due to the provisions of WAC 434-40-060(5), the county auditor shall notify that voter, by mail, of the termination of his or her status as an ongoing absentee voter and the reason for that termination. This notice shall be mailed to affected voters as soon as practical following January 1st of each odd-numbered year.

Whenever the program authorization term has expired for a service voter, as defined in RCW 29.01.155, who was formerly a certified participant in the address confidentiality program authorized by chapter 23, Laws of 1991, the county auditor shall notify the secretary of state of the expiration and the secretary of state shall provide a status report on this program participant to the county auditor.

AMENDATORY SECTION (Amending Order 88-1, filed 1/12/88)

WAC 434-40-080 RENEWAL OF STATUS AS ONGOING ABSENTEE VOTER. Included with the notice of termination as required by WAC 434-40-070 shall be a postage prepaid return form enabling the terminated ongoing absentee voter to renew his or her status as an ongoing absentee voter. Upon receipt and verification of the signature on the renewal form, the voter shall be considered as being restored to status as an ongoing absentee voter.

Upon notification by the county auditor to the secretary of state of the authorization expiration of an address confidentiality program participant, as provided by chapter 23, Laws of 1991, the secretary of state shall notify in writing the program participant that:

(1) Their ongoing absentee voter status has terminated; and

(2) Renewal of their ongoing absentee voter status is necessary.

AMENDATORY SECTION (Amending Order 88-1, filed 1/12/88)

WAC 434-40-180 SERVICE AND OVERSEAS VOTERS—MATERIAL AND POSTAGE. The secretary of state shall furnish all envelopes and instructions for service voters except those who are certified participants in the address confidentiality program authorized by chapter 23, Laws of 1991, overseas voters, and those out-of-state voters who are spouses or dependents of service voters. All absentee ballots to voters in these categories will be sent postage-free, pursuant to the provisions of federal law, and the return envelopes will be so marked as to indicate that they may be returned free of postage.

**WSR 91-20-075**  
**NOTICE OF PUBLIC MEETINGS**  
**JOINT CENTER**  
**FOR HIGHER EDUCATION**  
[Memorandum—September 24, 1991]

The Joint Center for Higher Education will hold regular meetings at 9:00 a.m. on the second Wednesday of specified months during 1991 and 1992. The meetings will be held at various institutions of higher education throughout the Spokane community. Notice of meeting locations will be sent out six days prior to each regular meeting.

- October 9, 1991
- November 13, 1991
- December 11, 1991
- January 8, 1992
- February 12, 1992
- March 11, 1992
- April 8, 1992
- May 13, 1992
- June 10, 1992
- July 8, 1992
- August 12, 1992
- September 9, 1992
- October 14, 1992
- November 11, 1992 Veterans' Day
- December 9, 1992

**WSR 91-20-076**  
**PERMANENT RULES**  
**PUGET SOUND WATER**  
**QUALITY AUTHORITY**  
[Filed September 27, 1991, 9:50 a.m.]

Date of Adoption: September 18, 1991.  
Purpose: Revises agency's WAC provisions containing agency address, due to physical relocation.

Citation of Existing Rules Affected by this Order: Amending WAC 400-06-070 and 400-06-170.

Statutory Authority for Adoption: Chapter 90.70 RCW.

Pursuant to notice filed as WSR 91-15-089 on July 23, 1991.

Changes Other than Editing from Proposed to Adopted Version: Addition of P.O. Box number and 9-digit zip code, as required by new state agency postal system.

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

September 20, 1991  
Christine Gregoire  
Chair

AMENDATORY SECTION (Amending WSR 90-17-063, filed 8/15/90, effective 9/15/90)

WAC 400-06-070 PUGET SOUND WATER QUALITY AUTHORITY—DESCRIPTION OF ORGANIZATION. RCW 90.70.011 provides that the authority shall be composed of eleven members. Nine of these members are appointed by the governor and confirmed by the senate. The commissioner of public lands and the director of ecology, or their designees, serve as

ex-officio members. The administrative office of the authority and its staff is (~~217 Pine Street, Suite 1100, Seattle, Washington 98101~~) located on the campus of St. Martins College, Lacey, Washington. The mailing address is Mailstop PV-15, P.O. Box 40900, Olympia, Washington 98504-0900.

AMENDATORY SECTION (Amending Order 86-02, Resolution No. 5, filed 2/3/86)

WAC 400-06-170 COMMUNICATIONS. All communications regarding the actions or decisions of the authority:

(1) Pertaining to the administration or enforcement of chapter 42.17 or these rules shall be addressed to the Public Records Officer, Puget Sound Water Quality Authority, (~~Suite 1100, 217 Pine Street, Seattle, Washington 98101~~) Mailstop PV-15, P.O. Box 40900, Olympia, Washington 98504-0900; and

(2) Relating to the development of the plan shall be addressed to Director of Planning, Puget Sound Water Quality Authority, (~~Suite 1100, 217 Pine Street, Seattle, Washington 98101~~) Mailstop PV-15, P.O. Box 40900, Olympia, Washington 98504-0900.

**WSR 91-20-077**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**  
[Filed September 27, 1991, 10:05 a.m.]

Continuance of WSR 91-13-105.

Title of Rule: Tree fruit research assessment in chapter 16-560 WAC.

Statutory Authority for Adoption: Chapter 15.26 RCW.

Statute Being Implemented: RCW 15.26.155 and 15.16.140.

Date of Intended Adoption: November 26, 1991.

September 25, 1991  
Michael V. Schwisow  
Deputy Director

**WSR 91-20-078**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
[Filed September 27, 1991, 1:20 p.m.]

Date of Adoption: September 27, 1991.

Purpose: To repeal WAC 296-17-351 and 296-17-35101.

Citation of Existing Rules Affected by this Order: Repealing WAC 296-17-351 and 296-17-35101.

Statutory Authority for Adoption: HB 1206.

Other Authority: RCW 51.04.020.

Pursuant to notice filed as WSR 91-15-108 on July 24, 1991.



Effective Date of Rule: Thirty-one days after filing.  
 September 27, 1991  
 Joseph A. Dear  
 Director

Date of Intended Adoption: November 21, 1991.  
 September 25, 1991  
 Carey L. Rader  
 Chief Executive Officer

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

WAC 296-17-351 PERIODIC REVIEW OF CASH DEPOSIT.

WAC 296-17-35101 EMPLOYER'S SURETY BOND IN LIEU OF A CASH DEPOSIT.

**WSR 91-20-079**  
**PROPOSED RULES**  
**BOARD OF ACCOUNTANCY**  
 [Filed September 27, 1991, 2:55 p.m.]

**Original Notice.**

Title of Rule: WAC 4-25-040 Board meetings, officers, fees.

Purpose: Amend fees.

Statutory Authority for Adoption: RCW 18.04.055(9).

Statute Being Implemented: RCW 18.04.065.

Summary: The amendment reduces license fees because projected revenues exceed amounts appropriated for license related regulatory processes. CPA exam fees are increased because projected revenues under the existing fee structure are insufficient to recover CPA exam administration and initial certification costs.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Carey L. Rader, 210 East Union, Suite H, Olympia, (206) 753-2585.

Name of Proponent: Board of Accountancy, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The amendment reduces CPA license renewal fees to balance revenues to authorized expenditures. The amendment increases CPA examination fees to generate revenues sufficient to recover costs of administering the CPA examination and issuing initial CPA certificates.

**Proposal Changes the Following Existing Rules:**

Fee Schedule:	Current	Proposed
License to practice public accounting	\$ 80.	\$ 65.
Firm license - P.S. Corporation	100.	75.
Firm license - Partnership	100.	75.
CPA exam - one or two parts	75.	100.
CPA exam - three parts	100.	125.
CPA exam - five parts	125.	150.

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

Hearing Location: Seattle Center, Center House, Conference Room A, 305 Harrison, Seattle, WA, on November 21, 1991, at 9:00 a.m.

Submit Written Comments to: Carey L. Rader, CPA, Board of Accountancy, P.O. Box 9131, Olympia, Washington 98504, by November 21, 1991.

**AMENDATORY SECTION** (Amending Order ACB-192, filed 9/7/89, effective 10/8/89)

WAC 4-25-040 BOARD MEETINGS, OFFICERS, FEES. An annual meeting of the board shall be held each year, on a date following the annual meeting of the National Association of State Boards of Accountancy, and at least six other meetings shall be held each year, in the months of February, April, June, August, October, and December. Such regular board meetings will normally be on the last Friday of the month, with the exceptions of November and December meetings which shall normally be on the third Friday of the month. The chairman or a quorum of the board shall have the authority to call meetings of the board. The board shall follow and apply the rules of procedure, chapter ((34.04)) 34.05 RCW, as regards to notice and conduct of meetings.

At the annual meeting the board shall elect from among its members the chairman, vice chairman, and secretary. The officers shall assume the duties of their respective offices at the conclusion of the annual meeting at which they were elected. They shall serve a term of one year, but shall be eligible for reelection for an additional term.

The chairman or, in the event of his absence or inability to act, the vice chairman shall preside at all meetings of the board. Other duties of the officers shall be such as the board may from time to time determine.

- (l) Fees. Fees charged by the board shall be as follows:
  - (a) CPA examination applications:
    - (i) One or two parts ..... \$ ((75))  
100
    - (ii) Three parts ..... \$ ((+00))  
125
    - (iii) Five parts ..... \$ ((+25))  
150
  - (b) Transfer of grade credits from other jurisdictions, pursuant to RCW 18.04.105(3) ..... \$ 40
  - (c) Administration of examination for out-of-state applicants, per part ..... \$ 10
  - (d) Application for certificate by reciprocity from other jurisdictions ..... \$ 40
  - (e) Biennial license to practice public accounting, includes certificate renewal fee ..... \$ ((80))  
65  
10
  - (f) Biennial certificate renewal ..... \$ 10
  - (g) Biennial firm license:
    - (i) Sole proprietorships (with one or more employees) ..... \$ 50
    - (ii) Partnerships ..... \$ ((+00))  
75
    - (iii) P.S. corporations ..... \$ ((+00))  
75
  - (h) Amendments to firm registration, each filing ..... \$ 10
  - (i) Temporary practice license, per individual who is to practice within this state ..... \$ 10
  - (j) Copies of records, per page ..... \$ 0.10
  - (k) Applications for reinstatement ..... \$ 25
  - (l) Replacement CPA certificates ..... \$ 25

(m) Failure to file or complete an application to renew an individual certificate, individual license, or firm license by the due date of the application will result in a delinquency fee of twenty-five dollars per month (or any part thereof) from the due date of the application, not to exceed two hundred dollars total delinquency fee.

Note: The board may waive delinquency fees for good cause.

(2) Any applicant for a certificate or license who is aggrieved by an action taken by the board with respect to his application may request the board to reconsider such action. Any such request shall be filed within sixty days of the mailing of the board's letter, advising the following information:

- (a) The name and address of the applicant;
- (b) The date of the board's letter advising the applicant of the action of the board complained of; and
- (c) A statement of any facts or consideration to which the applicant believes the board failed to give due weight.

Each licensee shall notify the board in writing within thirty days of any change of address or, in the case of individual licensees, change of employment.

A licensee shall respond in writing to any communication from the board requesting a response, within twenty days of the mailing of such communications by registered or certified mail, to the last address furnished to the board by the licensee.

**WSR 91-20-080**  
**PROPOSED RULES**  
**BOARD OF ACCOUNTANCY**  
 [Filed September 27, 1991, 2:58 p.m.]

**Original Notice.**

**Title of Rule:** WAC 4-25-140 CPA certificate—Education requirements (education requirements for a certified public accountant certificate).

**Purpose:** Amend the portion of WAC which defines the accreditation standards.

**Statutory Authority for Adoption:** RCW 18.04.055(9).

**Statute Being Implemented:** RCW 18.04.215 (1)(a).

**Summary:** The amendment adds one additional organization accrediting commission for independent colleges and schools (AICS) to the list of accrediting organizations accepted by the board.

**Reasons Supporting Proposal:** Griffin College relinquished its regional accreditation, but suggests that accreditation by AICS is substantially equivalent.

**Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement:** Carey L. Rader, 210 East Union, Suite H, Olympia, (206) 753-2585.

**Name of Proponent:** Griffen College, private.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** The current rule lists university and college accreditation bodies that are accepted by the board. Currently, only identified regional accrediting agencies are accepted. The amendment adds one national accrediting group, accrediting commission for independent colleges and schools. The purpose is to qualify Griffin College graduates as CPA candidates.

**Proposal Changes the Following Existing Rules:** Adds an additional accrediting agency to the listing of accrediting bodies recognized by the board.

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

**Hearing Location:** Seattle Center, Center House, Conference Room A, 305 Harrison, Seattle, WA, on November 21, 1991, at 9:00 a.m.

**Submit Written Comments to:** Carey L. Rader, CPA, Board of Accountancy, P.O. Box 9131, Olympia, Washington 98504, by November 21, 1991.

**Date of Intended Adoption:** November 21, 1991.

September 25, 1991  
 Carey L. Rader  
 Chief Executive Officer

AMENDATORY SECTION (Amending Order ACB-126, filed 2/4/87)

**WAC 4-25-140 CPA CERTIFICATE—EDUCATION REQUIREMENTS.** Applicants for a CPA certificate shall have a baccalaureate degree conferred by a college or university recognized by the board. The degree program shall include an accounting concentration or its equivalent and related subjects the board deems appropriate. The board may, in its discretion, waive the educational requirements for any person if it is satisfied through review of documentation of successful completion of equivalency examination that the person's educational qualifications are an acceptable substitute for the requirements of this rule.

(1) As used in these rules, a "semester hour" means the conventional college semester hour. Quarter hours may be converted to semester hours by multiplying them by two-thirds.

(2) Accreditation standards. For purposes of this rule, the board will recognize colleges and universities which are accredited in accordance with (a) through ~~((d))~~ (c) of this subsection.

(a) An accredited college or university is a four year degree-granting college or university accredited at the time applicant's degree was received by virtue of membership in one of the following ~~((regional))~~ accrediting agencies:

- (i) Middle States Association of College and Secondary Schools;
- (ii) New England Association of Schools and Colleges;
- (iii) North Central Association of Colleges and Secondary Schools;
- (iv) Northwest Association of Schools and Colleges;
- (v) Southern Association of Colleges and Schools; ~~((and))~~
- (vi) Western Association of Schools and Colleges; and
- (vii) Accrediting Commission for Independent Colleges and Schools, or its predecessor, the Accrediting Commission of the Association of Independent Colleges and Schools.

~~(b) ((A listing of accredited colleges and universities as recognized by the board is contained in Accredited Institutions of Postsecondary Education published by the U. S. Department of Education, National Center for Education Statistics.~~

~~((c))~~ If an institution was not accredited at the time an applicant's degree was received but is so accredited at the time his application is filed with the board, the institution will be deemed to be accredited for the purpose of ~~((b))~~ (a) of this subsection provided that it:

(i) Certifies that the applicant's total educational program would qualify him for graduation with a baccalaureate degree during the time the institution has been accredited; and

(ii) Furnishes the board satisfactory proof, including college catalogue course numbers and descriptions, that the preaccrediting courses used to qualify the applicant for a concentration in accounting are substantially equivalent to postaccrediting courses.

~~((d))~~ (c) If an applicant's degree was received at an accredited college or university as defined by (a) or ~~((c))~~ (b) of this subsection, but the educational program which was used to qualify him for a concentration in accounting included courses taken at nonaccredited institutions, either before or after graduation, such courses will be deemed to have been taken at the accredited institution from which applicant's degree was received, provided the accredited institution either:

(i) Has accepted such courses by including them in its official transcript; or

(ii) Certifies to the board that it will accept such courses for credit toward graduation.

(3) Alternative to accreditation. A graduate of a four-year-granting institution not accredited at the time the applicant's degree was received or at the time his application was filed will be deemed to be a graduate of a four-year accredited college or university if a credentials evaluation service approved by the board certifies that the applicant's degree is equivalent to a degree from an accredited college or university as defined in subsection (2) of this section.

(4) Accounting concentration. A concentration in accounting for holders of baccalaureate degrees, for purposes of this rule, shall consist of at least:

(a) Twenty-four semester hours or the equivalent, in accounting subjects including no more than ten semester hours of lower division elementary accounting courses; and

(b) Twenty-four semester hours or the equivalent, in business administration subjects which shall include business law, finance, economics, and data processing.

(c) A concentration in accounting for holders of graduate degrees for purposes of this rule shall consist of at least:

(i) Sixteen semester hours or the equivalent in graduate level accounting subjects. Undergraduate accounting courses may be substituted at two-thirds of the stated undergraduate credit; and

(ii) Sixteen semester hours or the equivalent in graduate level business administration subjects which shall include business law, finance, economics, and data processing. Undergraduate business courses may be substituted at two-thirds of the stated undergraduate credit.

(5) Transition rules for accounting concentration. Applicants for the certified public accountant examination whose original application is approved prior to September 1, 1986, shall not be required to comply with subsection (4)(a) and (b) of this section. Instead, they shall be required to meet the following requirements:

(a) Applicants who sat for an examination given before August 8, 1969, and received conditional credits from such examination, may continue to sit for the examination. They must pass all parts of the examination on or before the November 1992 sitting. Failure to pass said examination by November 1992 will cause the candidate to be subject to the accounting concentration requirements of subsection (4)(a) and (b) of this section for sitting after that date.

(b) Applicants who first sat for an examination given after August 8, 1969, but before November 15, 1986, may continue to sit for the examination. They must pass all parts of the examination on or before the November 1992 sitting. Failure to pass said examination by November 1992 will cause the candidate to be subject to the accounting concentration requirements of subsection (4)(a) and (b) of this section for sitting after that date. Candidates sitting under the provisions of this subsection must pass the examination within six additional consecutive sittings after receiving conditional credits.

## WSR 91-20-081

### PROPOSED RULES

#### DEPARTMENT OF AGRICULTURE

[Filed September 27, 1991, 3:22 p.m.]

#### Original Notice.

Title of Rule: Chapter 16-470 WAC, Rules relating to Varroa mite quarantine.

Purpose: To retard the introduction into or spread within Washington state of Varroa mite.

Statutory Authority for Adoption: Chapters 15.60 and 17.24 RCW.

Statute Being Implemented: Chapters 15.60 and 17.24 RCW.

Summary: Regulates the movement of bee colonies into Washington and establishes tolerance levels for Varroa mites. Prescribes treatment regimens and reporting procedures.

Reasons Supporting Proposal: This is an update to a previous rule, reflecting an interstate agreement and dynamic changes in industry need.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: James C. Bach, 6120 Capitol Boulevard, Tumwater, WA, (206) 586-5306.

Name of Proponent: Department of Agriculture, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Purpose: To protect Washington colonies from the introduction and impact of high infestations of Varroa. It will reduce treatment costs of colonies by setting tolerance levels below which treatment will not be required. It also provides for one inspection per year instead of two or three thus reducing costs further.

Proposal Changes the Following Existing Rules: Simplifies quarantine procedures. Institutes mite tolerance

levels. Provides for annual inspection only. Explains certificate writing issues. Provides manner in which statute can be complied with, by giving communication linkage.

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

Hearing Location: Agriculture Service Center Conference Room, 2015 South First Street, Yakima, WA 98903, on November 20, 1991, at 1:30 p.m.

Submit Written Comments to: James C. Bach, 406 General Administration Building, AX-41, Olympia, WA 98504, by November 20, 1991.

Date of Intended Adoption: December 6, 1991.

September 27, 1991

William E. Brookreson

Assistant Director

#### AMENDATORY SECTION (Amending Order 1978, filed 7/25/88)

WAC 16-470-010 DEFINITIONS. The definitions set forth in this section shall apply throughout this chapter, 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) "Interior quarantine" means a quarantine within the state of Washington established against the movement of designated plant pests, honey bee pests, life stages, their hosts, and possible carriers from areas identified by the Washington state department of agriculture.

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

(5) "Commercial orchard" means an orchard in which fruit is grown for commercial purposes and with the use of approved and accepted integrated pest management programs pursuant to statutes, guidelines or rules approved by the agricultural extension service or regulatory officials of the state of origin.

(6) "Commercial fruit" means fruit that is:

(a) Grown in a commercial orchard and commercially packed and labeled;

(b) Fruit grown in a commercial orchard and destined to a commercial processing plant or packing plant.

(7) "Honey bee" means bees of the species *Apis mellifera*.

(8) "Colony" means any natural group of bees having a queen.

(9) "Hive" means any receptacle or container made or prepared for the use of bees, including movable frames, combs, or substances deposited into the hive by bees.

(10) "Queen" means the fertile female honey bee, singly, in a shipping cage with attendant honey bees or in plurality with other queens in a shipping cage having common honey bee attendants.

(11) "Nuclei" means a shipping container or hive having five or less combs of bees and a queen.

(12) "Package" means a combless shipping container of bees with or without a queen.

(13) "Apiarist" means any person who owns bees or is a keeper of bees.

(14) "Net(s)" means fabricated material which is designed and utilized to prevent the escape of bees from bee colonies or hives during transit.

#### AMENDATORY SECTION (Amending Order 1978, filed 7/25/88)

WAC 16-470-015 PENALTIES. (1) Any person who violates or fails to comply with chapter 17.24 RCW or any rule adopted (~~under RCW 17.24.020 through 17.24.100~~) thereunder shall be guilty of a misdemeanor, and for a second and each subsequent violation (~~of the same rule, shall be punished by imprisonment in the county jail for not less than thirty days or more than one year, or by a fine of not less than one hundred dollars, or more than one thousand dollars, or by both fine and imprisonment~~), a gross misdemeanor.

(2) Whenever the director finds that a person has committed a violation of chapter 17.24 RCW, and that violation has not been punished

as a misdemeanor, the director may impose a civil penalty not exceeding five thousand dollars for each violation. Each violation shall be a separate and distinct offense.

(3) Any person who violates or fails to comply with chapter 15.60 RCW shall have committed a class I civil infraction as provided in chapter 7.80 RCW.

#### AMENDATORY SECTION (Amending Order 1978, filed 7/25/88)

WAC 16-470-600 QUARANTINE—VARROA MITE. (1) ~~((The department of agriculture with the cooperation of the United States Department of Agriculture, APHIS, PPQ, surveyed Washington state honey bee colonies in 1986 and 1987 for Varroa mite and all results were negative.))~~ The director finds that Varroa mite is detrimental to the welfare of the apiculture industry of Washington state and a quarantine is hereby established to ~~((prevent))~~ retard the introduction into or ~~((movement through))~~ spread within Washington state.

(2) The following definition ~~((shall apply))~~ applies to WAC 16-470-605 through 16-470-635: "Varroa mite" means a parasite of honey bees, the arachnid scientifically identified as Varroa jacobsonii (Oudemans), commonly called the Varroa mite ~~((and also known as the "Asian mite."))~~.

#### AMENDATORY SECTION (Amending Order 1978, filed 7/25/88)

WAC 16-470-605 VARROA MITE—REGULATED ARTICLES. The following are regulated articles under the Varroa mite quarantine:

- (1) Varroa mites.
- (2) All honey bees, live and dead.
- (3) ~~((Hives and the hive equipment, shipping and storage containers (cages), and vehicles used at apiaries:))~~
- (4) Combs with brood cells.
- (5) Pollen for bee food.
- (6) Any article or means of conveyance not listed in subsections (1) ~~((;))~~ or (2) ~~((;))~~, (3), (4), or (5) of this section, that presents a risk of spreading the Varroa mite, when the person in possession of the article or means of conveyance is notified that it is subject to this section.

#### AMENDATORY SECTION (Amending Order 1978, filed 7/25/88)

WAC 16-470-610 VARROA MITE—AREA UNDER QUARANTINE—EXTERIOR. ~~((+))~~ The following are designated Varroa mite quarantined areas:

- (a) The states of Florida, Illinois, Maine, Michigan, Mississippi, Nebraska, New York, Ohio, Pennsylvania, South Carolina, South Dakota, and Wisconsin; and
  - (b) Any other state where Varroa mite has been found or evidence indicates that Varroa mite may exist in that state; and
  - (c) Any state that has not conducted a biologically sound Varroa mite survey of at least two percent of all known resident colonies:
- (2) Less than an entire state may be accepted as a quarantined area if the director determines that:
- (a) The state has adopted and is enforcing restrictions on interstate and intrastate movement of regulated articles that are equivalent to or exceed the restrictions on the movement of regulated articles as herein described; and
  - (b) The quarantine of less than an entire state will prevent the interstate and intrastate spread of the Varroa mite; and
  - (c) The state has conducted a biologically sound Varroa mite survey of at least five percent of all known resident colonies to determine the state-wide presence or absence of Varroa mite; and
  - (d) The state has an ongoing, biologically sound Varroa mite survey.
- (3) Any state that has eradicated a known infestation and a subsequent survey indicates Varroa mite is not known to occur in the state; that state may be removed from the quarantine area)) All states.

#### AMENDATORY SECTION (Amending Order 1978, filed 7/25/88)

WAC 16-470-615 VARROA MITE—CONDITIONS GOVERNING THE MOVEMENT OF REGULATED ARTICLES INTO WASHINGTON STATE. (1) ~~((Any regulated article))~~ Hives, and hives with colonies, may be moved ~~((from a nonquarantined area))~~ into Washington state only ~~((if moved))~~ under the following conditions:

~~((a))~~ An) A statistically valid survey of the beekeeping operation has been conducted, within one year preceding the date of the arrival of the shipment in Washington state, by an origin state inspector according to one of the following methods:

(a) Five percent of all colonies owned and managed, in a minimum of fifteen percent of the apiaries, are inspected using fluvalinate; or

(b) Twenty percent of all colonies owned and managed, in a minimum of fifteen percent of the apiaries, are inspected by the ether roll or alcohol wash technique.

(2) Queens and package bees may be moved into Washington state only if their source colonies have been surveyed according to one of the methods specified in subsection (1) of this section and the apiarist mails to the department a list of queen and package receivers in Washington in accordance with subsection (5) of this section.

(3) The origin state inspector shall issue a certificate for the movement of a regulated article into Washington state, stating that ~~((regulated article originated in an area where Varroa mite does not occur, and~~

~~((b))~~ The point of origin of the regulated article is indicated on the accompanying waybill; and

~~((c))~~ If the regulated article is moved through a quarantined area, it shall be moved either in an enclosed vehicle or netted, with no stops except those necessary under normal driving conditions, such as traffic lights, rest stops, and stop signs: PROVIDED, That if mechanical failure prolongs the stop by more than one day, the department shall be contacted (206-872-6480) by the vehicle operator.

(2) Any regulated article may be moved from a quarantined area into Washington state only under the following conditions:

(a) An origin state inspector shall issue a certificate for the movement of a regulated article into Washington state upon determining that the regulated article has been treated as provided in WAC 16-470-625 under the supervision of a state inspector, who shall be present during treatment; and

~~((b))~~ apiarist's colonies are:

(a) "Apparently free from Varroa mite," if no mites are found during the annual survey; or

(b) "Substantially free from Varroa mite," if ten or less mites are found during the annual survey; or

(c) "Substantially free from Varroa mite, and treated," and specify the date treatment began, if ten or less mites are found in any colony, and those apiaries where Varroa mite is found during the annual survey are treated as provided in WAC 16-470-625 at the owner's request; or

(d) "In excess of ten mites, and treated," and specify the date treatment began, if more than ten mites are found in any colony, and those apiaries where Varroa mite is found during the annual survey are treated as provided in WAC 16-470-625.

(4) The certificate shall also specify: The Washington destination address, the responsible party or parties within Washington state, their phone number(s), and the ~~((handling, utilization or processing of the regulated article; and~~

~~((c))~~ The regulated article shall be moved as provided for in subsection (1)(b) and (c) of this section.

(3) Any regulated article may be moved without a certificate if moved:

(a) By the United States Department of Agriculture for scientific or experimental purposes with a United States Department of Agriculture permit; and

(b) Under the conditions specified on the United States Department of Agriculture permit; and

(c) With a tag or label, attached to the outside of the regulated article's container, or if not in a container, attached to the regulated article, bearing the United States Department of Agriculture permit number issued for the regulated article; or

(d) As otherwise provided by the department.

(4) All regulated articles shall be moved in compliance with any additional emergency conditions that the United States Department of Agriculture may impose under 7 U.S.C. 150dd to prevent the spread of Varroa mite) date treatment, if any, began. The shipper shall ensure that a copy of the certificate is received prior to the arrival of the regulated article in Washington state. The certificate shall be sent by mail to the Washington State Department of Agriculture, Plant Services Division, 406 General Administration Building, KU-13, Olympia, Washington 98504; or by facsimile to (206) 586-8574.

(5) By August 1st of each year, each queen and package producer, shipping bees into Washington state shall provide the department with a list of the queen and packaged bee receivers in Washington for the months of June of the preceding year, through July of the current shipping season. The list shall be mailed to the department as provided in subsection (4) of this section.

(6) The conditions((;)) and certificates ((and permits)) required in this section are in addition to those set forth in chapter 15.60 RCW, Apiaries.

**AMENDATORY SECTION** (Amending Order 1978, filed 7/25/88)

WAC 16-470-625 VARROA MITE—TREATMENT. ((Regulated articles may be treated as provided for in this section unless otherwise required by the product label or by other treatment methods as recommended by the department:))

(1) Queen honey bees in cages, packaged honey bees, and hives shall be treated ((as follows:

(a) Place a one inch by one-half inch, one percent fluralinate strip in the bottom of the empty cage;

(b) Record the starting date of treatment on the back of the cage;

(c) Place the queen and the attendants into the cage;

(d) Remove the fluralinate strip seventy-two hours (three days) after placing the queen and her attendants into the cage;

(e) Protect the queen cage from reinfestation through contact with untreated regulated articles, and ship within forty-eight hours of the fluralinate strip's removal:

(2) Packaged honey bees (two-pound to three-pound packages) shall be treated as follows. PROVIDED, That any queen cage which included in any package shall be treated in accordance with subsection (1) of this section:

(a) Using a wire or staple, suspend a five inch by one inch, two and one-half percent fluralinate strip in an empty shipping cage and position the strip near the feeder;

(b) Record the starting date of treatment on the back of the cage;

(c) Place the honey bees into the cage;

(d) Remove the fluralinate strip one hundred twenty hours (five days) after placing the honey bees into the cage;

(e)) with fluralinate in accordance with label directions.

(2) Protect the queen cage, packaged honey bees and hives from reinfestation through contact with any untreated, infested regulated ((article, and ship within forty-eight hours of the fluralinate strip's removal:

(3) Hives shall be treated as follows:

(a) Remove supers;

(b) Remove the cover of the hive;

(c) Using a nail, suspend one ten inch by one and three-sixteenths inch, ten percent fluralinate strip for each five frames covered with bees so that the strip or strips can hang between frames approximately two inches inside the outer edge of the bee cluster;

(d) Close the hive;

(e) Remove the fluralinate strips five hundred four hours (twenty-one days) after the insertion into the hive;

(f) Protect the treated hive from reinfestation through contact with untreated regulated articles and ship within forty-eight hours of the fluralinate strip's removal:

(4) Any other regulated article shall be treated as follows:

(a) Hold and protect from reinfestation through contact with untreated regulated articles for seven days; or

(b) Apply steam to all surface areas of the regulated article in such a manner so as to remove all debris from the article; protect from reinfestation through contact with untreated regulated articles; and ship within forty-eight hours of treatment)) articles.

**AMENDATORY SECTION** (Amending Order 1978, filed 7/25/88)

WAC 16-470-635 VARROA MITE—RESTRICTIONS—INTERIOR. ((1) To protect the national migratory beekeeping industry, all colonies leaving the state may be required to be certified as apparently free from Varroa mite prior to movement:

(2) Any apiculture operation located in the designated quarantine area of Klickitat County or honey bee colonies located therein shall not be removed therefrom until treated by the department as specified by the department and found free of Varroa mite:

(3) No colonies presently outside of the designated quarantine area boundaries in Klickitat County shall be moved into that designated quarantine area without the express permission of the department. PROVIDED, That colonies of bees shall be permitted to transit through the designated area as specified by the department to and from other locations:

(4)) Any colonies found infested with Varroa mite or entering Washington state without a Varroa mite((-free certification)) certificate as specified by the department may be required to be moved ((to the)) and held in a quarantine area ((of Klickitat County)) designated

by the department pending survey and treatment by the department((; or as otherwise specified by the department:

(5) All colonies found with Varroa mite upon survey by the department may be required to be moved to the quarantine area of Klickitat County pending disposition procedures)).

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

WAC 16-470-620 VARROA MITE—ATTACHMENT AND DISPOSITION OF CERTIFICATES.

WAC 16-470-630 VARROA MITE—AREA UNDER QUARANTINE—INTERIOR.

**WSR 91-20-082**

**EMERGENCY RULES**

**DEPARTMENT OF FISHERIES**

[Order 91-100—Filed September 27, 1991, 4:50 p.m.]

Date of Adoption: September 27, 1991.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:  
Repealing WAC 220-56-19000P.

Statutory Authority for Adoption: RCW 75.08.080.

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: Harvestable numbers of coho salmon are available in Grays Harbor, and an incidental catch of salmon other than coho salmon is provided for.

Effective Date of Rule: Immediately.

September 27, 1991

Joseph R. Blum

Director

**NEW SECTION**

WAC 220-56-19000R SALTWATER SEASONS AND BAG LIMITS. Notwithstanding the provisions of WAC 220-56-190, effective immediately through December 31, 1991, in those waters of Grays Harbor east of the Channel Marker 13 line, special daily bag limit of six salmon per day, not more than three of which may be any combination of the following:

Chinook salmon greater than 24 inches in length;

Coho salmon greater than 20 inches in length;

Pink, chum or sockeye salmon greater than 12 inches in length;

Atlantic salmon.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 220-56-19000P SALTWATER SEASONS AND BAG LIMITS. (91-98)

**WSR 91-20-083**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**

[Order 91-101—Filed September 27, 1991, 4:52 p.m., effective September 29, 1991, 12:01 a.m.]

Date of Adoption: September 27, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:  
 Repealing WAC 220-47-711.

Statutory Authority for Adoption: RCW 75.08.080.

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 openings in Areas 6D, 7B, 8A, 8D, 10, and 11 are directed at the nontreaty share of Strait of Juan de Fuca, Nooksack-Samish, Stillaguamish-Snohomish and South Sound origin coho salmon; the Area 7B gillnet mesh and in-season area restrictions are necessary to reduce chinook impacts; the Area 8A exclusion zone is listed here since 1991 permanent change to WAC 220-47-307 modifying that paragraph has not yet gone into effect; the Area 10 in-season restricted area provides commercial/recreational gear separation. The openings in Areas 9A and 12A provide opportunity to harvest nontreaty share of Hood Canal hatchery-origin coho. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

Effective Date of Rule: 12:01 a.m., September 29, 1991.

September 27, 1991  
 Judith Merchant  
 Deputy  
 for Joseph R. Blum  
 Director

**NEW SECTION**

**WAC 220-47-712 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY.** Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:00 AM Sunday September 29, 1991, until further notice, it is unlawful to take, fish for, or possess salmon or Atlantic salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods and mesh and area restrictions:

\*Area 7A north and west of the "East Point Line" (as defined in WAC 220-47-269) under control of the Pacific Salmon Commission.

\*Area 6D - Gillnets using 5-inch minimum mesh and fishing with no more than 900 feet of net, and purse seines using the 5-inch strip, may fish continuously, until 4:00 PM Friday October 25. The exclusion zones described in WAC 220-47-307 is in effect for this fishery.

\*Area 7B - Gillnets using 5-inch minimum mesh, and purse seines, may fish continuously until 4:00 PM Friday

October 25. Gillnet gear is restricted to 6-inch maximum mesh through 12:01 AM Tuesday October 1. In addition to the exclusion zones described in WAC 220-47-307, Area 7B is closed south of a line projected from Governors Point to most northerly point on Vendovi Island through 12:01 AM Tuesday October 1.

\*Areas 8A and 8D - Gillnets using 5-inch minimum mesh may fish from 5:00 PM to 9:00 AM nightly, Monday September 30 and Tuesday October 1, and purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM daily, Monday September 30 and Tuesday October 1. Area 8A is closed in those waters easterly of a line projected from Mission Point to Buoy "C1" (excluding the waters of Area 8D), thence through the green light at the entrance jetty of the Snohomish River, thence across the mouth of the Snohomish River to the landfall on the eastern shore, and closed in those waters northerly of a line projected from Camano Head to the northern boundary of Area 8D.

\*Areas 10 and 11 - Gillnets using 5-inch minimum mesh may fish from 5:00 PM Monday September 30 to 9:00 AM Tuesday October 1, and purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM Monday September 30. In addition to the exclusion zones described in WAC 220-47-307, area 10 is closed east of a line projected from Alki Point to the light at Fourmile Rock.

\*Areas 9A and 12A - Gillnets using 5-inch minimum mesh and purse seines using the 5-inch strip may fish continuously from 5:00 AM Monday September 23 to 4:00 PM Friday October 4. Exclusion zones described in WAC 220-47-307 are in effect for these fisheries.

\*Areas 4B, 5, 6, 6A, 6B, 6C, 7, 7A, 7C, 7D, 7E, 8, 9, 10A, 10C, 10D, 10E, 10F, 10G, 11A, 12, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K, all freshwater areas, and exclusion zones provided for in WAC 220-47-307 except as modified herein - Closed.

**REPEALER**

The following section of the Washington Administrative Code is repealed effective 12:01 AM Sunday September 29, 1991:

**WAC 220-47-711 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (91-97)**

**WSR 81-20-084**

**EMERGENCY RULES**

**DEPARTMENT OF FISHERIES**

[Order 91-102—Filed September 27, 1991, 4:55 p.m., effective October 7, 1991, 8:00 a.m.]

Date of Adoption: September 27, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:  
 Amending WAC 220-36-023.

Statutory Authority for Adoption: RCW 75.08.080.

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: Harvestable numbers of chinook and coho salmon are available.

Effective Date of Rule: 8:00 a.m., October 7, 1991.

September 27, 1991

Judith Merchant

Deputy

for Joseph R. Blum

Director

### NEW SECTION

**WAC 220-36-02300G GRAYS HARBOR SALMON — FALL FISHERY.** Notwithstanding the provisions of WAC 220-36-023, it is unlawful to fish for or possess salmon for commercial purposes from any Grays Harbor Salmon Management and Catch Reporting Area except:

#### **FISHING PERIOD**

(1) Gill net gear may be used to fish for salmon from:

(a) 8:00 AM to 6:00 PM October 7, 1991 in SMCRA 2C;

(b) 8:00 AM to 6:00 PM October 8, 1991 in SMCRA 2B;

8:00 AM to 6:00 PM October 9, 1991 in SMCRA 2B;

8:00 AM to 6:00 PM October 10, 1991 in SMCRA 2B;

8:00 AM to 6:00 PM October 11, 1991 in SMCRA 2B;

8:00 AM to 6:00 PM October 12, 1991 in SMCRA 2B;

8:00 AM to 6:00 PM October 13, 1991 in SMCRA 2B;

8:00 AM to 6:00 PM October 14, 1991 in SMCRA 2B;

(c) 8:00 AM to 6:00 PM October 15, 1991 in SMCRA 2A and 2D;

8:00 AM to 6:00 PM October 16, 1991 in SMCRA 2A and 2D;

8:00 AM to 6:00 PM October 17, 1991 in SMCRA 2A and 2D;

8:00 AM to 6:00 PM October 18, 1991 in SMCRA 2A and 2D;

8:00 AM to 6:00 PM October 19, 1991 in SMCRA 2A and 2D;

8:00 AM to 6:00 PM October 20, 1991 in SMCRA 2A and 2D;

#### **GEAR**

(2) Gill net gear shall be used as provided in WAC 220-36-015.

### **WSR 91-20-085**

#### **EMERGENCY RULES**

#### **DEPARTMENT OF FISHERIES**

[Order 91-103—Filed September 27, 1991, 4:58 p.m., effective September 30, 1991, 12:01 a.m.]

Date of Adoption: September 27, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-44-05000P.

Statutory Authority for Adoption: RCW 75.08.080.

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 National Marine Fisheries Service has implemented this emergency regulation at the request of the Pacific Fisheries Management Council to provide for a low level, incidental sablefish harvest by nontrawl fisheries. We are adopting the regulation for the same reason and to maintain consistency between state and federal regulations.

Effective Date of Rule: 12:01 a.m., September 30, 1991.

September 27, 1991

Judith Merchant

Deputy

for Joseph R. Blum

Director

### NEW SECTION

**WAC 220-44-05000Q COASTAL BOTTOM-FISH CATCH LIMITS.** Notwithstanding the provisions of WAC 220-44-050, effective 12:01 a.m., September 30, 1991, until further notice it is unlawful to possess, transport through the waters of the state or land in any Washington State port bottomfish taken from Marine Fish-Shellfish Management and Catch Reporting Areas 29, 58B, 59A, 59B, 60A, 61, 62, or 63 in excess of the amounts or less than the minimum sizes shown below for the following species:

(1) The following definitions apply to this section:

(a) Biweekly fishing period. Each of the following is defined as a biweekly fishing period (hours given are on a 24-hour basis):

0001 hours September 25 to 2400 hours October 8;

0001 hours October 9 to 2400 hours October 22;

0001 hours October 23 to 2400 hours November 19;

0001 hours November 20 to 2400 hours December 3;

0001 hours December 4 to 2400 hours December 17;

0001 hours December 18 to 2400 hours December 31;

(b) Vessel trip — A vessel trip is defined as having occurred upon the initiation of transfer of catch from a fishing vessel.

(c) Vessel trip limit — The amount of fish that may not be exceeded per vessel trip. All fish aboard a fishing vessel upon the initiation of transfer of catch are to be counted towards the vessel trip limit.

(d) *Week* – Wednesday through the following Tuesday.

(2) *Widow rockfish* – 3,000 pounds per vessel trip. No limit on the number of vessel trips. No minimum size.

(3) *Shortbelly rockfish* – no maximum poundage per biweekly fishing period. No minimum size.

(4) *Pacific ocean perch* – No limit on the number of vessel trips for landings less than 1,000 pounds per vessel trip. Landings greater than 1,000 pounds but not to exceed 3,000 pounds allowed only if Pacific ocean perch represent 20 percent or less of fish aboard per vessel trip. No landings of more than 3,000 pounds per vessel trip. No minimum size.

(5) All other species of rockfish except widow, shortbelly, Pacific ocean perch and thornyhead or idiot rockfish (*Sebastes* spp.) – 12,500 pounds twice weekly, or 25,000 pounds weekly or 50,000 pounds biweekly of all other rockfish combined per biweekly fishing period, of which no more than 3,000 pounds may be yellowtail rockfish if landings are made twice weekly or weekly, or 5,000 pounds may be yellowtail rockfish if the landing is made biweekly. No minimum size.

(6) *Deepwater complex* – Sablefish, Dover sole, and thornyhead rockfish – 13,750 pounds twice weekly, or 27,500 pounds weekly, or 55,000 pounds biweekly of the deepwater complex per fishing period, of which no more than 6,250 pounds, 12,500 pounds, or 25,000 pounds may be thornyhead rockfish if landed twice weekly, weekly or biweekly, respectively. No restriction on vessel trips landing less than 4,000 pounds of the deepwater complex, except sablefish limited to 1,000 pounds per vessel trip. No size limit for dover sole and thornyhead rockfish.

The following limits apply to sablefish taken under this subsection:

(a) *Trawl vessels* – Landings above 1,000 pounds allowed only if sablefish represent 25 percent or less of the total combined weight of the deepwater complex onboard. Minimum size 22 inches in length unless dressed, in which case minimum size 15.5 inches from the anterior insertion of the first dorsal fin to the tip of the tail. To convert from dressed weight to round weight, multiply the dressed weight by 1.6. Trawl vessels are allowed an incidental catch less than the minimum size of 1,000 pounds or 25 percent of the total combined weight of all deepwater complex species aboard, but not to exceed 5,000 pounds of undersize sablefish.

(b) *Non-trawl vessels* – 300 pound trip limit. To convert round weight from dressed weight, multiply the dressed weight by 1.6.

(7) No vessel may make more than 4 vessel trips per biweekly period if widow rockfish, 1,000 pounds of Pacific ocean perch, 3,000 pounds of other rockfish or 4,000 pounds of the deepwater complex is landed during any vessel trip during the biweekly period.

(8) It is unlawful during the unloading of the catch prior to its being weighed or leaving the unloading facility to intermix with any other species a species or category of bottomfish having a vessel trip limit.

(9) The fisher's copy of all fish receiving tickets showing landings of species provided for in this section shall

be retained aboard the landing vessel for 90 days after landing.

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.

### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-44-05000P COASTAL BOTTOMFISH CATCH LIMITS (91-86)

WSR 91-20-086

ATTORNEY GENERAL OPINION

Cite as: AGO 1991 No. 29

[September 23, 1991]

PUBLIC FUNDS—ANNUAL LEAVE—SICK LEAVE—COUNTIES—PUBLIC EMPLOYEES RETIREMENT SYSTEM—APPLICABILITY OF GIFT OF PUBLIC FUNDS PROHIBITION AND CONTRIBUTION REQUIREMENTS FOR PUBLIC EMPLOYEES RETIREMENT SYSTEM TO COUNTY SICK LEAVE BANK

1. There is a proposal by a county to establish a sick leave bank. Under the proposal employees who have accrued vacation leave or sick leave may donate the leave to the sick leave bank. In the event of catastrophic illness or injury, employees who have exhausted their vacation leave and sick leave may apply to the sick leave bank for additional leave. Article 8, section 7 of the Washington Constitution prohibits gifts of public funds. The proposal is not a gift by the county. There is consideration to the county since the donating employees performed service in order to accrue the donated leave. There is donative intent on the part of the donating employee, not the county.
2. Under RCW 41.40.010 (8)(a), (b), vacation leave and sick leave donated to the sick leave bank are not compensation earnable of the employee making the donation. Although the employee accrues the leave, he or she is never paid for it.
3. Under RCW 41.40.010 (8)(a), (b), leave paid from the sick leave bank is not compensation earnable. Although the employee receives payments from the sick leave bank, the payments are not made in return for services to the county by the receiving employee. The leave was accrued as a result of services performed by the donating employee.

Requested by:

Requested by:

Honorable John W. Ladenburg  
Pierce County Prosecuting Attorney  
930 Tacoma Avenue South, Room 946  
Tacoma, Washington 98402-2171



**WSR 91-20-087**  
**NOTICE OF PUBLIC MEETINGS**  
**TRANSPORTATION IMPROVEMENT BOARD**  
 [Memorandum—September 27, 1991]

**MEETING NOTICE FOR**  
**OCTOBER 1991**  
**TRANSPORTATION IMPROVEMENT BOARD**  
**TRANSPORTATION BUILDING, OLYMPIA,**  
**WASHINGTON 98504**

Work session, 6:00 p.m., Thursday, October 17, 1991, in Redmond at the Redmond Motor Inn, 17601 Redmond Way, Redmond.

Public meeting 7:00 p.m., Thursday, October 17, 1991, in Issaquah at the Issaquah Valley Elementary School, 565 N.W. Holly, Issaquah.

TIB meeting, 9:00 a.m., Friday, October 18, 1991, in Redmond at the Cleveland Street Square, Corporate Suites, 16541 Redmond Way, Redmond. Continue hearing to 9:00 a.m., Friday, October 25, 1991, at the Airport Plaza Hotel, 18601 Pacific Highway South, SeaTac.

The next scheduled meeting is November 15, 1991, in Spokane at the city of Spokane Council Chambers. A notice with additional detail for the November meeting will be mailed on October 25, 1991.

**WSR 91-20-088**  
**WITHDRAWAL OF PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Filed September 30, 1991, 1:28 p.m.]

The department is withdrawing WSR 91-14-066 along with the continuance WSR 91-17-058 at this time. WAC 388-81-070 Determination of maternity care distress areas will be revised in the near future.

Leslie F. James, Director  
 Administrative Services

**WSR 91-20-089**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Institutions)**  
 [Filed September 30, 1991, 1:29 p.m.]

Original Notice.

Title of Rule: WAC 275-59-041 Schedule of maximum payment for defendant expert or professional person.

Purpose: To increase the rates of payment for an examination of mental status for an indigent person who

has been charged with a crime. The WAC rate of payment was established in 1979, and has never had an inflationary increase. This revision will increase the rate by one-hundred percent.

Statutory Authority for Adoption: RCW 72.01.090.  
 Statute Being Implemented: RCW 10.77.020.

Summary: This revision will increase the maximum rate of payment for criminal insanity evaluations for indigent defendants from fifty dollars per hour to one-hundred dollars per hour, and from a total payment per examination from four hundred dollars to eight hundred dollars. An exception may still be requested and approved by the division director for a higher rate. The payment is for services provided by a court appointed expert or professional person for determining the mental status of the defendant.

Reasons Supporting Proposal: To provide for the inflationary increase authorized and appropriated by the 1991 legislature in the mental health division budget. It has become increasingly difficult to obtain private psychiatric evaluations within the fee limit, and exceptions to the fee limit are being requested by defense attorneys and mental health professionals.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jan Wells, Mental Health Division, 753-2743.

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 November 5, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805, Olympia, Washington 98504, by November 5, 1991.

Date of Intended Adoption: November 26, 1991.

September 30, 1991  
 Leslie F. James, Director  
 Administrative Services

AMENDATORY SECTION (Amending Order 1373, filed 3/1/79)

WAC 275-59-041 SCHEDULE OF MAXIMUM PAYMENT FOR DEFENDANT EXPERT OR PROFESSIONAL PERSON. Department payments to an expert or professional person ((obtained by)) for department services an indigent person receives shall not exceed ((a payment per hour of fifty dollars nor shall not exceed a total payment of four hundred dollars, unless an));

- (1) One hundred dollars an hour for services; or
- (2) Eight hundred dollars total payment for services.

The department shall only approve an exception to this section ruling when the exception is approved, in writing, by the division director. The department shall only approve payment for one mental health examination per indigent person in each six month period.

**WSR 91-20-090**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Filed September 30, 1991, 1:30 p.m.]

**Original Notice.**

Title of Rule: WAC 388-49-500 Income—Deductions; and 388-49-510 Income eligibility standards.

Purpose: Increase food stamp program net and gross income standards, standard deduction and shelter deduction effective October 1, 1991.

Statutory Authority for Adoption: RCW 74.04.510.

Statute Being Implemented: RCW 74.04.510.

Summary: Announces the increased standards and deductions.

Reasons Supporting Proposal: To comply with federal law mandating the increases.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Dan Ohlson, Income Assistance, 753-1354.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, Food and Nutrition Service Letter August 12, 1991.

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 November 5, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805, Olympia, Washington 98504, by November 5, 1991.

Date of Intended Adoption: November 19, 1991.

September 30, 1991

Leslie F. James, Director  
 Administrative Services

**AMENDATORY SECTION** (Amending Order 3099, filed 11/20/90, effective 12/21/90)

WAC 388-49-500 INCOME—DEDUCTIONS. (1) The department shall allow the following deductions when computing net income:

(a) A standard deduction of one hundred (~~sixteen~~) twenty-two dollars per household per month;

(b) An earned income deduction of twenty percent of gross earned income except as provided in WAC 388-49-640(8);

(c) A dependent care deduction of the actual amount incurred not to exceed one hundred sixty dollars per dependent when care is necessary for a household member to:

- (i) Seek, accept, or continue employment; or
- (ii) Attend training or education preparatory to employment.

(d) A deduction for nonreimbursable monthly medical expenses over thirty-five dollars incurred by an elderly or disabled household member;

(e) Shelter costs in excess of fifty percent of the household's income after deducting the standard, earned income, medical, and dependent care deductions. The shelter deduction shall not exceed one hundred (~~eighty-six~~) ninety-four dollars; and

(f) An excess shelter deduction for the monthly amount exceeding fifty percent of the household's monthly income after all applicable deductions for households containing an elderly or disabled person.

(2) A household's shelter costs may include:

(a) Costs for a home not occupied because of employment, training away from the home, illness, or abandonment caused by casualty loss or natural disaster shall be allowed if the:

(i) Household intends to return to the home;

(ii) Current occupants, if any, are not claiming shelter costs for food stamp purposes; and

(iii) Home is not being leased or rented during the household's absence.

(b) Charges for the repair of the home substantially damaged or destroyed due to a natural disaster;

(c) The standard utility allowance when a household incurs any separate utility charges for heating or cooling costs. A household may incur a separate utility charge when the household:

(i) Has not yet received a billing for utilities; ((or))

(ii) Is billed monthly by the landlord for actual usage as determined through individual metering; or

(iii) Shares residence and utility costs with other persons, in which case the deduction is for the household's prorated share of the standard allowance.

(d) Actual utility costs rather than the standard utility allowance if the household is:

(i) Not entitled to the standard utility allowance; or

(ii) Requesting use of actual utility bills. A monthly telephone standard shall be allowed for households incurring telephone expenses if the household is not entitled to claim the standard utility allowance.

(3) A household may switch between actual utility costs and the standard utility allowance:

(a) At each recertification; and

(b) One additional time during each twelve-month period following the initial certification action.

(4) The department shall provide excess medical or shelter deductions effective with supplemental security income (SSI) eligibility when households:

(a) Become categorically eligible within the time limits specified under WAC 388-49-120 and 388-49-150 after a food stamp application;

(b) Receive food stamps as a nonassistance household until becoming categorically eligible; or

(c) Become categorically eligible after denial of nonassistance food stamps.

(5) The department shall not provide a deduction for that portion of a deductible expense, described under this section, paid by an excluded:

(a) Reimbursement; or

(b) Vendor payment, except for Low Income Home Energy Assistance Act (LIHEAA) payments.

(6) The department shall verify:

(a) Dependent care costs including changes, except in prospective budgeting; and

(b) Medical expenses and the reimbursement amounts resulting in a deduction:

(i) At recertification, if the amount has changed more than twenty-five dollars; and

(ii) On a monthly basis for a household subject to monthly reporting.

(7) If medical reimbursement cannot be verified, the department shall certify the household without allowing the deduction, except in prospective budgeting.

**AMENDATORY SECTION** (Amending Order 3099, filed 11/20/90, effective 12/21/90)

WAC 388-49-510 INCOME ELIGIBILITY STANDARDS. (1) Categorically eligible households, as described in WAC 388-49-180, are not subject to the provisions of this section.

(2) The department shall determine eligibility on the basis of gross income and net food stamp income except for households (~~containing an elderly or disabled member as provided~~) in subsection (3) of this section.

(3) The department shall determine eligibility on the basis of net food stamp income for households containing an elderly or disabled member.

(4) The gross and net monthly maximum income standards as established by the department of agriculture are as follows:

Gross Monthly Income Standard

<u>Household Size</u>	<u>Maximum Standard</u>
1	\$ ((68+)) 718
2	((9+3)) 962
3	((+144)) 1,207
4	((+376)) 1,452
5	((+608)) 1,697
6	((+840)) 1,942
7	((2,072)) 2,187
8	((2,304)) 2,431
9	((2,536)) 2,676
10	((2,768)) 2,921
Each additional person	+ ((232)) 245

Net Monthly Income Standard

<u>Household Size</u>	<u>Maximum Standard</u>
1	\$((524)) 552
2	((702)) 740
3	((880)) 929
4	((+059)) 1,117
5	((+237)) 1,305
6	((+415)) 1,494
7	((+594)) 1,682
8	((+772)) 1,870
9	((+951)) 2,059
10	((2,130)) 2,248
Each additional person	+ ((179)) 189

**WSR 91-20-091  
PROPOSED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)**

[Filed September 30, 1991, 1:32 p.m.]

**Original Notice.**

Title of Rule: Chapter 388-320 WAC Public records disclosure—Administrative procedures.

Purpose: To update rules regarding organization and revise rules on public records, disclosure and indices.

Statutory Authority for Adoption: RCW 42.17.240, 34.05.220 and chapters 17.250 and 17.260 RCW.

Summary: WAC 388-320-010, more clear and accurate statement of purpose of chapter; 388-320-020 definitions repealed as are in statute or unnecessary; 388-

320-030 through 388-320-080, more accurate and succinct statement of the department's organization; 388-320-090, 388-320-092, 388-320-180, 388-320-184, 388-320-185, 388-320-450, and 388-320-460, more clear and accurate rules regarding availability/description of interpretive and policy statements, the index thereof, and the order index; 388-320-100 through 388-320-140, more clear rules regarding public disclosure. Note: WAC 388-320-140 amendment raised the fee for black and white photocopies; and 388-320-230, this address disclosure rule became obsolete when statutes were changed; the rule containing the procedures is now at WAC 388-14-030.

Reasons Supporting Proposal: Accurately state current organization structure and to update procedures and costs for public records, disclosure and indices.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Dave Henry, Appeals, 753-3898.

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 November 5, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805, Olympia, Washington 98504, by November 5, 1991.

Date of Intended Adoption: November 19, 1991.

September 30, 1991  
Leslie F. James, Director  
Administrative Services

AMENDATORY SECTION (Amending Order 1609, filed 2/19/81)

WAC 388-320-010 PURPOSE. The purpose of this chapter ~~((shall be))~~ is to ensure compliance by the department of social and health services with ~~((the provisions of the Public Records Disclosure Act;))~~ RCW 42.17.250 through 42.17.340, 34.05.220 through 34.05.240, and 34.05.330.

~~((This chapter is organized as follows:  
(1) WAC 388-320-030 through 388-320-092 provide information relative to the overall organizational structure of the department, as required by RCW 42.17.250.~~

~~((2) The remainder of the chapter, commencing with WAC 388-320-100, provides information relating to disclosure of public records, as required by RCW 42.17.260 through 42.17.340.~~

~~These sections apply to all offices of the department:))~~

AMENDATORY SECTION (Amending Order 899, filed 1/25/74)

WAC 388-320-030 ESTABLISHMENT OF DEPARTMENT. (1) The department of social and health services was created ~~((effective July 1, 1970 under the authority of))~~ by chapter 43.20A RCW. ~~((The former departments of health, public assistance and institutions, and the former veterans rehabilitation council and division of vocational rehabilitation of the coordinating council on occupational education were abolished and the department was assigned substantially all their powers, duties and functions:))~~

(2) The department was established to integrate and coordinate most of those activities of the state of Washington which involve provision of care for individuals who, because of economic, social, or health conditions, require financial assistance, institutional care, or rehabilitative or other social or health services. Programs the department administers include:

- (a) Aging and adult services;
- (b) Alcohol and substance abuse;
- (c) Children and family services;
- (d) Deaf and hard of hearing;
- (e) Developmental disabilities;
- (f) Income assistance;
- (g) Juvenile rehabilitation;
- (h) Medical assistance;
- (i) Mental health;
- (j) Refugee assistance; and
- (k) Vocational rehabilitation.

(3) The (state administrative office of the department is located in Olympia. Regional and local units are located throughout the state) department's basic organizational structure is built around major functions. Responsibility for program development is assigned to staff located in state administrative offices located in Olympia. Responsibility for program operation is assigned to staff in regional and local units located throughout the state. An organization chart is available upon request from Media Relations, PO Box 45110, Olympia WA 98504-45110.

#### AMENDATORY SECTION (Amending Order 1609, filed 2/19/81)

WAC 388-320-100 PUBLIC RECORDS AVAILABLE. (1) All public records of the department are available for disclosure except as otherwise provided by ((these rules)) law.

(2) A request ((s)) for ((any)) an identifiable public record may be initiated at any office of the department, except that requests for research purposes shall be made directly to the human research review section.

(3) The department shall ((at all times take the most timely possible action on)) promptly respond to requests for disclosure((s)). If the ((department shall)) office does not respond in writing within ten working days of receipt of the request for disclosure, ((and its failure to do so shall entitle)) the person seeking disclosure shall be entitled to petition the public records officer ((pursuant to)) under WAC 388-320-210.

#### AMENDATORY SECTION (Amending Order 1609, filed 2/19/81)

WAC 388-320-130 REQUEST FOR DISCLOSURE OF A PUBLIC RECORD(S). (1) A request for disclosure of a public record may be oral or written. ((Such)) A request need merely identify with reasonable certainty the record sought to be disclosed.

(2) A request for disclosure shall be made during customary business hours.

(3) ((A request for disclosure shall not be made for commercial or political purposes)) When the law makes a record disclosable to a specific person, a requestor may be required to provide personal identification.

(4) If the public record contains material exempt from disclosure ((pursuant to)) under the law, ((including those laws cited in WAC 388-320-220)) the department ((must provide the person requesting disclosure with a written explanation for the nondisclosure, pursuant to WAC 388-320-205)) shall deny the request.

(5) ((Any person continuing to seek disclosure, after having received a written explanation for nondisclosure pursuant to WAC 388-320-205, may request a review under the provisions of WAC 388-320-210. When a person's identity is relevant to an exemption, that person may be required to provide personal identification)) A request for a list of individuals requested for commercial purposes shall be denied except as disclosure is authorized in RCW 42.17.260(6).

(6) A denial shall be accompanied by a written statement of the specific exemption authorizing the withholding of the record (or part) and a brief explanation of how the exemption applies to the record withheld.

(7) Nothing in this section or elsewhere in this chapter shall be construed to require the department to compile statistics or other information from material contained in public records((, where doing so would unduly interfere with other essential functions of the department and is not required for litigation by rules of pretrial discovery)).

**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 1609, filed 2/19/81)

##### WAC 388-320-140 FEES—INSPECTION AND COPYING.

(1) No fee shall be charged for the inspection of public records.

(2) The department shall collect the following fees to reimburse itself for ((actual)) costs incident to providing copies of public records:

(a) ((In the instance of manuals, and manual revisions to holders of manuals;)) The actual cost ((shall be that)) of printing ((and mailing)) manuals and manual revisions;

(b) The actual cost of copying ((of)) blueprints and like materials involving an extraordinary expense ((shall be fully reimbursed to the department));

(c) ((Otherwise, the department shall charge a fee of ten)) Twenty-five cents per page~~(, plus postage if any, provided that:~~

(i) The first ten pages shall be free;

(ii) Additionally, any materials to be entered by the department as an exhibit in a hearing or trial shall be free)) for black and white photocopies; and

(d) The cost of postage if any.

((iii) Additionally, where a)) (3) When the department is a party in an administrative hearing ((or trial is being contested)), the ((public disclosure coordinator)) department shall authorize ((additional)) free copying of ((materials)) records from a department file when the records are demonstrated to be relevant~~(, where)) and the client is indigent.~~

((4)) (4) Nothing contained in this section shall preclude the department from agreeing to exchange or provide copies of manuals or other public records with other ((state or federal)) government agencies~~(, whenever)) when doing so is in the best interest of the department.~~

((5)) (5) The secretary of the department ((or his)), the secretary's designee ((is)), and disclosure coordinators are authorized to waive any of the foregoing ((copying)) costs. Factors considered in deciding whether to waive costs include: providing the copy will facilitate administering the program and/or the expense of processing the payment exceeds the copying and postage cost.

#### AMENDATORY SECTION (Amending Order 1938, filed 1/13/83)

WAC 388-320-220 EXEMPTIONS TO PUBLIC RECORDS DISCLOSURE. Nondisclosable records are those exempted by law, including but not limited to:

(1) ((Personal)) Information in any files concerning a client to the extent required by RCW 42.17.310 (1)(a) and/or 74.04.060, ((including departmental evaluations of information received from providers of services;)) is exempt from disclosure to the general public. However, disclosure may be made to the client or the client's representative, except as otherwise prohibited by ((these rules;)) law;

(2) ((Valuable formulas, 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, as required by RCW 42.17.310 (1)(h;)) Vocational rehabilitation records to the extent required by 34 C.F.R. 361.49;

(3) ((Data (including information revealing the identity of persons who file complaints, if disclosure would endanger any person's life, physical safety or property) contained in)) Juvenile justice or juvenile care records to the extent required by chapter 13.50 RCW;

(4) Alcohol and drug abuse patient records to the extent required by 42 C.F.R. chapter 1 part II or other federal law and regulations;

(5) Records concerning applicants or recipients of support enforcement activities to the extent required by 45 C.F.R. 302.18 or RCW 26.23.120;

(6) Office of support enforcement information regarding location of parents to the extent required by RCW 74.20.280;

(7) Adoption and voluntary termination of parent-child relationship records to the extent required by chapter 26.32 RCW and financial information received from adoptive parents to the extent required by RCW 74.13.121;

(8) Mental illness and inebriacy records to the extent required by RCW 71.05.390;

(9) The central registry of reported cases of child abuse or abuse of developmentally disabled persons to the extent required by RCW 26.44.070;

~~(10) Records of patients and inmates of state institutions to the extent required by RCW 72.01.290;~~

~~(11) Nursing home records to the extent required by RCW 18.51.190, 70.124.010, and 74.46.820;~~

~~(12) Records maintained by rape crisis centers to the extent required by RCW 70.125.065;~~

~~(13) Competitive contract procurement instruments, such as a request for proposals or an invitation for bids, prior to the release to potential bidders; proposals and bids received in response to competitive contract procurement instruments until either the public opening of bids or, for proposals, the contractor and the department have signed the contract, under RCW 43.20A.050;~~

~~(14) Personal information in files maintained for an employee or volunteers of the department to the extent required by RCW 42.17.310 (1)(b) and (u);~~

~~(15) Specific intelligence((;)) information and specific investigative((; and other related files)) records compiled by investigative, law enforcement ((or)), and penology agencies, and state agencies vested with the responsibility to discipline members of any profession((; PROVIDED, That pursuant to)), the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy under RCW 42.17.310 (1)(d). Under the rules set forth in chapter 388-08 WAC, ((the hearings examiner)) Administrative Law and Review Judges may make determinations in the following program areas only: Public assistance and/or food stamp programs as to whether the circumstances of a particular case, when weighing the public interest in protecting the flow of information against the individual's right to prepare his or her defense, necessitates nondisclosure of particular intelligence or investigative information: PROVIDED FURTHER, That nothing in this regulation shall be deemed to deny adequate opportunity to the appellant or his or her representative, to examine any intelligence or investigative information to be used by the agency at the hearing. As used in these regulations, intelligence and investigative information includes the following:~~

~~(a) Allegations or complaints of suspected criminal activity;~~

~~(b) Identification of informants, complainants, any person whose ((life or limb)) physical safety or property may be endangered by such disclosure, and potential witnesses regarding alleged criminal activity;~~

~~(c) Identification of and reports concerning criminal suspects other than the person who is the subject of the fair hearing;~~

~~(d) Assessments, reports, notes or voice recordings of law enforcement officials or officials of a criminal justice agency, as defined in RCW 10.97.030, concerning the person who is the subject of the fair hearing, informants or potential witnesses; and~~

~~(e) Criminal history information relating to persons or organizations other than the person or persons who are the subject of the fair hearing.~~

~~((4) Vocational rehabilitation records to the extent required by 45 C.F.R. 1361.47 and WAC 490-500-550.~~

~~(5) Certain juvenile justice or juvenile care records to the extent required by chapter 13-50 RCW;~~

~~(6) Records of the state registrar of vital statistics to the extent required by RCW 70.58.095.~~

~~(7) Alcohol and drug abuse patient records to the extent required by 42 C.F.R. Chapter 1 Part H or other federal law or regulation;~~

~~(8) Office of support enforcement information regarding location of parents to the extent required by RCW 74.20.280;~~

~~(9) Adoption and voluntary termination of parent-child relationship records to the extent required by chapter 26.32 RCW, and financial information received from adoptive parents to the extent required by RCW 74.13.121.~~

~~(10) Mental illness and inebriacy records to the extent required by RCW 71.05.390.~~

~~(11) Personal information in files maintained for an employee of the department to the extent required by RCW 42.17.310 (1)(b);~~

~~(12) Deliberative material, as opposed to facts upon which a decision is based, contained in)) (16) Information revealing the identity of persons who file complaints with investigative, law enforcement, or penology agencies, other than the public disclosure commission, if disclosure would endanger any persons's life, physical safety, or property. If at the time the complaint is filed the complainant indicates a desire for disclosure or nondisclosure, such desire shall govern pursuant to RCW 42.17.310 (1)(e);~~

~~(17) Preliminary drafts, notes, recommendations, and intra-agency (memoranda) memorandums in which opinions are expressed or policies formulated or recommended, except that a specific record shall not be ((disclosable)) exempt when publicly cited by the department in~~

connection with any action ((to the extent required by)) under RCW 42.17.310 (1)(i)((-13)); and

~~(18) Records relevant to a controversy to which the department 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, ((including records involving attorney-client communications between the department and the office of the attorney general privileged under RCW 5.60.060(2)).~~

~~(14) The central registry of reported cases of child abuse or abuse of developmentally disabled persons to the extent required by RCW 26.44.070.~~

~~(15) Records of patients and inmates of state institutions to the extent required by RCW 72.01.290.~~

~~(16) Records concerning applicants or recipients of support enforcement activities, as required by 45 C.F.R. 302.18.~~

~~(17) Nursing home records, to the extent required by RCW 18.51.190 and 70.124.010.~~

~~(18) Competitive contract procurement instruments, such as a request for proposals or an invitation for bids, prior to the release to potential bidders; proposals and bids received in response to competitive contract procurement instruments until either the public opening of bids or, for proposals, the contractor and the department have signed the contract, pursuant to RCW 43.20A.050)) under RCW 42.17.310 (1)(i).~~

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 388-320-450 INTERPRETIVE AND POLICY STATEMENTS ROSTER AND INDEX. (1) Legal authority for this rule is RCW 34.05.220 and 42.17.260 (4)(d) and (e).

(2) The department's index of interpretive and policy statements is administered by the Office of Issuances. Statements in existence July 1, 1990 were made part of the index and new statements are added to the index upon issuance. The index is revised approximately every two years.

(3) The index is available for public inspection at the Office of Issuances located in Office Building No. 2, Olympia WA.

(4) A person wishing to inspect or receive copies of interpretive and policy statements issued by the department shall submit a written request to: Office of Issuances, PO Box 45805, Olympia WA 98504-5805.

#### NEW SECTION

WAC 388-320-460 FINAL ADJUDICATIVE AND DECLARATORY ORDER INDEX. (1) Legal authority for this rule is RCW 42.17.260 (4)(b) and (c). Each state agency is required to, by rule, establish and implement a system of indexing for the identification and location of final adjudicative orders and declaratory orders that contain an analysis or decision of substantial importance to the agency, in carrying out its duties. The requirement applies to orders entered after June 30, 1990.

(2) The department's adjudicative and declaratory order indexing system is administered by the office of appeals.

(3) The system of indexing is as follows:

(a) Separate indices may be established by program category, including but not limited to benefits, (such as public assistance and food stamps); child support; and license, rate, and similar programs;

(b) Staff of the office of appeals select the orders to be indexed. Review final adjudicative and declaratory orders in all programs are evaluated and those orders which have substantial importance are selected for inclusion in the index;

(c) Any person may nominate a final adjudicative order or declaratory order to be evaluated for indexing by writing the Office of Appeals, PO Box 2465, Olympia WA 98504-2465 and attaching a copy of the nominated order;

(d) Selected orders are indexed by a phrase describing the issue or holding and by a citation to the law involved; and

(e) The index contains a copy or a synopsis of the order.

(4) The index is available for public inspection at the Office of Appeals located in Office Building No. 2, Olympia Washington.

(5) Requests to be on the mailing list of indexed orders shall be made to: Office of Appeals, PO Box 2465, Olympia WA 98504-2465.

NEW SECTION

WAC 388-320-470 SUBSCRIPTION TO ADJUDICATIVE ORDERS INVOLVING NURSING HOMES. (1) The department maintains a list of subscribers who have asked to receive copies of all initial and review decisions in adjudicative proceedings involving nursing homes, including but not limited to, licensing and survey sanctions.

(2) An application to become a subscriber shall be made to the Office of Appeals, PO Box 2465, Olympia WA 98504-2465. The application shall contain the name, address, and telephone number of the applicant and include the fee described in subsection (3).

(3) Subscribers shall be charged a fee to offset the costs of copying, postage, and other related administrative costs. The fee shall be adjusted yearly to reflect the costs for the prior year. An application to become a subscriber shall include a deposit of forty dollars. Subscriber shall be billed yearly for the subscription fee for the prior year, and if payment is not received within fourteen days after the billing, the subscription shall be canceled and the deposit applied against the unpaid balance.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 388-320-020 DEFINITIONS.
- WAC 388-320-035 PROGRAMS OPERATED BY DEPARTMENT.
- WAC 388-320-040 OPERATIONS AND PROCEDURE—ORGANIZATION.
- WAC 388-320-045 OPERATIONS AND PROCEDURE—OFFICE OF SECRETARY.
- WAC 388-320-050 OPERATIONS AND PROCEDURE—PROGRAM DIVISIONS.
- WAC 388-320-080 OPERATIONS AND PROCEDURE—OTHER ORGANIZATIONAL UNITS.
- WAC 388-320-090 OPERATIONS AND PROCEDURE—RULES ADOPTION AND PUBLICATION.
- WAC 388-320-092 STATEMENTS OF POLICY.
- WAC 388-320-110 PUBLIC RECORDS OFFICER.
- WAC 388-320-135 DISCLOSURE TO CLIENT'S REPRESENTATIVE.
- WAC 388-320-180 RECORDS INDEX.
- WAC 388-320-184 INTERPRETIVE AND POLICY STATEMENTS.
- WAC 388-320-185 FINAL ADJUDICATIVE ORDER INDEX.
- WAC 388-320-230 VISITATION RIGHTS OF PARENTS.

**WSR 91-20-092  
PROPOSED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)**

[Filed September 30, 1991, 1:34 p.m.]

Original Notice.

Title of Rule: WAC 388-29-180 Additional requirements—Home delivered meals (meals-on-wheels).

Purpose: To revise the language stating how to establish the monthly standard for home-delivered meals additional requirement.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.04.005.

Summary: For recipients of public assistance grants who are eligible for an additional requirement to pay for home-delivered meals, this amendment clarifies for field staff that the monthly standard to authorize for payment is the amount charged by the agency delivering the service.

Reasons Supporting Proposal: To correct the misinformation stated in the section to determine the monthly

standard for home-delivered meals additional requirement.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Rose Mary Micheli, Income Assistance, 586-3913.

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 November 5, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805, Olympia, Washington 98504, by November 5, 1991.

Date of Intended Adoption: November 19, 1991.

September 30, 1991  
Leslie F. James, Director  
Administrative Services

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

WAC 388-29-180 ADDITIONAL REQUIREMENTS—HOME-DELIVERED MEALS (MEALS-ON-WHEELS). (1) For some ((recipients)) persons who cannot be expected to prepare all of their own meals, prepared and home-delivered meals may be available.

(2) Use the following criteria ((used)) to authorize the service ((are as follows)):

(a) The ((recipient)) person requires help in preparation of some meals and would benefit nutritionally or otherwise from home-delivered meals(;); and

(b) ((Such)) Help in preparation of meals is not reasonably available without cost to the ((recipient;) person; and

(c) Board (or board and room) is not available, feasible, or is costlier for the recipient.

(3) When a plan for use of this service is approved, the monthly standard shall be ((established by the department)) the amount charged by the agency delivering the service.

**WSR 91-20-093  
PROPOSED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)**

[Filed September 30, 1991, 1:35 p.m.]

Original Notice.

Title of Rule: WAC 388-29-150 Standards of assistance—Additional requirements.

Purpose: To clarify the language in WAC 388-29-150 to state the following: The circumstances that created the need for an additional requirement should be taken into account when determining the need; how often the need for an ongoing additional requirement must be reestablished; and the programs under which each additional requirement can be authorized.

Statutory Authority for Adoption: RCW 74.04.090.

Statute Being Implemented: RCW 74.04.005.

Summary: The changes to this section only clarify conditions for additional requirements that are being followed by field staff but need to be more clearly stated in the section.

Reasons Supporting Proposal: To clean up the language in WAC 388-29-150 to clearly state the above three conditions for additional requirements.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Rose Mary Micheli, Income Assistance, 586-3913.

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 November 5, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805, Olympia, Washington 98504, by November 5, 1991.

Date of Intended Adoption: November 19, 1991.

September 30, 1991

Leslie F. James, Director  
Administrative Services

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

WAC 388-29-150 STANDARDS OF ASSISTANCE—ADDITIONAL REQUIREMENTS. (1) Additional requirements are provided under the circumstances and limitations specified in this chapter.

(2) The department's grant standards provide for certain additional requirements when ~~((the individual's))~~ a person's circumstances are such that the item is essential in accordance with the established criteria. The department shall verify the need ((of) for these items ((must be verified)) in each case where any are included. When the requirement is ongoing, ((it is added)) the department shall add the requirement to the basic ((requirements)) grant payment standard of the assistance unit.

(3) The circumstances ~~((which give))~~ giving rise to an additional requirement may regularly recur or be nonrecurring depending on the nature of the item. In determining whether the need for an additional requirement exists, the department shall take the total case situation ((shall be taken)) into account, i.e., the circumstances that created the need, the changes which have occurred in the person's health or living conditions and, if the problem is not new, how it was met in the past.

(4) The department shall establish a plan for periodically reviewing the necessity for continuing the allowance for an ongoing additional requirement ((shall be established)) in each case, taking into account:

(a) The change in the ((individual's)) person's living arrangements((:)) and health((:)); and

(b) Any other factor which has a bearing on the need for the item.

(5) The department shall re-establish the need for any ongoing additional requirement ((must be reestablished)) as often as the case plan indicates, but at least:

(a) Semiannually((, except where)) for recipients of AFDC, FIP or Refugee Assistance; or

(b) Annually for recipients of General Assistance or SSI, when it is established there is a continuing need that is likely not subject to change.

(6) The department may authorize the following additional requirements for clients eligible only for AFDC, FIP, Refugee, or General Assistance grants and for SSI recipients:

(a) Restaurant Meals, WAC 388-29-100;

(b) Home Delivered Meals, WAC 388-29-180;

(c) Food for Guide Dog, WAC 388-29-200;

(d) Telephone, WAC 388-29-210; and

(e) Laundry, WAC 388-29-220.

(7) The department may authorize the additional requirement of Winterizing Homes, WAC 388-29-230 for clients eligible only for AFDC or FIP assistance grants.

(8) The department may authorize the Additional Requirements for Emergent Situations as listed in WAC 388-29-270 for clients eligible only for AFDC, FIP or Refugee assistance grants.

**WSR 91-20-094**

**PROPOSED RULES**

**DEPARTMENT OF**

**SOCIAL AND HEALTH SERVICES**

**(Public Assistance)**

[Filed September 30, 1991, 1:36 p.m.]

**Original Notice.**

Title of Rule: WAC 388-28-570 Net cash income—Exempt earned income; and chapter 388-51 WAC Job opportunities and basic skills training program child care and other work-related supportive services and transitional child care.

Purpose: To implement the income assistance child care program.

Statutory Authority for Adoption: Chapter 16, Laws of 1991.

Statute Being Implemented: Chapter 16, Laws of 1991.

Summary: The proposed section implements the income assistance child care program. Under the program, the department assures the availability of state paid child care to accept or maintain employment. The program will facilitate access to quality child care for working AFDC recipients by providing state paid child care instead of the current income disregard.

Reasons Supporting Proposal: Immediate adoption of the rules implementing the income assistance child care program is necessary to comply with the legislative intent that the program be in place for the current biennium; to facilitate immediate access to qualify child care for working recipients, in the interest of the general welfare of the state, by replacing current policy which often does not cover existing costs of dependent care; to help control AFDC expenditures by providing additional incentives for AFDC recipients to seek employment, thereby decreasing recipient reliance on public assistance; and to preserve and safeguard continued funding for the program by managing the program consistent with the direction given by the legislature and the federal government. Permanent adoption of such rules will also subsequently occur thereby affording public input as to such changes.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Rachael Langen, Income Assistance, 753-5827.

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 November 5, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805, Olympia, Washington 98504, by November 5, 1991.

Date of Intended Adoption: November 19, 1991.

September 30, 1991

Leslie F. James, Director  
Administrative Services

AMENDATORY SECTION (Amending Order 3050, filed 8/21/90)

WAC 388-28-570 NET CASH INCOME—EXEMPT EARNED INCOME. (1) For rules on exempting earned income of a full- or part-time student, see WAC 388-28-535. For rules exempting income from training, see WAC 388-28-515. For rules exempting earned income for refugee assistance, see WAC 388-55-010. For rules on other income, see WAC 388-28-580.

(2) As used in this section, "earned income" shall mean income in cash or in-kind earned as wages, salary, commissions, or profit from activities in which the individual is engaged as a self-employed person or as an employee. Earned income may be derived from self-employment (such as business enterprise or farming), or derived from wages or salary received as an employee. Earned income also includes earnings over a period of time for which settlement is made at one time, for example, sale of farm crops, livestock, or poultry. Income from rentals is earned income, provided the individual has managerial responsibility for the rental property.

(3) For an AFDC recipient, earned income includes earnings under Title I of the Elementary and Secondary Education Act, all earnings received under the Economic Opportunity Act, wages from WIN on-the-job training, and wages paid under the Job Training Partnership Act (JTPA). See WAC 388-28-535(2) for treatment of a child excluded from the grant.

(4) The definition of "earned income" excludes:

(a) Returns from capital investment with respect to which the individual is not actively engaged, as in a business. For example, under most circumstances, dividends and interest are excluded from "earned income."

(b) Benefits accruing as compensation or reward for service, or as compensation for lack of employment, for example, pensions and benefits from labor organizations, veterans' benefits, unemployment compensation, Social Security, etc.

(c) Income from WIN incentive payments and training-related expenses derived from WIN institutional or work experience training.

(d) Income received under the Job Training Partnership Act for training allowances, payments for support services, etc.

(5) In AFDC, refugee assistance, and general assistance when payment of income earned over a period of more than one month is delayed, the exemption applies to the period during which the income was earned.

(6) Aid to families with dependent children.

(a) The following shall be disregarded sequentially from the monthly gross earned income of each individual member of the assistance unit.

(i) Ninety dollars for work expenses, regardless of the number of hours worked per month.

(ii) For each nonstudent dependent child and adult found otherwise eligible to receive assistance or having received assistance in one of the four prior months, thirty dollars and one-third of the remainder not already disregarded. The thirty dollars and one-third disregard shall be applied for a maximum of four consecutive months; it cannot be applied again until the recipient has been a nonrecipient for twelve consecutive months.

(iii) After expiration of the disregard in subsection (6)(a)(ii) of this section, thirty dollars for a maximum of eight consecutive months,

whether or not the recipient has earnings or is receiving assistance; it cannot be applied again until the recipient has been a nonrecipient for twelve consecutive months.

(iv) The actual cost (~~not to exceed the following amounts depending upon the number of hours worked per month~~) for ~~((the))~~ care of each dependent child or incapacitated adult living in the same home and receiving AFDC~~((:))~~ provided:

(A) Conditions in WAC 388-51-110 (1)(c) are met for each dependent child;

(B) No ~~((deduction shall))~~ disregard will be ~~((made))~~ allowed for ~~((child))~~ care provided by a parent or stepparent~~((:))~~;

(C) The ~~((amount incurred must be verified by the))~~ provider ~~((:))~~ verifies the cost incurred;

(D) The ~~((expense must have been))~~ cost is incurred for the month of employment being reported ~~((to be allowed as a deduction)); and~~

(E) The cost for each dependent child or incapacitated adult, depending on the number of hours worked per month does not exceed the following:

Hours Worked Per Month	Child Care Maximum Deductions Child 2 Years of Age or Older	Child Care Maximum Deductions Child Under 2 Years of Age
0 - 40	\$ 43.75	\$ 50.00
41 - 80	87.50	\$100.00
81 - 120	131.25	\$150.00
121 or more	175.00	\$200.00

(b) The exemptions and deductions in subsection (6)(a) of this section will not be applied for any month if the individual within a period of thirty days preceding the month in which the income was received:

(i) Terminated the individual's employment or reduced the individual's earned income without good cause; or

(ii) Refused without good cause to accept employment in which the individual is able to engage which is offered through employment security department, or is otherwise offered by an employer if the offer of such employment is determined by the local office to be a bona fide offer of employment.

(c) The exemptions and deductions in subsection (6)(a) of this section will not be applied for any month the recipient failed without good cause to make a timely report of income. When a timely report is made under these circumstances, the thirty-dollar and one-third exemption shall be counted in the applicable time limits. Good cause shall be determined by the department. Any circumstance beyond the control of the recipient shall constitute good cause.

To be considered timely, a report must be received by the department:

(i) On or before the eighteenth day of the month following the month in which the income was received, or

(ii) By the first following work day if the eighteenth day of the month falls on a weekend or holiday.

(d) If a recipient requests termination in order to break the consecutiveness of the applicable time limits for the thirty-dollar plus one-third exemption, and would have been eligible, the months of voluntary nonreceipt of assistance shall be counted toward the applicable time limits.

(e) If a recipient quits work without good cause, the thirty-dollar and one-third exemption shall be deemed to have been received and shall be counted toward the applicable time limits.

(f) Months in which the applicant/recipient received the thirty-dollar and one-third exemption in another state shall not apply toward the applicable time limits.

(7) The following conditions when verified shall constitute good cause for refusal of an offer of employment or refusal to continue employment:

(a) Physical, mental, or emotional inability of the individual to satisfactorily perform the work required;

(b) Inability of the individual to get to and from the job without undue cost or hardship to the individual;

(c) The nature of the work would be hazardous to the individual;

(d) The wages do not meet any applicable minimum wage requirements and are not customary for such work in the community;

(e) The job is available because of a labor dispute; or

(f) Adequate child care is not available to the AFDC household.

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 3126, filed 12/31/90, effective 1/31/91)

WAC 388-51-010 CHILD CARE AND OTHER WORK-RELATED SUPPORTIVE SERVICES—AUTHORITY AND PURPOSE. (1) Child care and other work-related supportive service for a participant in the JOBS program or in employment is authorized under P.L. 100-485, as amended, 102 Stat. 2343, amending Title IV of the Social Security Act, and establishing Title IV-F. The short title is the Family Support Act of 1988. Federal regulations for support services are in Part 45, Code of Federal Regulations, Section 255.

(2) The purpose of this program is to provide child care and other support services for a family:

- (a) Receiving, and((:)) in some cases((:)) applying for, aid to families with dependent children (AFDC); and
- (b) Participating in an approved plan for the JOBS program according to chapter 388-47 WAC; or
- (c) Accepting or maintaining employment.

AMENDATORY SECTION (Amending Order 3126, filed 12/31/90, effective 1/31/91)

WAC 388-51-020 DEFINITIONS. Except as specified in this chapter, terms used under chapter 388-51 WAC shall have the same meaning applied to the AFDC program, and as terms defined under chapter 388-22 WAC, and the JOBS program set forth under chapter 388-47 WAC.

(1) "Applicable standards" means standards and practices related to child care under chapter 388-73 WAC or, in the case of a tribal JOBS program, tribal law.

(2) "Income assistance child care program" means state-paid child care to allow a recipient to accept or participate in employment.

(3) "Support services" means child care, and other services provided for under federal law, that may be required enabling an AFDC applicant or recipient to pursue employment, education, ((and)) or training under chapter 388-47 WAC.

AMENDATORY SECTION (Amending Order 3126, filed 12/31/90, effective 1/31/91)

WAC 388-51-100 CHILD CARE—((PAYMENT)) FOR EDUCATION AND TRAINING. (1) The department's payment for child care may not exceed the local market rate for child care. The department shall establish the market rate based on representative samples of local child care providers.

(2) For purposes of education and training.

(a) The department's payment for child care for a JOBS participant shall be made to the provider in the case of center care, or family day care.

(b) The department's payment to a JOBS program participant shall be by reimbursement in the case of in-home care.

((3) The department shall consider child care costs for a working AFDC recipient as an income disregard in accordance with WAC 388-28-570.))

NEW SECTION

WAC 388-51-110 INCOME ASSISTANCE CHILD CARE PROGRAM—AVAILABILITY. (1) The department shall guarantee the availability of child care to allow a recipient to accept or maintain employment by:

- (a) Paying the provider for center care or family day care;
- (b) Paying the recipient for in-home care; or
- (c) Allowing the child care disregard. The disregard shall be allowed when the household:
  - (i) Received AFDC on October 13, 1988, based on application of the child care earning's disregard and has remained continuously eligible for grant assistance since that time. Such households shall have the option to use the disregard or state paid child care;
  - (ii) Was employed on October 1, 1991, and has not yet been converted to the state-paid, child care system; or
  - (iii) Is subject to retrospective budgeting and is converting state-paid, child care. For such cases, the department shall allow both state-paid, child care and a child care earnings disregard for the month of conversion and the month thereafter if the household incurred child care costs in the corresponding budget month.

(2) For child care provided under the income assistance child care program, the recipient shall be responsible for making the care arrangements.

NEW SECTION

WAC 388-51-115 INCOME ASSISTANCE CHILD CARE PROGRAM—ELIGIBLE CHILDREN. The department shall authorize necessary child care for a recipient to accept or maintain employment if the dependent child is:

- (1) Twelve years of age or younger; or
- (2) Physically or mentally incapable of self care, as verified by a licensed medical practitioner; or
- (3) Under court supervision; and
- (4) Included in the same assistance unit as the recipient; or
- (5) Included in the household but is not in the recipient's assistance unit because the child is receiving SSI benefits or foster care benefits under Title IV-E of the Social Security Act.

NEW SECTION

WAC 388-51-120 INCOME ASSISTANCE CHILD CARE PROGRAM—AFFECT ON ELIGIBILITY AND PAYMENTS. (1) Except as provided in subsection (2) of this section, the department shall determine AFDC eligibility and payment amounts without the child care earnings disregard for households subject to the income assistance child care program.

(2) The department shall determine payment amounts with the child care disregard for households receiving both state paid child care and the earnings disregard for the month of conversion and the month thereafter.

(3) The department shall not consider the child care benefits provided under this chapter as income or resources when determining AFDC, food stamp program eligibility, or payment amount.

(4) The department shall consider all child care expenditures provided under the income assistance child care program as an assistance payment covered by the assignment of support under chapter 388-14 WAC.

NEW SECTION

WAC 388-51-130 INCOME ASSISTANCE CHILD CARE PROGRAM—PROVIDER REQUIREMENTS. (1) The department shall make child care payments for out-of-home child care only if the provider is:

- (a) Licensed under chapter 74.15 RCW and chapters 388-73, 388-150, or 388-155 WAC;
- (b) Exempt from licensure under chapter 74.15 RCW and chapters 388-73, 388-150, or 388-155 WAC and is certified by the department;
- (c) A tribal day care center which meets the requirements of tribal law and is certified by the department; or
- (d) A child care facility, certified by the department, on a military installation.

(2) Requirements for in-home care shall be as provided in WAC 388-15-170 (6), (7), and (8).

(3) Notwithstanding subsection (2) of this section, the department may establish a protective payee due to mismanagement if the recipient fails to pay the in-home child care provider when:

- (a) A child care warrant has been issued to the correct address and it has been at least twelve working days since the issuance date; and
- (b) The recipient has not reported the warrant lost, stolen, or destroyed.

(4) The child care provider shall allow parental access.

NEW SECTION

WAC 388-51-135 INCOME ASSISTANCE CHILD CARE PROGRAM—CONVERSION. (1) The department shall convert/subject households to the state-paid income assistance child care program as follows:

- (a) At application. Reapplication following a break in assistance of one month or more shall be considered an application;
- (b) For existing cases starting employment after October 1, 1991, when employment starts; and
- (c) For existing cases that are employed on October 1, 1991, at the next eligibility review or the month thereafter, or upon the recipient's request, if earlier.

(2) Recipients that cease to be eligible for assistance at conversion because of the loss of the child care earnings disregard shall receive transitional benefits, if otherwise eligible.

NEW SECTION

WAC 388-51-140 INCOME ASSISTANCE CHILD CARE PROGRAM—PAYMENT. (1) The department's payment for child care shall not exceed the local market rate for child care. The department shall establish the market rate based on representative samples of local child care providers.

(2) The department shall assure that the child care provided or claimed for payment is related to a person's JOBS participation or employment hours.

(3) The child care rates shall be as published by the department.

NEW SECTION

WAC 388-51-145 INCOME ASSISTANCE CHILD CARE—NOTIFICATION AND HEARINGS. (1) The department shall inform all recipients of the types and locations of child care services available to help them select appropriate child care services.

(2) The department shall provide assistance to recipients in obtaining child care services by informing recipients of the types of providers they should seek. The recipient shall be responsible for choosing a provider and making the child care arrangements.

(3) The department shall inform recipients requesting child care of their rights and responsibilities.

(4) Recipients shall be entitled to fair hearings under Chapter 388-08 WAC on any action affecting their child care benefits except for changes resulting from a change in policy or law.

(5) Recipients shall not be eligible for continued child care benefits pending the outcome of a child care fair hearing.

(6) The department shall provide timely notice for changes in the manner of payment when the change results in a discontinuation, suspension, reduction, termination, or forces a change in child care arrangements. Timely notice requirements shall not apply for other changes in the manner of payment.

**WSR 91-20-095  
PROPOSED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)**

[Filed September 30, 1991, 1:38 p.m.]

Original Notice.

Title of Rule: WAC 388-49-550 Monthly allotments.

Purpose: To update the thrifty food plan standards effective October 1, 1991.

Statutory Authority for Adoption: RCW 74.04.510.

Statute Being Implemented: RCW 74.04.510.

Summary: Food stamp program allotments are increased effective October 1, 1991.

Reasons Supporting Proposal: To implement notification from the food and nutrition service of the annual update to the thrifty food plan.

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, Food and Nutrition Service August 6, 1991, letter.

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 November 5, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805, Olympia, Washington 98504, by September 30, 1991.

Date of Intended Adoption: November 19, 1991.

September 30, 1991  
Leslie F. James, Director  
Administrative Services

AMENDATORY SECTION (Amending Order 3102, filed 11/20/90, effective 12/21/90)

WAC 388-49-550 MONTHLY ALLOTMENTS. (1) The department shall determine the value of the allotment a household receives.

(2) The monthly allotment shall equal the thrifty food plan (TFP) for the household size reduced by thirty percent of the household's net income. The department shall use the monthly allotment standards as established by the food and nutrition service.

<u>Household Size</u>	<u>Thrifty Food Plan</u>
1	((+05)) 111
2	((+93)) 203
3	((277)) 292
4	((352)) 370
5	((418)) 440
6	((502)) 528
7	((555)) 584
8	((634)) 667
9	((713)) 750
10	((792)) 833
Each additional member	+ ((79)) 83

(3) The department shall issue to households, except for households as specified in subsection (4) of this section, a prorated coupon allotment for the number of days remaining from the date of application to the end of the initial month of eligibility.

(a) The allotment shall be based upon a thirty-day month.

(b) No allotment shall be issued for less than ten dollars.

(4) The department shall issue a full month allotment to migrant and seasonal farmworker households applying within thirty days after a prior certification ends.

(5) The department shall determine the value of the monthly allotment a household receives by:

(a) Multiplying the household's net monthly income by thirty percent;

(b) Rounding the product up to the next whole dollar if it ends with one through ninety-nine cents; and

(c) Subtracting the result from the thrifty food plan for the appropriate household size.

(6) One- and two-person households shall receive a minimum monthly allotment of ten dollars except in the initial benefit month when no allotment shall be issued for less than ten dollars.

(7) The department shall issue an identification card to each certified household.

**WSR 91-20-096**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(General Provisions)**

[Filed September 30, 1991, 1:39 p.m.]

Range	Client Service Hours	Annual Fee
1	0- 3,999	\$ 281.00
2	4,000-14,999	422.00
3	15,000-29,999	562.00
4	30,000-49,999	842.00
5	50,000 and over	1,030.00

**Original Notice.**

Title of Rule: WAC 440-44-090 Mental health service provider license and certification fees.

Purpose: It is no longer necessary for the mental health division to conduct certification reviews of licensed community hospitals, as psychiatric certification standards were incorporated into the hospital licensing regulations. Further, hospitals will no longer designate certain beds to be "certified" for involuntary patients.

Statutory Authority for Adoption: RCW 43.20B.110.

Statute Being Implemented: RCW 43.20B.110.

Summary: This issuance deletes the requirement for hospitals to be assessed an annual fee by the mental health division for beds certified to accept involuntary psychiatric patients. Hospitals which are licensed under chapter 70.41 RCW are deemed certified to meet the requirements of chapters 275-55 and 275-54 WAC without a separate mental health division review.

Reasons Supporting Proposal: This rule is necessary to delete WAC requirement to charge community hospitals to be certified by the mental health division. Community hospitals which are licensed under chapter 70.41 RCW are deemed certified to meet the requirements for certification.

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 November 5, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805, Olympia, Washington 98504, by November 5, 1991.

Date of Intended Adoption: November 19, 1991.

September 30, 1991  
 Leslie F. James, Director  
 Administrative Services

**AMENDATORY SECTION** (Amending Order 2287, filed 9/24/85)

WAC 440-44-090 MENTAL HEALTH SERVICE PROVIDER LICENSE AND CERTIFICATION FEES. (1) An annual fee, based on a range of client service hours provided per year, shall be assessed as follows:

(2) Fee ranges shall be determined from provider information reported to the department's community mental health information system.

(3) Providers applying for a license or certification and not reporting to the department's community mental health information system shall submit ~~((as part of their application))~~ the number of annual client service hours as part of their application.

~~((3))~~ (4) Fee for an applicant not licensed ~~((and/))~~ or certified shall be equal to the fees for licensure ~~((and/))~~ or certification of licensed and certified providers with similar annual client service hours.

~~((4))~~ (5) Certified short-term inpatient component, or new applicants seeking certification for a short-term inpatient component, shall be assessed an annual fee of thirty-two dollars per bed. This annual fee shall not be assessed for inpatient hospitals licensed under RCW 70.41.

**WSR 91-20-097**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Filed September 30, 1991, 1:40 p.m.]

**Original Notice.**

Title of Rule: WAC 388-49-410 Resources—Exempt.

Purpose: To implement provision 1719 of the Mickey Leland Memorial Domestic Hunger Relief Act (Farm Bill) which allows the exemption of resources for certain PA and SSI recipients. Revision is also made to clarify when real property is exempt due to good faith effort to sell.

Statutory Authority for Adoption: RCW 74.04.510.

Statute Being Implemented: RCW 74.04.510.

Summary: New subsection(s) added to WAC 388-49-410 to exclude resources of a household member who receives SSI or AFDC when the resource is exempt by SSI of PA rules and such household member's income does not exceed the one-person gross monthly income standard in WAC 388-49-510; WAC 388-49-410(1) amended to clarify that an unoccupied home and surrounding property is an exempt resource if the household is making a good faith effort to sell. This is not a change in policy as resources are currently considered unavailable; and WAC 388-49-410(2) revised for editorial consistency. No change made to content.

Reasons Supporting Proposal: To know all possible resource exclusions when determining food stamp program eligibility. Both changes are client beneficial.

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, 7 CFR Parts 272 and 273 Food and Nutrition Service.

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 November 5, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805, Olympia, Washington 98504, by November 5, 1991.

Date of Intended Adoption: November 19, 1991.

September 30, 1991

Leslie F. James, Director  
Administrative Services

**AMENDATORY SECTION** (Amending Order 3171, filed 5/1/91, effective 6/1/91)

WAC 388-49-410 RESOURCES—EXEMPT. (1) The department shall exempt the following resources:

(a) An occupied home and surrounding property not separated by intervening property owned by others;

(b) An unoccupied home and surrounding property if the household:

(i) ~~((The household))~~ Is making a good faith effort to sell; or

(ii) Intends to return to the home((:)) and ((#)) the house is unoccupied due to:

(A) Employment;

(B) Training for future employment;

(C) Illness; or

(D) Uninhabitability due to casualty or natural disaster.

(c) A piece of land where the household is building or intends to build a permanent home, if the household does not own another home. The land must not be separated by intervening property owned by others;

(d) Personal effects;

(e) Household goods;

(f) One burial plot per household member;

(g) Cash value of:

(i) Life insurance policies; and

(ii) Pension funds.

(h) Vehicles as provided under WAC 388-49-430;

(i) That portion of real or personal property directly related to the maintenance or use of a vehicle excluded under WAC 388-49-430 (1)(a), (b), and (f);

(j) Property annually producing income consistent with its fair market value, even if only used on a seasonal basis;

(k) Rental homes used by household for vacation purposes during the year if the property annually produces income consistent with its fair market value;

(l) Property essential to the employment or self-employment of a household member. Property excluded under this provision because the property 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;

(m) Resources held separately by a nonhousehold member or an ineligible student;

(n) Indian lands:

(i) Held jointly with the tribe; or

(ii) Sold only with the approval of the Bureau of Indian Affairs.

(o) Resources prorated as income for self-employed persons or eligible students. These funds, if commingled in an account with nonexcluded funds, shall retain their exclusion for the period of time they are prorated as income;

(p) Cash value of resources not accessible to the household;

(q) Funds in a trust and the income produced by that trust, to the extent they are not available;

(r) Resources excluded by express provision of federal law from consideration in the food stamp program;

(s) Installment contracts or agreements for the sale of land or other property when it is producing income consistent with its fair market value;

(t) Value of the property sold under an installment contract;

(u) The value of property held for security if the purchase price is consistent with fair market value;

(v) Real or personal property when:

(i) Secured by a lien as a result of obtaining a business loan; and

(ii) The security or lien agreement prohibits the household from selling the asset or assets.

(w) Governmental payments designated for restoration of a home damaged in a disaster. The household must be subject to legal sanction if the funds are not used as intended;

(x) Energy assistance payments or allowances made under federal, state, or local laws;

(y) Resources of persons residing in shelters for battered women and children if:

(i) The resources are jointly owned with members of the former household; and

(ii) Access to the resources depends on the agreement of the joint owner.

(z) Payments received under the Puyallup Tribe of Indians Settlement Act of 1989, P.L. 101-41, as follows:

(i) Payments from the annuity fund established by P.L. 101-41 made to a Puyallup Tribe member upon reaching twenty-one years of age;

(ii) The investments or purchases made directly with the annuity payment up to the amount from the annuity fund payment; and

(iii) Payments from the trust fund established by P.L. 101-41 made to a Puyallup Tribal member.

(2) The department shall continue to exempt a household's funds commingled in an account with nonexempt funds ((shall continue to be exempt)) for up to six months from the date ((they)) the funds are commingled.

(3) The department shall exempt a resource of a household member who receives a supplemental security income (SSI) or aid to families with dependent children (AFDC) grant when:

(a) The resource is exempt by SSI or AFDC rules; and

(b) Such household member's income does not exceed the one-person gross monthly income standard in WAC 388-49-510.

## WSR 91-20-098

### PROPOSED RULES

### DEPARTMENT OF

### SOCIAL AND HEALTH SERVICES

### (Public Assistance)

[Filed September 30, 1991, 1:41 p.m.]

#### Original Notice.

Title of Rule: WAC 388-81-070 Determination of maternity care distressed areas.

Purpose: To change the requirement of when medical assistance conducts county reviews to determine maternity care distressed areas.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: Change rule to delete reference to the time when medical assistance determines if counties of the state are maternity care distressed areas.

Reasons Supporting Proposal: To amend the rule to delete the reference to a time when a county review is done to determine if the county is a distressed maternity area.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance, 753-0529.

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 November 5, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805, Olympia, Washington 98504, by November 5, 1991.

Date of Intended Adoption: November 19, 1991.

September 30, 1991  
Leslie F. James, Director  
Administrative Services

AMENDATORY SECTION (Amending Order 2883, filed 10/27/89, effective 11/27/89)

WAC 388-81-070 DETERMINATION OF MATERNITY CARE DISTRESSED AREAS. (1) A maternity care distressed area shall be defined as a county where women eligible for medical assistance are unable to obtain adequate maternity care.

(2) The department shall conduct a ((biennial)) review of each county in the state to determine if the county is a maternity care distressed area. The department shall include the following factors in the department's determination:

(a) Higher than average percentage of eligible women receive late or no prenatal care;

(b) Higher than average percentage of eligible women go out of the area to receive maternity care;

(c) Higher than average ratio of medical assistance births to obstetrical care providers;

(d) Higher than average percentage of infants are born to eligible persons per obstetrical care provider; and

(e) Higher than average percentage of infants are of low birth weight born to eligible women. Low birth weight shall be defined as less than five and one-half pounds, or less than two thousand five hundred grams.

(3) The department shall notify the relevant county authority, for example, board of county commissioners, county council, or county executive, when the department determines a maternity care distressed area exists.

(4) The county authority shall, within one hundred twenty days from the date notified, submit a brief report to the department recommending remedial action.

(a) The county authority shall prepare the report in consultation with:

(i) The department and the department's local community service offices;

(ii) The local public health officer;

(iii) Community health clinics;

(iv) Health care providers;

(v) Hospitals;

(vi) The business community;

(vii) Labor representatives; and

(viii) Low income advocates in the distressed area.

(b) The county authority may contract with a local nonprofit agency to develop the report.

(c) The county authority shall notify the department within thirty days if the county authority is unable or unwilling to develop the report.

(5) The department shall develop the report for the distressed area if the department is notified that the county authority is unable or unwilling to develop the report.

(6) The department shall review the report and use the report in developing strategies to improve maternity care access in the distressed area.

## WSR 91-20-099

### PROPOSED RULES

## DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Public Assistance)

[Filed September 30, 1991, 1:42 p.m.]

Original Notice.

Title of Rule: WAC 388-84-105 Medical application.

Purpose: Incorporate the V-program children in the waiver of a face-to-face interview during the application process.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: To include the V-program children in the application process. To clarify that health kids is the same program as EPSDT. Other changes are technical for clarity and easier reading.

Reasons Supporting Proposal: To eliminate the face-to-face interview.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Joanie Hornby, Medical Assistance, 753-7462.

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 November 5, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805, Olympia, Washington 98504, by November 5, 1991.

Date of Intended Adoption: November 19, 1991.

September 30, 1991  
Leslie F. James, Director  
Administrative Services

AMENDATORY SECTION (Amending Order 3138, filed 2/7/91)

WAC 388-84-105 MEDICAL APPLICATION. (1) The department shall accept and process applications for medical programs as described under subsections of WAC 388-38-010, 388-38-030, 388-38-040, 388-38-045, and 388-38-050 except as specified under this section.

(2) The department shall accept applications for medical programs without delay.

(a) The department shall provide clients with:

(i) An explanation of the Civil Rights Act;

(ii) Fair hearing information;

(iii) Information about early and periodic screening, diagnosis, and treatment (EPSDT) also known as the Healthy Kids Program, when appropriate; and

(iv) Information about family planning, when appropriate.

(v) Information about the special supplemental food program for women, infants and children's (WIC), when appropriate.

(b) The request for medical programs shall be in writing on a ((form)) department designated ((by the department)) form.

(c) A relative or representative may complete the application on ~~((behalf of))~~ a client's behalf, when the client is unable to complete the application or if the client dies.

(3) The department shall complete the application process by conducting a face-to-face interview in the local community services office CSO, unless the client or their representative:

(a) ~~((Department has adequate information to determine eligibility for medical programs without an office interview;~~

~~((b) Client))~~ Requests the office interview be waived and the ~~((client))~~:

(i) Client is unable to come to the ~~((community services office))~~ CSO; and

(ii) Client has no representative to complete the interview; or

(iii) Client is unable to name a representative to complete the interview; ~~((c) Client))~~ and

(iv) Department has adequate information to determine eligibility for medical programs without a face-to-face interview.

(b) Is a pregnant woman applying only for a medical program; or ~~((d) Medical application is for an infant))~~ (c) Is a child up to ~~((one))~~ eighteen years of age and the application is only for a medical program.

(4) If the client meets the requirements of subsection ~~((s)(3)(b), (c), or (d) then))~~ (3)(a), the department ~~((shall))~~ may complete the application process through:

(a) A face-to-face home visit;

(b) A telephone interview; or

(c) The mail.

(5) The department shall find clients who receive cash assistance under AFDC, FIP, SSI, or state supplement eligible for medical assistance without a separate application.

(6) A spouse ineligible for SSI benefits solely because of the ~~((level of the))~~ spouse's income level shall apply individually for a medical program.

(7) A Washington State resident ~~((of the state of Washington))~~ temporarily out of the state may make application directly to the ~~((community services office ( ) CSO(( )))~~ in the resident's area of the state through either ~~((an individual))~~ a person or agency acting in the ~~((resident's))~~ client's behalf.

**WSR 91-20-100**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Filed September 30, 1991, 1:43 p.m.]

**Original Notice.**

Title of Rule: WAC 388-55-010 Common eligibility conditions; and 388-55-040 Refugee medical assistance.

Purpose: To reduce the duration of refugee cash assistance, and refugee medical assistance from 12 months to 8 months from the date of entry into the United States.

Statutory Authority for Adoption: RCW 43.20A.550.

Statute Being Implemented: RCW 43.20A.550.

Summary: To reduce the duration of refugee cash and medical assistance from 12 months to 8 months, in compliance with federal regulations, effective October 1, 1991, for applicants and effective December 1, 1991, for current recipients.

Reasons Supporting Proposal: Same as above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Steve Ebben, Income Assistance, 586-1516.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, Health and Human Services, September 11, 1991, letter.

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 November 5, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805, Olympia, Washington 98504, by November 5, 1991.

Date of Intended Adoption: November 19, 1991.

September 30, 1991

Leslie F. James, Director  
Administrative Services

AMENDATORY SECTION (Amending Order 3120, filed 12/19/90, effective 1/19/91)

**WAC 388-55-010 COMMON ELIGIBILITY CONDITIONS.**

(1) The department shall grant assistance to refugees within the provisions of P.L. 96-212, the Refugee Assistance Program to applicants who provide proof, in the form of documentation issued by Immigration and Naturalization Service (INS), of one of the following statuses:

(a) Admittance from any country having parole status as a refugee asylee or parolee under Section 212 (d)(5) of the INA;

(b) Admittance from any country as a conditional entrant under Section 203 (a)(7) of the INA;

(c) Admittance from any country as a refugee under Section 207 of the Immigration and Naturalization Act (INA);

(d) Granted asylum under Section 208 of the INA;

(e) Admittance with an immigration status that entitled the individual to refugee assistance prior to enactment of the Refugee Act of 1980;

(f) Admittance as an Amerasian immigrant from Vietnam admitted through the orderly departure program, under section 584 of the Foreign Operations Appropriations Act, incorporated in the FY88 Continuing Resolution P.L. 100-202; and

(g) Admitted for permanent residence, provided the individual previously held one of the statuses described in subsection (1)(a), (b), (c), or (d) of this section.

(2) The department shall transfer eligible refugees to the AFDC, FIP, and/or Medicaid programs retroactively effective October 1, 1977, or as of such date as the refugees qualified for refugee assistance, whichever is later. The department shall regard such refugees as recipients rather than new applicants and shall disregard the recipient's income accordingly.

(3) The department shall determine eligibility for AFDC or Medicaid before determining eligibility for the refugee assistance program for applications from refugees not currently receiving refugee cash assistance and/or medical assistance.

(a) If the applicant is not eligible for AFDC or FIP, then the department shall determine eligibility under the refugee assistance program.

(b) If the applicant is not eligible for Medicaid, then the department shall determine eligibility under the refugee assistance medical program.

(4) The department shall waive requirements of categorical relatedness of federal assistance programs, except for mandatory monthly reporting, for refugee assistance program. Requirements under WAC 388-24-044 apply.

(5) The department shall determine as not eligible for refugee assistance, refugees terminated from the AFDC program because of refusal to comply with eligibility requirements.

(6) Except as specified in subsection (7) of this section, the department shall provide assistance to all refugees, regardless of family composition, at the AFDC monthly standards. The department shall treat income and resources according to AFDC standards. The department shall not consider resources which are unavailable, including property remaining in other countries, in determining eligibility for financial assistance.

(7) Applicants for and recipients of refugee assistance are not eligible for the thirty dollar plus one-third of the remainder exemption from earned income.

(8) The department shall treat the refugee family unit including United States citizen children born in this country, as a single assistance unit under the refugee assistance program under the provisions of WAC 388-24-050.

(9) Beginning October 1, (~~1988~~) 1991, for new applicants and beginning December 1, 1991, for current recipients, the department shall consider refugees meeting the criteria in this section as eligible for refugee assistance only during the (~~twelve~~) eight-month period beginning the first of the month the refugee first entered the United States.

(10) The department shall not consider full-time students in an institution of higher education eligible for refugee assistance, unless participating in a department-approved job or language training program not to exceed twelve months.

(11) The department shall notify the voluntary agency (VOLAG) sponsoring the refugee when the refugee applies for assistance.

(12) Refugees meeting the criteria in this section are eligible for additional requirements for emergent situations under chapter 388-29 WAC.

#### AMENDATORY SECTION (Amending Order 2752, filed 1/6/89)

WAC 388-55-040 REFUGEE MEDICAL ASSISTANCE. (1) A refugee receiving a continuing assistance grant is eligible for medical assistance as specified in WAC 388-82-010(1).

(2) The department shall determine the nonrecipient refugee eligibility for medical care as specified in chapter 388-83 WAC. The department shall base eligibility on medical and financial need only; requirements of categorical relatedness are waived.

(3) The department shall apply WAC 388-55-030(1) in determining the amount of participation in medical costs for refugee medical assistance recipients.

(4) The refugee financial assistance recipient who becomes ineligible because of increased income from employment shall remain eligible for medical assistance for four calendar months beginning with the month of ineligibility provided:

(a) In the case of a single individual assistance unit:

(i) The individual received assistance in at least three of the six months immediately preceding the month of ineligibility; and

(ii) He or she continues employment.

(b) In the case of a multiple individual assistance unit:

(i) The family received assistance in at least three of the six months immediately preceding the month of ineligibility; and

(ii) A member of the family continues employment.

(5) Medical need is not an eligibility factor for subsection (4)(a) or (b) of this section.

(6) Refugee recipients shall have continuing eligibility for financial and medical assistance redetermined at least once in every six months of continuous receipt of assistance.

(7) Effective October 1, 1991, for new applicants and effective December 1, 1991, for current recipients, persons meeting the criteria in this section are eligible for refugee assistance only during the (~~twelve~~) eight-month period beginning in the first month the person entered the United States.

**WSR 91-20-101**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Filed September 30, 1991, 1:44 p.m.]

Original Notice.

Title of Rule: WAC 388-86-085 Transportation (other than ambulance).

Purpose: To clarify the rules on when transportation is paid under medical services and when an attendant or escort is needed.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: Transportation is considered a service for Medicaid payment when the recipient enters the vehicle and is transported for one-quarter of a mile. An escort or attendant is needed during transportation to ensure public or private safety.

Reasons Supporting Proposal: To make administrative clarifications of the transportation, nonambulance Washington Administrative Code.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance, 753-0529.

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 November 5, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805, Olympia, Washington 98504, by November 5, 1991.

Date of Intended Adoption: November 19, 1991.

September 30, 1991

Leslie F. James, Director  
Administrative Services

#### AMENDATORY SECTION (Amending Order 3044, filed 7/27/90, effective 8/27/90)

WAC 388-86-085 TRANSPORTATION (OTHER THAN AMBULANCE). (1) The department shall assure the availability of necessary transportation for a recipient:

(a) To and from medical services;

(b) Covered under the recipient's medical (~~(assistance)~~) program; and

(c) Suitable to the recipient's medical need.

(2) For the purposes of this section and WAC 388-87-035, the department defines transportation as a service when a recipient enters a vehicle and is transported to medical services which are at least one-quarter mile away.

(3) The department shall authorize payment for such transportation: (a) When other means of transportation are not available or appropriate to the recipient's need;

(b) At the least costly alternative mode of transportation suitable to the recipient's medical condition;

(c) When the department, broker, or contractor gives prior authorization for the transportation or gives retro-authorization within seventy-two hours for transportation during hours when the department, broker, or contractor is not available; and

(d) When transportation is given to and from covered services:

(i) Within the local medical community unless necessary medical services are not available locally; or

(ii) Outside of the local medical community to the closest provider able and willing to provide the necessary and covered medical services.

(~~(3)~~) (4) The department shall:

(a) Contract to provide such transportation as an administrative service in counties under broker or contractor agreements.

(i) Brokers or contractors shall certify transportation providers for medical services in accordance with rules established by the (~~(division of medical assistance)~~) department; and

(ii) The department shall require the brokers and contractors to operate the services in accordance with all federal, state, and local ordinances, statutes, and regulations.

(b) Provide transportation as a medical service in unbrokered or noncontracted counties.

~~((4))~~ (5) The department, broker, or contractor shall pay for transportation only for the recipient unless the ~~(recipient has an identified)~~ broker determines that the recipient needs ~~((for))~~ an attendant or escort to ensure personal or public safety.

~~((5))~~ (6) When the department determines no other appropriate transportation resource is available to the recipient, the department may:

(a) Authorize public transit when a transit authority is present in the community and when the recipient is capable of using this level of service;

(b) Reimburse the recipient for mileage in a private vehicle or issue a gas voucher, in areas with gas voucher systems:

- (i) When prior authorized; ~~((and))~~
- (ii) If the distance traveled is more than forty miles to and from covered medical services in a given week; and
- (iii) When the driver and vehicle meet the state insurance and licensure requirements.

(c) Reimburse volunteers providing recipient transportation:

- (i) When prior authorized; ~~((and))~~
- (ii) From volunteer's point of origin, and back to volunteer's point of origin; and
- (iii) When the driver and vehicle meet the state insurance and licensure requirements.

~~((6))~~ (7) When transportation in subsection ~~((5))~~ 6 of this section is either not available or not accessible by the recipient, and the transportation is medically necessary, the department shall authorize transportation by:

(a) A nonprofit organization~~((s))~~ using specialized equipment, such as wheelchair lifts when the medical necessity is clearly demonstrated and the physical condition of the recipient is such that any less specialized means of transportation is inadvisable;

(b) Cabulance vehicle when medical necessity is clearly demonstrated and the physical condition of the recipient is such that any less specialized means of transportation is inadvisable; ~~((and))~~

(c) Taxi transportation when medically necessary and other less expensive modes of transportation are not available or not appropriate to meet the recipient's needs.

~~((7))~~ (8) The department shall authorize interstate and intrastate transportation, e.g., bus, train, air, when:

- (a) Transportation is medically necessary; ~~((and))~~
- (b) Necessary medical treatment is not available locally; and
- (c) The physical condition of the recipient is such that the use of any other method of transportation is inadvisable.

~~((8))~~ (9) The department, broker, or contractor shall not authorize transportation for a nursing ~~((home))~~ facility recipient~~((s))~~ to or from medical services which are expected to be provided by the facility:

- (a) Securing prescriptions;
- (b) Nursing care and supervision;
- (c) Personal hygiene~~((:))~~ including baths, shampoos, routine nail care for feet or hands, shaves, routine daily oral care, and skin care;
- (d) Services relating to meeting medically-related psychosocial needs~~((:))~~ ordered by the physician when appropriate;
- (e) Ancillary care services including services provided by activities specialists, audiologists, social workers, speech pathologists, physical therapists, and/or occupational therapists; or
- (f) A nutritionally adequate and varied diet including supplementary nourishments and vitamins.

**WSR 91-20-102  
PROPOSED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)**

[Filed September 30, 1991, 1:45 p.m.]

Original Notice.

Title of Rule: WAC 388-87-025 Services requiring approval.

Purpose: To incorporate in WAC that all medical services received by recipients are subject to review and approval.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: All services received by recipients under the medical programs are subject to review and approval.

Reasons Supporting Proposal: To clarify that all medical services received by recipients are subject to review and approval.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance, 753-0529.

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 November 5, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805, Olympia, Washington 98504, by November 5, 1991.

Date of Intended Adoption: November 19, 1991.

September 30, 1991

Leslie F. James, Director  
Administrative Services

**AMENDATORY SECTION (Amending Order 2321, filed 12/27/85)**

WAC 388-87-025 SERVICES REQUIRING APPROVAL. All services to recipients on medical ~~((assistance, limited casualty program, and continuing general assistance))~~ programs are subject to department review and approval.

**WSR 91-20-103  
PROPOSED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)**

[Filed September 30, 1991, 1:46 p.m.]

Original Notice.

Title of Rule: WAC 388-86-071 Private duty nursing services.

Purpose: To change policy regarding home health agencies as providers for special duty nursing services.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: The department shall contract only with licensed home health care agencies as providers for special duty nursing services. Home health agencies have six months from October 1, 1991, to be licensed.



Reasons Supporting Proposal: To assure all home health agencies giving medical care as providers for special duty nursing services and paid by the department are licensed.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance, 753-0529.

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 November 5, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805, Olympia, Washington 98504, by November 5, 1991.

Date of Intended Adoption: November 19, 1991.

September 30, 1991  
Leslie F. James, Director  
Administrative Services

**AMENDATORY SECTION** (Amending Order 2469, filed 2/19/87)

**WAC 388-86-071 PRIVATE DUTY NURSING SERVICES.**

(1) The department shall approve private duty nursing services when:

(a) The ~~((patient))~~ recipient would otherwise be institutionalized; ~~((and))~~

(b) The care is provided in a noninstitutional setting; ~~((and))~~

(c) The services are medically necessary; ~~((and))~~

(d) The cost of the services will not exceed the cost of:

(i) Available skilled nursing facility care as determined by the exceptional rate review; or

(ii) Hospital care if skilled nursing facility care is not available; ~~((and))~~

(e) The ~~((patient))~~ recipient requires more nursing care than is available through home health services; ~~((and))~~

(f) ~~((The care is provided by))~~ A registered or licensed practical nurse provides the care under the direction of a physician; and

(g) The ~~((division of))~~ medical assistance ~~((has given))~~ administration gives prior approval to the overall plan of care.

(2) The ~~((patient))~~ recipient and/or family may pay for supplemental services, not covered in the approved plan of care, as provided in WAC 388-83-010(3).

(3) The department shall contract only with state licensed home health agencies as providers for special duty nursing services.

(a) Current providers, as of October 1, 1991, shall be state licensed as home health agencies by April 1, 1992.

(b) New providers shall be state licensed before the department will contract with them as providers for special duty nursing services.

Purpose: To reduce the duration of refugee cash assistance, and refugee medical assistance from 12 months to 8 months from the date of entry into the United States.

Citation of Existing Rules Affected by this Order: Amending WAC 388-55-010 Common eligibility conditions; and 388-55-040 Refugee medical assistance.

Statutory Authority for Adoption: RCW 43.20A.550.

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: To reduce the duration of refugee cash and medical assistance from 12 months to 8 months, in compliance with federal regulations, effective October 1, 1991, for applicants and effective December 1, 1991, for current recipients.

Effective Date of Rule: October 1, 1991, 12:01 a.m.

September 30, 1991  
Leslie F. James, Director  
Administrative Services

**AMENDATORY SECTION** (Amending Order 3120, filed 12/19/90, effective 1/19/91)

**WAC 388-55-010 COMMON ELIGIBILITY CONDITIONS.** (1) The department shall grant assistance to refugees within the provisions of P.L. 96-212, the Refugee Assistance Program to applicants who provide proof, in the form of documentation issued by Immigration and Naturalization Service (INS), of one of the following statuses:

(a) Admittance from any country having parole status as a refugee asylee or parolee under Section 212 (d)(5) of the INA;

(b) Admittance from any country as a conditional entrant under Section 203 (a)(7) of the INA;

(c) Admittance from any country as a refugee under Section 207 of the Immigration and Naturalization Act (INA);

(d) Granted asylum under Section 208 of the INA;

(e) Admittance with an immigration status that entitled the individual to refugee assistance prior to enactment of the Refugee Act of 1980;

(f) Admittance as an Amerasian immigrant from Vietnam admitted through the orderly departure program, under section 584 of the Foreign Operations Appropriations Act, incorporated in the FY88 Continuing Resolution P.L. 100-202, and

(g) Admitted for permanent residence, provided the individual previously held one of the statuses described in subsection (1)(a), (b), (c), or (d) of this section.

(2) The department shall transfer eligible refugees to the AFDC, FIP, and/or Medicaid programs retroactively effective October 1, 1977, or as of such date as the refugees qualified for refugee assistance, whichever is later. The department shall regard such refugees as recipients rather than new applicants and shall disregard the recipient's income accordingly.

**WSR 91-20-104**

**EMERGENCY RULES**

**DEPARTMENT OF**

**SOCIAL AND HEALTH SERVICES**

**(Public Assistance)**

[Order 3247—Filed September 30, 1991, 1:47 p.m., effective October 1, 1991, 12:01 a.m.]

Date of Adoption: September 30, 1991.

(3) The department shall determine eligibility for AFDC or Medicaid before determining eligibility for the refugee assistance program for applications from refugees not currently receiving refugee cash assistance and/or medical assistance.

(a) If the applicant is not eligible for AFDC or FIP, then the department shall determine eligibility under the refugee assistance program.

(b) If the applicant is not eligible for Medicaid, then the department shall determine eligibility under the refugee assistance medical program.

(4) The department shall waive requirements of categorical relatedness of federal assistance programs, except for mandatory monthly reporting, for refugee assistance program. Requirements under WAC 388-24-044 apply.

(5) The department shall determine as not eligible for refugee assistance, refugees terminated from the AFDC program because of refusal to comply with eligibility requirements.

(6) Except as specified in subsection (7) of this section, the department shall provide assistance to all refugees, regardless of family composition, at the AFDC monthly standards. The department shall treat income and resources according to AFDC standards. The department shall not consider resources which are unavailable, including property remaining in other countries, in determining eligibility for financial assistance.

(7) Applicants for and recipients of refugee assistance are not eligible for the thirty dollar plus one-third of the remainder exemption from earned income.

(8) The department shall treat the refugee family unit including United States citizen children born in this country, as a single assistance unit under the refugee assistance program under the provisions of WAC 388-24-050.

(9) Beginning October 1, ((+1988)) 1991, for new applicants and beginning December 1, 1991, for current recipients, the department shall consider refugees meeting the criteria in this section as eligible for refugee assistance only during the ((twelve)) eight-month period beginning the first of the month the refugee first entered the United States.

(10) The department shall not consider full-time students in an institution of higher education eligible for refugee assistance, unless participating in a department-approved job or language training program not to exceed twelve months.

(11) The department shall notify the voluntary agency (VOLAG) sponsoring the refugee when the refugee applies for assistance.

(12) Refugees meeting the criteria in this section are eligible for additional requirements for emergent situations under chapter 388-29 WAC.

**AMENDATORY SECTION** (Amending Order 2752, filed 1/6/89)

**WAC 388-55-040 REFUGEE MEDICAL ASSISTANCE.** (1) A refugee receiving a continuing assistance grant is eligible for medical assistance as specified in WAC 388-82-010(1).

(2) The department shall determine the nonrecipient refugee eligibility for medical care as specified in chapter 388-83 WAC. The department shall base eligibility on medical and financial need only; requirements of categorical relatedness are waived.

(3) The department shall apply WAC 388-55-030(1) in determining the amount of participation in medical costs for refugee medical assistance recipients.

(4) The refugee financial assistance recipient who becomes ineligible because of increased income from employment shall remain eligible for medical assistance for four calendar months beginning with the month of ineligibility provided:

(a) In the case of a single individual assistance unit:

(i) The individual received assistance in at least three of the six months immediately preceding the month of ineligibility; and

(ii) He or she continues employment.

(b) In the case of a multiple individual assistance unit:

(i) The family received assistance in at least three of the six months immediately preceding the month of ineligibility; and

(ii) A member of the family continues employment.

(5) Medical need is not an eligibility factor for subsection (4)(a) or (b) of this section.

(6) Refugee recipients shall have continuing eligibility for financial and medical assistance redetermined at least once in every six months of continuous receipt of assistance.

(7) Effective October 1, 1991, for new applicants and effective December 1, 1991, for current recipients, persons meeting the criteria in this section are eligible for refugee assistance only during the ((twelve)) eight-month period beginning in the first month the person entered the United States.

**WSR 91-20-105**

**EMERGENCY RULES**

**DEPARTMENT OF**

**SOCIAL AND HEALTH SERVICES**

**(Public Assistance)**

[Order 3253—Filed September 30, 1991, 1:48 p.m., effective October 1, 1991, 12:01 a.m.]

Date of Adoption: September 30, 1991.

Purpose: To change the requirement of when medical assistance conducts county reviews to determine maternity care distressed areas.

Citation of Existing Rules Affected by this Order: Amending WAC 388-81-070 Determination of maternity care distressed areas.

Statutory Authority for Adoption: RCW 74.08.090.

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: To amend the rule to delete the reference to a time when a county review is done to determine if the county is a distressed maternity area.

Effective Date of Rule: October 1, 1991, 12:01 a.m.

September 30, 1991  
Leslie F. James, Director  
Administrative Services

**AMENDATORY SECTION** (Amending Order 2883, filed 10/27/89, effective 11/27/89)

**WAC 388-81-070 DETERMINATION OF MATERNITY CARE DISTRESSED AREAS.** (1) A maternity care distressed area shall be defined as a county where women eligible for medical assistance are unable to obtain adequate maternity care.

(2) The department shall conduct a ((*biennial*)) review of each county in the state to determine if the county is a maternity care distressed area. The department shall include the following factors in the department's determination:

- (a) Higher than average percentage of eligible women receive late or no prenatal care;
- (b) Higher than average percentage of eligible women go out of the area to receive maternity care;
- (c) Higher than average ratio of medical assistance births to obstetrical care providers;
- (d) Higher than average percentage of infants are born to eligible persons per obstetrical care provider; and
- (e) Higher than average percentage of infants are of low birth weight born to eligible women. Low birth weight shall be defined as less than five and one-half pounds, or less than two thousand five hundred grams.

(3) The department shall notify the relevant county authority, for example, board of county commissioners, county council, or county executive, when the department determines a maternity care distressed area exists.

(4) The county authority shall, within one hundred twenty days from the date notified, submit a brief report to the department recommending remedial action.

(a) The county authority shall prepare the report in consultation with:

- (i) The department and the department's local community service offices;
- (ii) The local public health officer;
- (iii) Community health clinics;
- (iv) Health care providers;
- (v) Hospitals;
- (vi) The business community;
- (vii) Labor representatives; and
- (viii) Low income advocates in the distressed area.

(b) The county authority may contract with a local nonprofit agency to develop the report.

(c) The county authority shall notify the department within thirty days if the county authority is unable or unwilling to develop the report.

(5) The department shall develop the report for the distressed area if the department is notified that the county authority is unable or unwilling to develop the report.

(6) The department shall review the report and use the report in developing strategies to improve maternity care access in the distressed area.

**WSR 91-20-106**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3254—Filed September 30, 1991, 1:49 p.m., effective October 1, 1991, 12:01 a.m.]

Date of Adoption: September 30, 1991.

Purpose: To clarify the rules on when transportation is paid under medical services and when an attendant or escort is needed.

Citation of Existing Rules Affected by this Order: Amending RCW 74.08.090 [WAC 388-86-085].

Statutory Authority for Adoption: RCW 74.08.090.

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: To make administrative clarifications of the transportation, nonambulance Washington Administrative Code.

Effective Date of Rule: October 1, 1991, 12:01 a.m.

September 30, 1991  
Leslie F. James, Director  
Administrative Services

**AMENDATORY SECTION** (Amending Order 3044, filed 7/27/90, effective 8/27/90)

**WAC 388-86-085 TRANSPORTATION (OTHER THAN AMBULANCE).** (1) The department shall assure the availability of necessary transportation for a recipient:

- (a) To and from medical services;
- (b) Covered under the recipient's medical ((*assistance*)) program; and
- (c) Suitable to the recipient's medical need.

(2) For the purposes of this section and WAC 388-87-035, the department defines transportation as a service when a recipient enters a vehicle and is transported to medical services which are at least one-quarter mile away.

(3) The department shall authorize payment for such transportation:

- (a) When other means of transportation are not available or appropriate to the recipient's need;
- (b) At the least costly alternative mode of transportation suitable to the recipient's medical condition;
- (c) When the department, broker, or contractor gives prior authorization for the transportation or gives retro-authorization within seventy-two hours for transportation during hours when the department, broker, or contractor is not available; and
- (d) When transportation is given to and from covered services:

- (i) Within the local medical community unless necessary medical services are not available locally; or

(ii) Outside of the local medical community to the closest provider able and willing to provide the necessary and covered medical services.

~~((3))~~ (4) The department shall:

(a) Contract to provide such transportation as an administrative service in counties under broker or contractor agreements.

(i) Brokers or contractors shall certify transportation providers for medical services in accordance with rules established by the ~~((division of medical assistance))~~ department; and

(ii) The department shall require the brokers and contractors to operate the services in accordance with all federal, state, and local ordinances, statutes, and regulations.

(b) Provide transportation as a medical service in unbrokered or noncontracted counties.

~~((4))~~ (5) The department, broker, or contractor shall pay for transportation only for the recipient unless the ~~((recipient has an identified))~~ broker determines that the recipient needs ~~((for))~~ an attendant or escort to ensure personal or public safety.

~~((5))~~ (6) When the department determines no other appropriate transportation resource is available to the recipient, the department may:

(a) Authorize public transit when a transit authority is present in the community and when the recipient is capable of using this level of service;

(b) Reimburse the recipient for mileage in a private vehicle or issue a gas voucher, in areas with gas voucher systems:

(i) When prior authorized; ~~((and))~~

(ii) If the distance traveled is more than forty miles to and from covered medical services in a given week; and

(iii) When the driver and vehicle meet the state insurance and licensure requirements.

(c) Reimburse volunteers providing recipient transportation:

(i) When prior authorized; ~~((and))~~

(ii) From volunteer's point of origin, and back to volunteer's point of origin; and

(iii) When the driver and vehicle meet the state insurance and licensure requirements.

~~((6))~~ (7) When transportation in subsection ~~((5))~~ 6 of this section is either not available or not accessible by the recipient, and the transportation is medically necessary, the department shall authorize transportation by:

(a) A nonprofit organization ~~((s))~~ using specialized equipment, such as wheelchair lifts when the medical necessity is clearly demonstrated and the physical condition of the recipient is such that any less specialized means of transportation is inadvisable;

(b) Cabulance vehicle when medical necessity is clearly demonstrated and the physical condition of the recipient is such that any less specialized means of transportation is inadvisable; ~~((and))~~

(c) Taxi transportation when medically necessary and other less expensive modes of transportation are not available or not appropriate to meet the recipient's needs.

~~((7))~~ (8) The department shall authorize interstate and intrastate transportation, e.g., bus, train, air, when:

(a) Transportation is medically necessary; ~~((and))~~

(b) Necessary medical treatment is not available locally; and

(c) The physical condition of the recipient is such that the use of any other method of transportation is inadvisable.

~~((8))~~ (9) The department, broker, or contractor shall not authorize transportation for a nursing ~~((home))~~ facility recipient ~~((s))~~ to or from medical services which are expected to be provided by the facility:

(a) Securing prescriptions;

(b) Nursing care and supervision;

(c) Personal hygiene ~~((:))~~ including baths, shampoos, routine nail care for feet or hands, shaves, routine daily oral care, and skin care;

(d) Services relating to meeting medically-related psychosocial needs ~~((:))~~ ordered by the physician when appropriate;

(e) Ancillary care services including services provided by activities specialists, audiologists, social workers, speech pathologists, physical therapists, and/or occupational therapists; or

(f) A nutritionally adequate and varied diet including supplementary nourishments and vitamins.

**WSR 91-20-107**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3255—Filed September 30, 1991, 1:51 p.m., effective October 1, 1991, 12:01 a.m.]

Date of Adoption: September 30, 1991.

Purpose: To change policy regarding home health agencies as providers for special duty nursing services.

Citation of Existing Rules Affected by this Order: Amending WAC 388-86-071 Private duty nursing services.

Statutory Authority for Adoption: RCW 74.08.090.

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: To assure all home health agencies giving medical care as providers for special duty nursing services and paid by the department are licensed.

Effective Date of Rule: October 1, 1991, 12:01 a.m.

September 30, 1991  
Leslie F. James, Director  
Administrative Services

AMENDATORY SECTION (Amending Order 2469, filed 2/19/87)

WAC 388-86-071 PRIVATE DUTY NURSING SERVICES. (1) The department shall approve private duty nursing services when:

(a) The ~~((patient))~~ recipient would otherwise be institutionalized; ~~((and))~~

(b) The care is provided in a noninstitutional setting; ~~((and))~~

(c) The services are medically necessary; ~~((and))~~

(d) The cost of the services will not exceed the cost of:

(i) Available skilled nursing facility care as determined by the exceptional rate review; or

(ii) Hospital care if skilled nursing facility care is not available; ~~((and))~~

(e) The ~~((patient))~~ recipient requires more nursing care than is available through home health services; ~~((and))~~

(f) ~~((The care is provided by))~~ A registered or licensed practical nurse provides the care under the direction of a physician; and

(g) The ~~((division of))~~ medical assistance ~~((has given))~~ administration gives prior approval to the overall plan of care.

(2) The ~~((patient))~~ recipient and/or family may pay for supplemental services, not covered in the approved plan of care, as provided in WAC 388-83-010(3).

(3) The department shall contract only with state licensed home health agencies as providers for special duty nursing services.

(a) Current providers, as of October 1, 1991, shall be state licensed as home health agencies by April 1, 1992.

(b) New providers shall be state licensed before the department will contract with them as providers for special duty nursing services.

**WSR 91-20-108**  
EMERGENCY RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)

[Order 3256—Filed September 30, 1991, 1:54 p.m., effective October 1, 1991, 12:01 a.m.]

Date of Adoption: September 30, 1991.

Purpose: To incorporate in WAC that all medical services received by recipients are subject to review and approval.

Citation of Existing Rules Affected by this Order: Amending WAC 388-87-025 Services requiring approval.

Statutory Authority for Adoption: RCW 74.08.090.

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: To clarify that all medical services received by recipients are subject to review and approval.

Effective Date of Rule: October 1, 1991, 12:01 a.m.

September 30, 1991

Leslie F. James, Director  
Administrative Services

AMENDATORY SECTION (Amending Order 2321, filed 12/27/85)

WAC 388-87-025 SERVICES REQUIRING APPROVAL. All services to recipients on medical ~~((assistance, limited casualty program, and continuing general assistance))~~ programs are subject to department review and approval.

**WSR 91-20-109**  
EMERGENCY RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)

[Order 3257—Filed September 30, 1991, 1:56 p.m., effective October 1, 1991, 12:01 a.m.]

Date of Adoption: September 30, 1991.

Purpose: Incorporate the V-program children in the waiver of a face-to-face interview during the application process.

Citation of Existing Rules Affected by this Order: Amending WAC 388-84-105 Medical application.

Statutory Authority for Adoption: RCW 74.08.090.

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: To eliminate the face-to-face interview.

Effective Date of Rule: October 1, 1991, 12:01 a.m.

September 30, 1991

Leslie F. James, Director  
Administrative Services

AMENDATORY SECTION (Amending Order 3138, filed 2/7/91)

WAC 388-84-105 MEDICAL APPLICATION.

(1) The department shall accept and process applications for medical programs as described under subsections of WAC 388-38-010, 388-38-030, 388-38-040, 388-38-045, and 388-38-050 except as specified under this section.

(2) The department shall accept applications for medical programs without delay.

(a) The department shall provide clients with:

(i) An explanation of the Civil Rights Act;

(ii) Fair hearing information;

(iii) Information about early and periodic screening, diagnosis, and treatment (EPSDT) also known as the Healthy Kids Program, when appropriate; and

(iv) Information about family planning, when appropriate.

(v) Information about the special supplemental food program for women, infants and children's (WIC), when appropriate.

(b) The request for medical programs shall be in writing on a ~~((form))~~ department designated ~~((by the department))~~ form.

(c) A relative or representative may complete the application on ~~((behalf of))~~ a client's behalf, when the client is unable to complete the application or if the client dies.

(3) The department shall complete the application process by conducting a face-to-face interview in the local community services office CSO, unless the client or their representative:

~~((a))~~ ~~((Department has adequate information to determine eligibility for medical programs without an office interview;~~

~~((b))~~ ~~((Client))~~ Requests the office interview be waived and the ~~((client))~~:

(i) Client is unable to come to the ~~((community services office))~~ CSO; and

(ii) Client has no representative to complete the interview; or

(iii) Client is unable to name a representative to complete the interview; ~~((c))~~ ~~((Client))~~ and

~~((iv))~~ Department has adequate information to determine eligibility for medical programs without a face-to-face interview.

~~((b))~~ Is a pregnant woman applying only for a medical program; or

~~((d))~~ ~~((Medical application is for an infant))~~ (c) Is a child up to ~~((one))~~ eighteen years of age and the application is only for a medical program.

(4) If the client meets the requirements of subsection ~~((s (3)(b), (c), or (d) then))~~ (3)(a), the department ~~((shall))~~ may complete the application process through:

(a) A face-to-face home visit;

(b) A telephone interview; or

(c) The mail.

(5) The department shall find clients who receive cash assistance under AFDC, FIP, SSI, or state supplement eligible for medical assistance without a separate application.

(6) A spouse ineligible for SSI benefits solely because of the ~~((level of the))~~ spouse's income level shall apply individually for a medical program.

(7) A Washington State resident ~~((of the state of Washington))~~ temporarily out of the state may make application directly to the ~~((community services office))~~ CSO in the resident's area of the state through either ~~((an individual))~~ a person or agency acting in the ~~((resident's))~~ client's behalf.

**WSR 91-20-110**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3258—Filed September 30, 1991, 1:57 p.m., effective October 1, 1991, 12:01 a.m.]

Date of Adoption: September 30, 1991.

Purpose: To implement provision 1719 of the Mickey Leland Memorial Domestic Hunger Relief Act (Farm Bill) which allows the exemption of resources for certain PA and SSI recipients. Also to clarify when real property is exempt due to good faith effort to sell.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-410 Resources—Exempt.

Statutory Authority for Adoption: RCW 74.04.510.

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: To know all possible resource exclusions when determining food stamp program eligibility. Both changes are client beneficial.

Effective Date of Rule: October 1, 1991, 12:01 a.m.

September 30, 1991

Leslie F. James, Director  
Administrative Services

**AMENDATORY SECTION** (Amending Order 3171, filed 5/1/91, effective 6/1/91)

**WAC 388-49-410 RESOURCES—EXEMPT.** (1) The department shall exempt the following resources:

(a) An occupied home and surrounding property not separated by intervening property owned by others;

(b) An unoccupied home and surrounding property if the household:

(i) ~~((The household))~~ Is making a good faith effort to sell; or

(ii) Intends to return to the home and ~~((it))~~ the house is unoccupied due to:

(A) Employment;

(B) Training for future employment;

(C) Illness; or

(D) Uninhabitability due to casualty or natural disaster.

(c) A piece of land where the household is building or intends to build a permanent home, if the household does not own another home. The land must not be separated by intervening property owned by others;

(d) Personal effects;

(e) Household goods;

(f) One burial plot per household member;

(g) Cash value of:

(i) Life insurance policies; and

(ii) Pension funds.

(h) Vehicles as provided under WAC 388-49-430;

(i) That portion of real or personal property directly related to the maintenance or use of a vehicle excluded under WAC 388-49-430 (1)(a), (b), and (f);

(j) Property annually producing income consistent with its fair market value, even if only used on a seasonal basis;

(k) Rental homes used by household for vacation purposes during the year if the property annually produces income consistent with its fair market value;

(l) Property essential to the employment or self-employment of a household member. Property excluded under this provision because the property 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;

(m) Resources held separately by a nonhousehold member or an ineligible student;

(n) Indian lands:

(i) Held jointly with the tribe, or

(ii) Sold only with the approval of the Bureau of Indian Affairs.

(o) Resources prorated as income for self-employed persons or eligible students. These funds, if commingled in an account with nonexcluded funds, shall retain their exclusion for the period of time they are prorated as income;

(p) Cash value of resources not accessible to the household;

(q) Funds in a trust and the income produced by that trust, to the extent they are not available;

(r) Resources excluded by express provision of federal law from consideration in the food stamp program;

(s) Installment contracts or agreements for the sale of land or other property when it is producing income consistent with its fair market value;

(t) Value of the property sold under an installment contract;

(u) The value of property held for security if the purchase price is consistent with fair market value;

(v) Real or personal property when:

(i) Secured by a lien as a result of obtaining a business loan; and

(ii) The security or lien agreement prohibits the household from selling the asset or assets.

(w) Governmental payments designated for restoration of a home damaged in a disaster. The household must be subject to legal sanction if the funds are not used as intended;

(x) Energy assistance payments or allowances made under federal, state, or local laws;

(y) Resources of persons residing in shelters for battered women and children if:

(i) The resources are jointly owned with members of the former household; and

(ii) Access to the resources depends on the agreement of the joint owner.

(z) Payments received under the Puyallup Tribe of Indians Settlement Act of 1989, P.L. 101-41, as follows:

(i) Payments from the annuity fund established by P.L. 101-41 made to a Puyallup Tribe member upon reaching twenty-one years of age;

(ii) The investments or purchases made directly with the annuity payment up to the amount from the annuity fund payment; and

(iii) Payments from the trust fund established by P.L. 101-41 made to a Puyallup Tribal member.

(2) The department shall continue to exempt a household's funds commingled in an account with nonexempt funds ((shall continue to be exempt)) for up to six months from the date ((they)) the funds are commingled.

(3) The department shall exempt a resource of a household member who receives a supplemental security income (SSI) or aid to families with dependent children (AFDC) grant when:

(a) The resource is exempt by SSI or AFDC rules; and

(b) Such household member's income does not exceed the one-person gross monthly income standard in WAC 388-49-510.

**WSR 91-20-111**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(General Provisions)**

[Order 3259—Filed September 30, 1991, 1:58 p.m., effective October 1, 1991, 12:01 a.m.]

Date of Adoption: September 30, 1991.

Purpose: It is no longer necessary for the mental health division to conduct certification reviews of licensed community hospitals, as psychiatric certification standards were incorporated into the hospital licensing regulations. Further, hospitals will no longer designate certain beds to be "certified" for involuntary patients.

Citation of Existing Rules Affected by this Order: Amending WAC 440-44-090 Mental health service provider license and certification fees.

Statutory Authority for Adoption: RCW 43.20B.110.

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: This rule is necessary to delete WAC requirement to charge community hospitals to be certified by the mental health division. Community hospitals which are licensed under chapter 70.41 RCW are deemed certified to meet the requirements for certification.

Effective Date of Rule: October 1, 1991, 12:01 a.m.

September 30, 1991  
Leslie F. James, Director  
Administrative Services

AMENDATORY SECTION (Amending Order 2287, filed 9/24/85)

WAC 440-44-090 MENTAL HEALTH SERVICE PROVIDER LICENSE AND CERTIFICATION FEES. (1) An annual fee, based on a range of client service hours provided per year, shall be assessed as follows:

Range	Client Service Hours	Annual Fee
1	0- 3,999	\$ 281.00
2	4,000-14,999	422.00
3	15,000-29,999	562.00
4	30,000-49,999	842.00
5	50,000 and over	1,030.00

(2) Fee ranges shall be determined from provider information reported to the department's community mental health information system.

(3) Providers applying for a license or certification and not reporting to the department's community mental health information system shall submit ((as part of their application)) the number of annual client service hours as part of their application.

((3)) (4) Fee for an applicant not licensed ((and/)) or certified shall be equal to the fees for licensure ((and/)) or certification of licensed and certified providers with similar annual client service hours.

((4)) (5) Certified short-term inpatient component, or new applicants seeking certification for a short-term inpatient component, shall be assessed an annual fee of thirty-two dollars per bed. This annual fee shall not be assessed for inpatient hospitals licensed under RCW 70.41.

**WSR 91-20-112  
EMERGENCY RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)**

[Order 3260—Filed September 30, 1991, 1:59 p.m., effective October 1, 1991, 12:01 a.m.]

Date of Adoption: September 30, 1991.

Purpose: To update the thrifty food plan standards effective October 1, 1991.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-550 Monthly allotments.

Statutory Authority for Adoption: RCW 74.04.510.

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: To implement notification from the food and nutrition service of the annual update to the thrifty food plan.

Effective Date of Rule: October 1, 1991, 12:01 a.m.  
September 30, 1991  
Leslie F. James, Director  
Administrative Services

AMENDATORY SECTION (Amending Order 3102, filed 11/20/90, effective 12/21/90)

WAC 388-49-550 MONTHLY ALLOTMENTS.  
(1) The department shall determine the value of the allotment a household receives.

(2) The monthly allotment shall equal the thrifty food plan (TFP) for the household size reduced by thirty percent of the household's net income. The department shall use the monthly allotment standards as established by the food and nutrition service.

<u>Household Size</u>	<u>Thrifty Food Plan</u>
1	((+05)) <u>111</u>
2	((+93)) <u>203</u>
3	((277)) <u>292</u>
4	((352)) <u>370</u>
5	((418)) <u>440</u>
6	((502)) <u>528</u>
7	((555)) <u>584</u>
8	((634)) <u>667</u>
9	((713)) <u>750</u>
10	((792)) <u>833</u>
Each additional member	+ ((79)) <u>83</u>

(3) The department shall issue to households, except for households as specified in subsection (4) of this section, a prorated coupon allotment for the number of days remaining from the date of application to the end of the initial month of eligibility.

(a) The allotment shall be based upon a thirty-day month.

(b) No allotment shall be issued for less than ten dollars.

(4) The department shall issue a full month allotment to migrant and seasonal farmworker households applying within thirty days after a prior certification ends.

(5) The department shall determine the value of the monthly allotment a household receives by:

(a) Multiplying the household's net monthly income by thirty percent;

(b) Rounding the product up to the next whole dollar if it ends with one through ninety-nine cents; and

(c) Subtracting the result from the thrifty food plan for the appropriate household size.



(6) One- and two-person households shall receive a minimum monthly allotment of ten dollars except in the initial benefit month when no allotment shall be issued for less than ten dollars.

(7) The department shall issue an identification card to each certified household.

**WSR 91-20-113**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3261—Filed September 30, 1991, 2:00 p.m., effective October 1, 1991, 12:01 a.m.]

Date of Adoption: September 30, 1991.

Purpose: To implement the income assistance child care program.

Citation of Existing Rules Affected by this Order: Amending WAC 388-28-570 and chapter 388-51 WAC.

Statutory Authority for Adoption: Chapter 16, Laws of 1991.

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: Immediate adoption of the rules implementing the income assistance child care program is necessary to comply with the legislative intent that the program be in place for the current biennium; to facilitate immediate access to qualify child care for working recipients, in the interest of the general welfare of the state, by replacing current policy which often does not cover existing costs of dependent care; to help control AFDC expenditures by providing additional incentives for AFDC recipients to seek employment, thereby decreasing recipient reliance on public assistance; and to preserve and safeguard continued funding for the program by managing the program consistent with the direction given by the legislature and the federal government. Permanent adoption of such rules will also subsequently occur thereby affording public input as to such changes.

Effective Date of Rule: October 1, 1991, 12:01 a.m.

September 30, 1991

Leslie F. James, Director  
Administrative Services

**AMENDATORY SECTION** (Amending Order 3050, filed 8/21/90)

**WAC 388-28-570 NET CASH INCOME—EXEMPT EARNED INCOME.** (1) For rules on exempting earned income of a full- or part-time student, see WAC 388-28-535. For rules exempting income from training, see WAC 388-28-515. For rules exempting

earned income for refugee assistance, see WAC 388-55-010. For rules on other income, see WAC 388-28-580.

(2) As used in this section, "earned income" shall mean income in cash or in-kind earned as wages, salary, commissions, or profit from activities in which the individual is engaged as a self-employed person or as an employee. Earned income may be derived from self-employment (such as business enterprise or farming), or derived from wages or salary received as an employee. Earned income also includes earnings over a period of time for which settlement is made at one time, for example, sale of farm crops, livestock, or poultry. Income from rentals is earned income, provided the individual has managerial responsibility for the rental property.

(3) For an AFDC recipient, earned income includes earnings under Title I of the Elementary and Secondary Education Act, all earnings received under the Economic Opportunity Act, wages from WIN on-the-job training, and wages paid under the Job Training Partnership Act (JTPA). See WAC 388-28-535(2) for treatment of a child excluded from the grant.

(4) The definition of "earned income" excludes:

(a) Returns from capital investment with respect to which the individual is not actively engaged, as in a business. For example, under most circumstances, dividends and interest are excluded from "earned income."

(b) Benefits accruing as compensation or reward for service, or as compensation for lack of employment, for example, pensions and benefits from labor organizations, veterans' benefits, unemployment compensation, Social Security, etc.

(c) Income from WIN incentive payments and training-related expenses derived from WIN institutional or work experience training.

(d) Income received under the Job Training Partnership Act for training allowances, payments for support services, etc.

(5) In AFDC, refugee assistance, and general assistance when payment of income earned over a period of more than one month is delayed, the exemption applies to the period during which the income was earned.

(6) Aid to families with dependent children.

(a) The following shall be disregarded sequentially from the monthly gross earned income of each individual member of the assistance unit.

(i) Ninety dollars for work expenses, regardless of the number of hours worked per month.

(ii) For each nonstudent dependent child and adult found otherwise eligible to receive assistance or having received assistance in one of the four prior months, thirty dollars and one-third of the remainder not already disregarded. The thirty dollars and one-third disregard shall be applied for a maximum of four consecutive months; it cannot be applied again until the recipient has been a nonrecipient for twelve consecutive months.

(iii) After expiration of the disregard in subsection (6)(a)(ii) of this section, thirty dollars for a maximum of eight consecutive months, whether or not the recipient has earnings or is receiving assistance; it cannot be applied again until the recipient has been a nonrecipient for twelve consecutive months.

(iv) ~~The actual cost ((not to exceed the following amounts depending upon the number of hours worked per month)) for ((the)) care of each dependent child or incapacitated adult living in the same home and receiving AFDC((-)) provided:~~

(A) Conditions in WAC 388-51-110 (1)(c) are met for each dependent child;

(B) No ~~((deduction shall))~~ disregard will be ~~((made))~~ allowed for ~~((child))~~ care provided by a parent or stepparent((-);

(C) The ~~((amount incurred must be verified by the))~~ provider ~~((:))~~ verifies the cost incurred;

(D) The ~~((expense must have been))~~ cost is incurred for the month of employment being reported ~~((to be allowed as a deduction)); and~~

(E) The cost for each dependent child or incapacitated adult, depending on the number of hours worked per month does not exceed the following:

Hours Worked Per Month	Child Care Maximum Deductions Child 2 Years of Age or Older	Child Care Maximum Deductions Child Under 2 Years of Age
0 - 40	\$ 43.75	\$ 50.00
41 - 80	87.50	\$100.00
81 - 120	131.25	\$150.00
121 or more	175.00	\$200.00

(b) The exemptions and deductions in subsection (6)(a) of this section will not be applied for any month if the individual within a period of thirty days preceding the month in which the income was received:

(i) Terminated the individual's employment or reduced the individual's earned income without good cause, or

(ii) Refused without good cause to accept employment in which the individual is able to engage which is offered through employment security department, or is otherwise offered by an employer if the offer of such employment is determined by the local office to be a bona fide offer of employment.

(c) The exemptions and deductions in subsection (6)(a) of this section will not be applied for any month the recipient failed without good cause to make a timely report of income. When a timely report is made under these circumstances, the thirty-dollar and one-third exemption shall be counted in the applicable time limits. Good cause shall be determined by the department. Any circumstance beyond the control of the recipient shall constitute good cause.

To be considered timely, a report must be received by the department:

(i) On or before the eighteenth day of the month following the month in which the income was received, or

(ii) By the first following work day if the eighteenth day of the month falls on a weekend or holiday.

(d) If a recipient requests termination in order to break the consecutiveness of the applicable time limits for the thirty-dollar plus one-third exemption, and would have been eligible, the months of voluntary non-receipt of assistance shall be counted toward the applicable time limits.

(e) If a recipient quits work without good cause, the thirty-dollar and one-third exemption shall be deemed

to have been received and shall be counted toward the applicable time limits.

(f) Months in which the applicant/recipient received the thirty-dollar and one-third exemption in another state shall not apply toward the applicable time limits.

(7) The following conditions when verified shall constitute good cause for refusal of an offer of employment or refusal to continue employment:

(a) Physical, mental, or emotional inability of the individual to satisfactorily perform the work required;

(b) Inability of the individual to get to and from the job without undue cost or hardship to the individual;

(c) The nature of the work would be hazardous to the individual;

(d) The wages do not meet any applicable minimum wage requirements and are not customary for such work in the community;

(e) The job is available because of a labor dispute; or

(f) Adequate child care is not available to the AFDC household.

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 3126, filed 12/31/90, effective 1/31/91)

WAC 388-51-010 CHILD CARE AND OTHER WORK-RELATED SUPPORTIVE SERVICES—AUTHORITY AND PURPOSE. (1) Child care and other work-related supportive service for a participant in the JOBS program or in employment is authorized under P.L. 100-485, as amended, 102 Stat. 2343, amending Title IV of the Social Security Act, and establishing Title IV-F. The short title is the Family Support Act of 1988. Federal regulations for support services are in Part 45, Code of Federal Regulations, Section 255.

(2) The purpose of this program is to provide child care and other support services for a family:

(a) Receiving, and((-)) in some cases((-)) applying for, aid to families with dependent children (AFDC); and

(b) Participating in an approved plan for the JOBS program according to chapter 388-47 WAC, or

(c) Accepting or maintaining employment.

AMENDATORY SECTION (Amending Order 3126, filed 12/31/90, effective 1/31/91)

WAC 388-51-020 DEFINITIONS. Except as specified in this chapter, terms used under chapter 388-51 WAC shall have the same meaning applied to the AFDC program, and as terms defined under chapter 388-22 WAC, and the JOBS program set forth under chapter 388-47 WAC.

(1) "Applicable standards" means standards and practices related to child care under chapter 388-73 WAC or, in the case of a tribal JOBS program, tribal law.

(2) "Income assistance child care program" means state-paid child care to allow a recipient to accept or participate in employment.

(3) "Support services" means child care, and other services provided for under federal law, that may be required enabling an AFDC applicant or recipient to pursue employment, education, ~~((and))~~ or training under chapter 388-47 WAC.

**AMENDATORY SECTION** (Amending Order 3126, filed 12/31/90, effective 1/31/91)

**WAC 388-51-100 CHILD CARE—((PAYMENT)) FOR EDUCATION AND TRAINING.** (1)

The department's payment for child care may not exceed the local market rate for child care. The department shall establish the market rate based on representative samples of local child care providers.

(2) For purposes of education and training.

(a) The department's payment for child care for a JOBS participant shall be made to the provider in the case of center care, or family day care.

(b) The department's payment to a JOBS program participant shall be by reimbursement in the case of in-home care.

~~((3) The department shall consider child care costs for a working AFDC recipient as an income disregard in accordance with WAC 388-28-570.))~~

**NEW SECTION**

**WAC 388-51-110 INCOME ASSISTANCE CHILD CARE PROGRAM—AVAILABILITY.** (1)

The department shall guarantee the availability of child care to allow a recipient to accept or maintain employment by:

(a) Paying the provider for center care or family day care;

(b) Paying the recipient for in-home care; or

(c) Allowing the child care disregard. The disregard shall be allowed when the household:

(i) Received AFDC on October 13, 1988, based on application of the child care earning's disregard and has remained continuously eligible for grant assistance since that time. Such households shall have the option to use the disregard or state paid child care;

(ii) Was employed on October 1, 1991, and has not yet been converted to the state-paid, child care system; or

(iii) Is subject to retrospective budgeting and is converting state-paid, child care. For such cases, the department shall allow both state-paid, child care and a child care earnings disregard for the month of conversion and the month thereafter if the household incurred child care costs in the corresponding budget month.

(2) For child care provided under the income assistance child care program, the recipient shall be responsible for making the care arrangements.

**NEW SECTION**

**WAC 388-51-115 INCOME ASSISTANCE CHILD CARE PROGRAM—ELIGIBLE CHILDREN.** The department shall authorize necessary child care for a recipient to accept or maintain employment if the dependent child is:

(1) Twelve years of age or younger; or

(2) Physically or mentally incapable of self care, as verified by a licensed medical practitioner; or

(3) Under court supervision; and

(4) Included in the same assistance unit as the recipient; or

(5) Included in the household but is not in the recipient's assistance unit because the child is receiving SSI benefits or foster care benefits under Title IV-E of the Social Security Act.

**NEW SECTION**

**WAC 388-51-120 INCOME ASSISTANCE CHILD CARE PROGRAM—AFFECT ON ELIGIBILITY AND PAYMENTS.** (1) Except as provided in subsection (2) of this section, the department shall determine AFDC eligibility and payment amounts without the child care earnings disregard for households subject to the income assistance child care program.

(2) The department shall determine payment amounts with the child care disregard for households receiving both state paid child care and the earnings disregard for the month of conversion and the month thereafter.

(3) The department shall not consider the child care benefits provided under this chapter as income or resources when determining AFDC, food stamp program eligibility, or payment amount.

(4) The department shall consider all child care expenditures provided under the income assistance child care program as an assistance payment covered by the assignment of support under chapter 388-14 WAC.

(5) The department shall consider all child care expenditures provided under the income assistance child care program as an assistance payment covered by the assignment of support under chapter 388-14 WAC.

**NEW SECTION**

**WAC 388-51-130 INCOME ASSISTANCE CHILD CARE PROGRAM—PROVIDER REQUIREMENTS.** (1) The department shall make child care payments for out-of-home child care only if the provider is:

(a) Licensed under chapter 74.15 RCW and chapters 388-73, 388-150, or 388-155 WAC;

(b) Exempt from licensure under chapter 74.15 RCW and chapters 388-73, 388-150, or 388-155 WAC and is certified by the department;

(c) A tribal day care center which meets the requirements of tribal law and is certified by the department; or

(d) A child care facility, certified by the department, on a military installation.

(2) Requirements for in-home care shall be as provided in WAC 388-15-170 (6), (7), and (8).

(3) Notwithstanding subsection (2) of this section, the department may establish a protective payee due to mismanagement if the recipient fails to pay the in-home child care provider when:

(a) A child care warrant has been issued to the correct address and it has been at least twelve working days since the issuance date; and

(b) The recipient has not reported the warrant lost, stolen, or destroyed.

(4) The child care provider shall allow parental access.

NEW SECTION

**WAC 388-51-135 INCOME ASSISTANCE CHILD CARE PROGRAM—CONVERSION.** (1) The department shall convert/subject households to the state-paid income assistance child care program as follows:

(a) At application. Reapplication following a break in assistance of one month or more shall be considered an application;

(b) For existing cases starting employment after October 1, 1991, when employment starts; and

(c) For existing cases that are employed on October 1, 1991, at the next eligibility review or the month thereafter, or upon the recipient's request, if earlier.

(2) Recipients that cease to be eligible for assistance at conversion because of the loss of the child care earnings disregard shall receive transitional benefits, if otherwise eligible.

NEW SECTION

**WAC 388-51-140 INCOME ASSISTANCE CHILD CARE PROGRAM—PAYMENT.** (1) The department's payment for child care shall not exceed the local market rate for child care. The department shall establish the market rate based on representative samples of local child care providers.

(2) The department shall assure that the child care provided or claimed for payment is related to a person's JOBS participation or employment hours.

(3) The child care rates shall be as published by the department.

NEW SECTION

**WAC 388-51-145 INCOME ASSISTANCE CHILD CARE—NOTIFICATION AND HEARINGS.** (1) The department shall inform all recipients of the types and locations of child care services available to help them select appropriate child care services.

(2) The department shall provide assistance to recipients in obtaining child care services by informing recipients of the types of providers they should seek. The recipient shall be responsible for choosing a provider and making the child care arrangements.

(3) The department shall inform recipients requesting child care of their rights and responsibilities.

(4) Recipients shall be entitled to fair hearings under Chapter 388-08 WAC on any action affecting their child care benefits except for changes resulting from a change in policy or law.

(5) Recipients shall not be eligible for continued child care benefits pending the outcome of a child care fair hearing.

(6) The department shall provide timely notice for changes in the manner of payment when the change results in a discontinuation, suspension, reduction, termination, or forces a change in child care arrangements. Timely notice requirements shall not apply for other changes in the manner of payment.

**WSR 91-20-114  
EMERGENCY RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)**

[Order 3262—Filed September 30, 1991, 2:01 p.m., effective October 1, 1991, 12:01 a.m.]

Date of Adoption: September 30, 1991.

Purpose: Increase food stamp program net and gross income standards, standard deduction and shelter deduction effective October 1, 1991.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-500 and 388-49-510.

Statutory Authority for Adoption: RCW 74.04.510.

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: To comply with federal law mandating the increases.

Effective Date of Rule: October 1, 1991, 12:01 a.m.

September 30, 1991

Leslie F. James, Director  
Administrative Services

AMENDATORY SECTION (Amending Order 3099, filed 11/20/90, effective 12/21/90)

**WAC 388-49-500 INCOME—DEDUCTIONS.** (1) The department shall allow the following deductions when computing net income:

(a) A standard deduction of one hundred (~~sixteen~~) twenty-two dollars per household per month;

(b) An earned income deduction of twenty percent of gross earned income except as provided in WAC 388-49-640(8);

(c) A dependent care deduction of the actual amount incurred not to exceed one hundred sixty dollars per dependent when care is necessary for a household member to:

(i) Seek, accept, or continue employment; or

(ii) Attend training or education preparatory to employment.

(d) A deduction for nonreimbursable monthly medical expenses over thirty-five dollars incurred by an elderly or disabled household member;

(e) Shelter costs in excess of fifty percent of the household's income after deducting the standard, earned income, medical, and dependent care deductions. The shelter deduction shall not exceed one hundred (~~eighty-six~~) ninety-four dollars; and

(f) An excess shelter deduction for the monthly amount exceeding fifty percent of the household's monthly income after all applicable deductions for households containing an elderly or disabled person.

(2) A household's shelter costs may include:

(a) Costs for a home not occupied because of employment, training away from the home, illness, or abandonment caused by casualty loss or natural disaster shall be allowed if the:

- (i) Household intends to return to the home;
- (ii) Current occupants, if any, are not claiming shelter costs for food stamp purposes; and
- (iii) Home is not being leased or rented during the household's absence.

(b) Charges for the repair of the home substantially damaged or destroyed due to a natural disaster;

(c) The standard utility allowance when a household incurs any separate utility charges for heating or cooling costs. A household may incur a separate utility charge when the household:

- (i) Has not yet received a billing for utilities; ((or))
- (ii) Is billed monthly by the landlord for actual usage as determined through individual metering; or
- (iii) Shares residence and utility costs with other persons, in which case the deduction is for the household's prorated share of the standard allowance.

(d) Actual utility costs rather than the standard utility allowance if the household is:

- (i) Not entitled to the standard utility allowance; or
- (ii) Requesting use of actual utility bills. A monthly telephone standard shall be allowed for households incurring telephone expenses if the household is not entitled to claim the standard utility allowance.

(3) A household may switch between actual utility costs and the standard utility allowance:

- (a) At each recertification; and
- (b) One additional time during each twelve-month period following the initial certification action.

(4) The department shall provide excess medical or shelter deductions effective with supplemental security income (SSI) eligibility when households:

- (a) Become categorically eligible within the time limits specified under WAC 388-49-120 and 388-49-150 after a food stamp application;
- (b) Receive food stamps as a nonassistance household until becoming categorically eligible; or
- (c) Become categorically eligible after denial of non-assistance food stamps.

(5) The department shall not provide a deduction for that portion of a deductible expense, described under this section, paid by an excluded:

- (a) Reimbursement; or
- (b) Vendor payment, except for Low Income Home Energy Assistance Act (LIHEAA) payments.

(6) The department shall verify:

- (a) Dependent care costs including changes, except in prospective budgeting; and
- (b) Medical expenses and the reimbursement amounts resulting in a deduction:

- (i) At recertification, if the amount has changed more than twenty-five dollars; and
- (ii) On a monthly basis for a household subject to monthly reporting.

(7) If medical reimbursement cannot be verified, the department shall certify the household without allowing the deduction, except in prospective budgeting.

**AMENDATORY SECTION** (Amending Order 3099, filed 11/20/90, effective 12/21/90)

**WAC 388-49-510 INCOME ELIGIBILITY STANDARDS.** (1) Categorically eligible households, as described in WAC 388-49-180, are not subject to the provisions of this section.

(2) The department shall determine eligibility on the basis of gross income and net food stamp income except for households ((containing an elderly or disabled member as provided)) in subsection (3) of this section.

(3) The department shall determine eligibility on the basis of net food stamp income for households containing an elderly or disabled member.

(4) The gross and net monthly maximum income standards as established by the department of agriculture are as follows:

<u>Gross Monthly Income Standard</u>	
<u>Household Size</u>	<u>Maximum Standard</u>
1	\$ ((68+))
	718
2	((9+3))
	962
3	((+144))
	1,207
4	((+376))
	1,452
5	((+608))
	1,697
6	((+840))
	1,942
7	((2,072))
	2,187
8	((2,304))
	2,431
9	((2,536))
	2,676
10	((2,768))
	2,921
Each additional person	+ ((232))
	245

<u>Net Monthly Income Standard</u>	
<u>Household Size</u>	<u>Maximum Standard</u>
1	\$((524))
	552
2	((702))
	740
3	((880))
	929
4	((1,059))
	1,117
5	((1,237))
	1,305
6	((1,415))
	1,494
7	((1,594))
	1,682
8	((1,772))

<u>Household Size</u>	<u>Maximum Standard</u>
	1,870
9	((+951))
	2,059
10	((+130))
	2,248
Each additional person	+ ((+79))
	<u>189</u>

**WSR 91-20-115**

**PERMANENT RULES**

**SECRETARY OF STATE**

[Filed September 30, 1991, 2:05 p.m.]

Date of Adoption: September 30, 1991.

Purpose: Administrative regulations implementing chapter 42.17 RCW. State Archives, as a division of the Department of General Administration will be repealed from Title 236 WAC, as they are already adopted under Title 434 WAC under the administrative authority of the Secretary of State.

Citation of Existing Rules Affected by this Order: Repealing chapter 236-54 WAC.

Statutory Authority for Adoption: RCW 42.17.250.

Pursuant to notice filed as WSR 91-17-053 on August 20, 1991.

Effective Date of Rule: Thirty-one days after filing.  
September 30, 1991

Sidney F. McAlpin  
State Archivist

**REPEALER**

The following chapter of the Washington Administrative Code is repealed:

- WAC 236-54-010 PURPOSE.
- WAC 236-54-020 DEFINITIONS.
- WAC 236-54-030 DESCRIPTION OF CENTRAL AND FIELD ORGANIZATION OF THE DIVISION OF ARCHIVES AND RECORDS MANAGEMENT.
- WAC 236-54-040 OPERATIONS AND PROCEDURES.
- WAC 236-54-050 PUBLIC RECORDS AVAILABLE.
- WAC 236-54-060 PUBLIC RECORDS OFFICER.
- WAC 236-54-070 OFFICE HOURS.
- WAC 236-54-080 REQUESTS FOR PUBLIC RECORDS—ARCHIVES—SCHEDULED.
- WAC 236-54-090 COPYING.
- WAC 236-54-100 EXEMPTIONS.
- WAC 236-54-110 REVIEW OF DENIALS OF PUBLIC RECORDS REQUESTS.
- WAC 236-54-120 PROTECTION OF PUBLIC RECORDS.
- WAC 236-54-130 RECORDS INDEX.

WAC 236-54-140 COMMUNICATION WITH DIVISION—ADDRESS.

WAC 236-54-150 ADOPTION OF FORM.

WAC 236-54-990 APPENDIX A—MANAGEMENT ORGANIZATION CHART OF STATE ARCHIVIST.

WAC 236-54-99001 APPENDIX B—FORM—REQUEST FOR PUBLIC RECORDS.

**WSR 91-20-116**

**NOTICE OF PUBLIC MEETINGS**

**HUMAN RIGHTS COMMISSION**

[Memorandum—September 30, 1991]

The Washington State Human Rights Commission will hold its November regular commission meeting in Spokane on November 20 and 21, 1991. The meetings will both be held at the Great Northwest Savings and Loan Association, Conference Room, North 222 Wall, Spokane. The meeting on November 20 will be a training and planning session and will begin at 7:00 p.m. The regular business meeting on November 21 will begin at 9:30 a.m.

**WSR 91-20-117**

**WITHDRAWAL OF PROPOSED RULES**

**DEPARTMENT OF HEALTH**

[Filed September 30, 1991, 2:45 p.m.]

Request the WAC 246-843-180 Registration of licenses be withdrawn from WSR 91-19-020. This paragraph requires further changes and will be resubmitted as a separate rule change request.

Jackson D. Melton

**WSR 91-20-118**

**WITHDRAWAL OF PROPOSED RULES**

**DEPARTMENT OF HEALTH**

[Filed September 30, 1991, 2:47 p.m.]

Request the following WACs be withdrawn from WSR 91-19-021. These paragraphs require further changes and will be resubmitted as separate rule change requests. WAC 246-933-250, Examination procedures; 246-933-280, Examination review procedures; and 246-935-020, Applications—Animal technicians.

Jackson D. Melton

**WSR 91-20-119**

**PROPOSED RULES**

**DEPARTMENT OF HEALTH**

**(Board of Examiners for Nursing Home Administrators)**

[Filed September 30, 1991, 2:52 p.m.]

Continuance of WSR 91-19-020.

Title of Rule: WAC 246-843-001 Source of authority—Title; 246-843-010 General definitions; 246-843-040 Board of examiners—General powers and responsibilities; 246-843-060 Executive secretary—Hiring and duties; 246-843-080 Application for examination; 246-843-090 Preexamination requirements; 246-843-095 Preceptors for administrator-in-training programs; 246-843-100 Disqualification—Reexamination; 246-843-110 Subjects for examination; 246-843-120 Grading examinations; 246-843-125 Continuing education credit for preceptors for administrators-in-training programs; 246-843-130 Courses of study; 246-843-150 Continuing education requirements to meet the conditions of re-registration for license; 246-843-160 Licenses; 246-843-162 AIDS prevention and information education requirements; 246-843-170 Temporary permits; 246-843-200 Standards of suitability and character; 246-843-205 Standards of conduct; 246-843-220 Complaints and hearing procedures; 246-843-230 Reciprocity; 246-843-240 Restoration and reinstatement of licenses; 246-843-250 Duplicate licenses; 246-843-320 Renewal of licenses; and 246-843-330 Inactive status.

Purpose: Housekeeping changes only. Changing obsolete WAC numbers to the current Title 246 numbers.

Hearing Location: Holiday Inn—Seatac, LaGuardia Room, 17338 Pacific Highway South, Seattle, Washington 98188, on November 18, 1991, at 9:15 a.m.

Submit Written Comments to: Jackson D. Melton, 1300 S.E. Quince Street, EY-22, Olympia, WA 98504, by November 15, 1991.

Date of Intended Adoption: November 18, 1991.

September 30, 1991  
Jackson D. Melton  
Program Manager

## WSR 91-20-120

### PERMANENT RULES

#### DEPARTMENT OF HEALTH

#### (Board of Osteopathic Medicine and Surgery)

[Order 199B—Filed September 30, 1991, 2:55 p.m.]

Date of Adoption: August 16, 1991.

Purpose: To update references and rule citations to be consistent with the Department of Health. Revise reinstatement requirements and to make osteopathic physician assistant prescribing consistent with federal law.

Citation of Existing Rules Affected by this Order: Repealing WAC 246-854-070 Registration renewal requirement and 246-855-120 Reregistration renewal requirement; and amending WAC 246-853-040 Renewal of licenses; 246-853-100 Prohibited publicity and advertising; 246-853-130 General provisions for mandatory reporting rules; 246-853-180 Courts; 246-853-190 State and federal agencies; 246-853-210 License reinstatement after lapse of licensure for failure to renew; 246-853-230 AIDS education and training; 246-853-240 Application for registration; 246-854-020 Osteopathic physicians' assistants program approval; 246-854-030 Osteopathic physician's assistant prescriptions; 246-854-050 AIDS education and training; 246-854-

060 Application for registration; 246-855-030 Acupuncture—Program approval; 246-855-100 AIDS education and training; and 246-855-110 Application for registration.

Statutory Authority for Adoption: RCW 18.57.005.

Pursuant to notice filed as WSR 91-14-088 on July 1, 1991.

Changes Other than Editing from Proposed to Adopted Version: On WAC 246-853-210(3), after reviewed "and must be approved" was added to clarify that approval by the board was also included in the review process. WAC 246-854-100 was withdrawn, no changes were approved.

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

September 26, 1991  
Bruce W. Kuhlmann, D.O.  
Chairman

AMENDATORY SECTION (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-853-040 RENEWAL OF LICENSES.

(1) Individuals receiving an initial osteopathic physician and surgeon license will be issued a license to expire on the applicant's next birth date.

(2) Licensees shall renew their license annually on or before their birth date. Failure to renew shall invalidate the license to practice osteopathic medicine and surgery. Any practice engaged in with an expired license shall be deemed to be unlicensed practice.

~~((3) On a one-time basis, effective January 1, 1989, all persons applying for license renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of WAC 308-138-350.~~

~~Those persons who must renew during 1989 shall submit evidence of compliance with the education requirements of WAC 308-138-350 with their renewal application. Persons who are unable to verify compliance by their 1989 renewal date may, upon written application, be granted an extension to December 31, 1989.)~~

AMENDATORY SECTION (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-853-100 PROHIBITED PUBLICITY AND ADVERTISING. An osteopathic physician shall not use or allow to be used any form of public communications or advertising connected with his or her profession or in his or her professional capacity as an osteopathic physician which:

- (1) Is false, fraudulent, deceptive or misleading;
- (2) Uses testimonials;
- (3) Guarantees any treatment or result;
- (4) Makes claims of professional superiority;
- (5) States or includes prices for professional services except as provided for in WAC ~~((308-138-310))~~ 246-853-110;
- (6) Fails to identify the physician as an osteopathic physician as described in RCW 18.57.140;
- (7) Otherwise exceeds the limits of WAC ~~((308-138-310))~~ 246-853-110.

**AMENDATORY SECTION** (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-853-130 GENERAL PROVISIONS FOR MANDATORY REPORTING RULES. (1) "Unprofessional conduct" shall mean the conduct described in RCW 18.130.180.

(2) "Hospital" shall mean any health care institution licensed pursuant to chapter 70.41 RCW.

(3) "Nursing home" shall mean any health care institution regulated under chapter 18.51 RCW.

(4) "Board" shall mean the Washington state board of osteopathic medicine and surgery, whose address is:

((Department of Licensing  
Division of Professional Licensing  
P.O. Box 9649))  
Department of Health  
Professional Licensing Services  
1300 Quince St., MS: EY-23  
Olympia, WA 98504

(5) "Physician" shall mean an osteopathic physician and surgeon licensed pursuant to chapter 18.57 RCW.

(6) "Physician's assistant" shall mean an osteopathic physician's assistant approved pursuant to chapter 18.57A RCW.

(7) "Mentally or physically impaired practitioner" shall mean an osteopathic physician and surgeon or osteopathic physician's assistant who has been determined by a court to be mentally incompetent or mentally ill or who is unable to practice medicine with reasonable skill and safety to patients by reason of any mental or physical condition.

**AMENDATORY SECTION** (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-853-180 COURTS. The board requests the assistance of all clerks of trial courts within the state to report all medical malpractice judgments and all convictions of osteopathic physicians and physician's assistants, other than minor traffic violations.

**AMENDATORY SECTION** (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-853-190 STATE AND FEDERAL AGENCIES. The board requests the assistance of executive officers of any state or federal program operating in the state of Washington, under which ((a)) an osteopathic physician or physician's assistant is employed to provide patient care services, to report to the board whenever such ((a)) an osteopathic physician or physician's assistant has been judged to have demonstrated his/her incompetency or negligence in the practice of osteopathic medicine, or has otherwise committed unprofessional conduct; or is a mentally or physically disabled practitioner.

**AMENDATORY SECTION** (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-853-210 LICENSE REINSTATEMENT AFTER LAPSE OF LICENSURE FOR

FAILURE TO RENEW. (1) ((A)) An active license that has been expired for less than one year may be brought current by payment of the renewal and penalty fees and completion of the continuing education, if due.

(2) Any osteopathic physician and surgeon whose license has been expired for one year or more must pay the current fee for original application and apply for reinstatement on an application form provided by the board. The application will include an explanation for the license lapse and a chronology of ((their)) the applicant's activities since first licensed. A statement outlining the continuing education acquired ((since the last report made or since January 1, 1980, if no previous report has been required;)) in the three years immediately preceding the request for reinstatement must be submitted for the board's review and approval.

(3) All applications for reinstatement will be reviewed and must be approved by the board. The board may require reexamination or a physical and/or mental evaluation of an applicant to confirm fitness for practice.

((4)) ~~If a licensee has been out of active practice for one year or more or has allowed their license to lapse for a period of three years or more, the board may also require that the applicant pass an examination to determine the applicant's fitness to practice osteopathy or osteopathic medicine and surgery.)~~

**AMENDATORY SECTION** (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-853-230 AIDS EDUCATION AND TRAINING. (1) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(2) "Office on AIDS" means that section within the department of ((social and)) health ((services)) or any successor department with jurisdiction over public health matters as defined in chapter 70.24 RCW.

(3) Acceptable education and training. The department 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 clock 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.

(4) 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 (3) of this section.

(5) Documentation. The license holder shall:

(a) Certify, on forms provided, that the minimum education and training has been completed after January 1, 1987, and before the 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 learning has taken place.

AMENDATORY SECTION (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-853-240 APPLICATION FOR REGISTRATION. 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 ((308-138-350)) 246-853-230.

AMENDATORY SECTION (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-854-020 OSTEOPATHIC PHYSICIANS' ASSISTANTS PROGRAM APPROVAL. (1) Program approval required. No osteopathic physician shall be entitled to register an osteopathic physicians' assistant who has not successfully completed a program of training approved by the Board in accordance with these rules.

(2) Program approval procedures. In order for a program for training osteopathic physicians' assistants to be considered for approval by the board it must meet the minimal criteria for such programs established by the committee on allied health education and Accreditation Association of the American Medical Association as of 1985. The director of the program shall submit to the board a description of the course of training offered, including subjects taught and methods of teaching, entrance requirements, clinical experience provided, etc. The director shall also advise the board concerning the basic medical skills which are attained in such course, and the method by which the proficiency of the students in those skills was tested or ascertained. The board may require such additional information from program sponsors as it desires.

(3) Approved programs. The board shall approve programs in terms of skills attained by its graduates. A registry of approved programs shall be maintained by the board at ~~((the division of))~~ services division in Olympia, Washington, which shall be available upon request to interested persons.

(4) Reapproval. Programs maintaining standards as defined in the "essentials" of the council of medical education of the American Medical Association will continue to be approved by the board without further review. Each approved program not maintaining the standards as defined in the "essentials" of the council of medical education of the American Medical Association will be reexamined at intervals, not to exceed three years. Approval will be continued or withdrawn following each reexamination.

(5) Additional skills. No osteopathic physician's assistant shall be registered to perform skills not contained in the program approved by the board unless the osteopathic physician's assistant submits with his or her application a certificate by the program director or other acceptable evidence showing that he or she was trained

in the additional skill for which authorization is requested, and the board is satisfied that the applicant has the additional skill and has been properly and adequately tested thereon.

AMENDATORY SECTION (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-854-030 OSTEOPATHIC PHYSICIAN'S ASSISTANT PRESCRIPTIONS. An osteopathic physician's assistant may issue written or oral prescriptions as provided herein when approved by the board and assigned by the supervising physician.

(1) Except for schedule two controlled substances as listed under federal and state controlled substances acts, a physician's assistant may issue prescriptions for a patient who is under the care of the physician responsible for the supervision of the physician's assistant.

(a) Written prescriptions shall be written on the blank of the supervising physician and shall include the name, address and telephone number of the physician and physician assistant. The prescription shall also bear the name and address of the patient and the date on which the prescription was written.

(b) The physician's assistant shall sign such a prescription by signing his or her own name followed by the letters "P.A." and the physician assistant's registration number or physician assistant drug enforcement administration registration number or, if none, the supervising physician's drug enforcement administration registration number, followed by the initials "P.A." and the physician assistant's registration number issued by the board.

(c) Prescriptions for legend drugs and schedule three through five controlled substances must each be approved or signed by the supervising physician prior to administration, dispensing or release of the medication to the patient, except as provided in subsection ~~((6))~~ (5) of this section.

(2) A physician's assistant extended privileges by a hospital, nursing home or other health care institution may, if permissible under the bylaws, rules and regulations of the institution, write medical orders, except those for schedule two controlled substances, for inpatients under the care of the physician responsible for his or her supervision.

~~(3) ((To be authorized to issue prescriptions for schedule three through five controlled substances, a physician's assistant must be registered with the board of pharmacy and the drug enforcement administration.~~

~~(4))~~ The registration of a physician's assistant who issues a prescription in violation of these provisions shall be subject to revocation or suspension.

~~((5))~~ (4) Physician's assistants may not dispense prescription drugs to exceed treatment for forty-eight hours, except as provided in subsection ~~((7))~~ (6) of this section. The medication so dispensed must comply with the state law prescription labeling requirements.

~~((6))~~ (5) Authority to issue prescriptions for legend drugs and schedule three through five controlled substances without the prior approval or signature of the supervising physician may be granted by the board to an osteopathic physician's assistant who has:

(a) Provided a statement signed by the supervising physician that he or she assumes full responsibility and that he or she will review the physician assistant's prescription writing practice on an ongoing basis;

(b) A current certification from the National Commission on Certification of Physician Assistants';

(c) Demonstrated the necessity in the practice for authority to be granted permitting a physician assistant to issue prescriptions without prior approval or signature of the supervising physician.

~~((7))~~ (6) A physician assistant authorized to issue prescriptions under subsection ~~((6))~~ (5) of this section may dispense medications the physician assistant has prescribed from office supplies. The physician assistant shall comply with the state laws concerning prescription labeling requirements.

**AMENDATORY SECTION** (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-854-050 AIDS EDUCATION AND TRAINING. (1) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(2) "Office on AIDS" means that section within the department of ~~((social and))~~ health ~~((services))~~ or any successor department with jurisdiction over public health matters as defined in chapter 70.24 RCW.

(3) Acceptable education and training. The department 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 clock 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.

(4) Implementation. Effective January 1, 1989, the requirement for registration application, renewal, or reinstatement of any registration 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 (3) of this section.

(5) Documentation. The registration holder shall:

(a) Certify, on forms provided, that the minimum education and training has been completed after January 1, 1987, and before the 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 learning has taken place.

**AMENDATORY SECTION** (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-854-060 APPLICATION FOR REGISTRATION. Effective January 1, 1989, persons applying for registration shall submit, in addition to the other

requirements, evidence to show compliance with the education requirements of WAC ~~((308-138A-040))~~ 246-854-050.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 246-854-070 REGISTRATION RENEWAL REQUIREMENT.

**AMENDATORY SECTION** (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-855-030 ACUPUNCTURE—PROGRAM APPROVAL. (1) Procedure. The board will consider for approval any school, program, apprenticeship or tutorial which meets the requirements outlined in this regulation and provides the training required under WAC ~~((308-138B-100))~~ 246-855-020 - Acupuncture assistant education. Approval may be granted to an individual registration applicant's training, or to existing institutions which operate on a continuing basis. Clinical and didactic training may be approved as separate programs or as a joint program. The program approval process is as follows:

(a) Programs seeking approval shall file an application with the board in the format required by the board.

(b) The board will review the application and determine whether a site review is necessary (in the case of an institution) or an interview is appropriate (in the case of individual training) or approval may be granted on the basis of the application alone.

(c) The site review committee shall consist of two board members and one member of the board staff. The review committee may visit the program any time during school operating hours. The committee will report to the board in writing concerning the program's compliance with each section of the regulations.

(d) After reviewing all of the information collected concerning a program; the board may grant or deny approval, or grant approval conditional upon program modifications being made. In the event of denial or conditional approval, the program may request a hearing before the board. No approval shall be extended to an institution for more than three years, at which time a request for reapproval may be made.

(e) The board expects approved programs to not make changes which will result in the program not being in compliance with the regulations. Programs must notify the board concerning significant changes in administration, faculty or curriculum. The board may inspect the school at reasonable intervals to check for compliance. Program approval may be withdrawn, after a hearing, if the board finds the program no longer in compliance with the regulations.

(2) Didactic faculty. Didactic training may only be provided by persons who meet the criteria for faculty as stated in the council for postsecondary education's WAC 250-55-090 - Personal qualifications. Under no circumstances will an unregistered instructor perform or supervise the performance of acupuncture.

(3) Clinical faculty. Clinical training may be provided only by persons who meet the following criteria:

(a) The instructor must be a practitioner who has had a minimum of five years of full time acupuncture practice experience.

(b) If the training is conducted in this state, the practitioner must be registered to practice in this state. In the case of a school or program, the approval of the institution will include a review of the instructor's qualifications and the training arrangements. Approval of the instructors will extend to instruction conducted within the program.

(c) For training not conducted in this state to be acceptable, the instructor must be licensed by a state or country with equivalent license standards.

(4) Supervision of training. Clinical training in this state must be conducted under the general supervision of the instructor's sponsoring physician. During any given clinic period, the acupuncture instructor may not supervise more than four students. The number of students present during an observation session should be limited according to the judgment of the instructor. Supervision by the instructor during clinical training must be direct: Each diagnosis and treatment must be done with the knowledge and concurrence of the instructor. During at least the first 100 treatments, the instructor must be in the room during treatment. Thereafter, the instructor must at least be in the facility, available for consultation and assistance. An osteopathic physician may only supervise two acupuncture assistance instructors per clinical instruction period.

AMENDATORY SECTION (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-855-100 AIDS EDUCATION AND TRAINING. (1) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(2) "Office on AIDS" means that section within the department of ((social and)) health ((services)) or any successor department with jurisdiction over public health matters as defined in chapter 70.24 RCW.

(3) Acceptable education and training. The department 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 clock 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.

(4) Implementation. Effective January 1, 1989, the requirement for registration application, renewal, or reinstatement of any registration 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 (3) of this section.

(5) Documentation. The registration holder shall:

(a) Certify, on forms provided, that the minimum education and training has been completed after January 1, 1987, and before the 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 learning has taken place.

AMENDATORY SECTION (Amending Order 100B, filed 12/3/90, effective 1/31/91)

WAC 246-855-110 APPLICATION FOR REGISTRATION. Effective January 1, 1989, persons applying for registration shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of WAC ((308-138B-180)) 246-855-100.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-855-120 REGISTRATION RENEWAL REQUIREMENT.

#### WSR 91-20-121

#### PERMANENT RULES

#### DEPARTMENT OF LICENSING

[Filed September 30, 1991, 2:58 p.m.]

Date of Adoption: September 20, 1991.

Purpose: WAC 308-61-175 amendment is to regulate the three hour viewing period for abandoned vehicles to be auctioned for registered tow truck operators. WAC 308-61-185 is to regulate the storage rates charged by registered tow truck operators for unauthorized or abandoned vehicles.

Citation of Existing Rules Affected by this Order: Amending WAC 308-61-175 and 308-61-185.

Statutory Authority for Adoption: RCW 46.55.190.

Pursuant to notice filed as WSR 91-13-035 on June 13, 1991.

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

September 20, 1991

Mary Riveland

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 91-20-122**  
**PROPOSED RULES**  
**DEPARTMENT OF REVENUE**  
 [Filed September 30, 1991, 3:35 p.m.]

Original Notice.

Title of Rule: New section WAC 458-20-193 Inbound and outbound interstate sales of tangible personal property.

Purpose: To repeal WAC 458-20-193A and 458-20-193B and to explain in a single rule how interstate sales of tangible personal property is taxed.

Statutory Authority for Adoption: RCW 82.32.300.

Statute Being Implemented: Title 82 RCW.

Summary: WAC 458-20-193 represents a change in how interstate sales of tangible personal property will be taxed. Sales of tangible personal property will be taxable when receipt occurs in Washington.

Name of Agency Personnel Responsible for Drafting and Implementation: Les Jaster, 711 Capitol Way, #400, Olympia, (206) 586-7150; and Enforcement: Ed Faker, 711 Capitol Way, #400, Olympia, (206) 753-5579.

Name of Proponent: Department of Revenue, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule provides tax reporting information for interstate sales of tangible personal property. Transactions will be taxable when the property is "received" in Washington. The rule provides definitions of various terms including "receipt" and "agent." "Risk" and "expense" will no longer be determinative of tax liability. The treatment of outbound and inbound sales will be consistent. The rule will replace RPM 89-2.

Proposal Changes the Following Existing Rules: This rule will replace WAC 458-20-193A and 458-20-193B.

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

The Department of Revenue has reviewed administrative provisions contained in this rule in order to lessen the economic impact on small businesses. A small business economic impact statement is not required for the following reason(s): No economic impact. This rule adds no identifiable administrative costs to businesses; and due to clarification, simplification, and consolidation this rule may result in reduced costs for businesses.

Hearing Location: Evergreen Plaza Building, 2nd Floor Conference Room, 711 Capitol Way South, Olympia, WA, on November 8, 1991, at 9:30 a.m.

Submit Written Comments to: Les Jaster, Rules Coordinator, Department of Revenue, Interpretation and Appeals, General Administration Building, Mailstop AX-02, FAX 586-7603, Olympia, Washington 98504, by November 8, 1991.

Date of Intended Adoption: November 22, 1991.

September 30, 1991

Edward L. Faker  
 Assistant Director

**REPEALER**

The following chapters of the Washington Administrative Code are hereby repealed:

WAC 458-20-193A SALES OF GOODS ORIGINATING IN WASHINGTON TO PERSONS IN OTHER STATES.

WAC 458-20-193B SALES OF GOODS ORIGINATING IN OTHER STATES TO PERSONS IN WASHINGTON.

**Reviser's note:** The repealer appears as filed by the agency pursuant to RCW 34.08.040; however, the reference to chapter is probably intended to be to section.

**NEW SECTION**

WAC 458-20-193 INBOUND AND OUTBOUND INTERSTATE SALES OF TANGIBLE PERSONAL PROPERTY. (1) INTRODUCTION. This section explains Washington's b&o tax and retail sales tax applications to interstate sales of tangible personal property. It covers the outbound sales of goods originating in this state to persons outside this state and of inbound sales of goods originating outside this state to persons in this state.

(2) DEFINITIONS: For purposes of this section the following terms mean:

(a) "State of origin" means the state or place where a shipment of tangible personal property (goods) originates.

(b) "State of destination" means the state or place where the purchaser/consignee or its agent receives a shipment of goods.

(c) "Delivery" means the act of transferring possession of tangible personal property. It includes among others the transfer of goods from consignor to freight forwarder or for-hire carrier, from freight forwarder to for-hire carrier, one for-hire carrier to another, or for-hire carrier to consignee.

(d) "Receipt" or "received" means the purchaser or its agent first either taking physical possession of the goods or having dominion and control over them.

(e) "Agent" means a person authorized to receive goods with the power to inspect and accept or reject them.

(f) "Nexus" means the activity carried on by the seller in Washington which is significantly associated with the seller's ability to establish or maintain a market for its products in Washington.

(3) OUTBOUND SALES. Washington state does not assess its taxes on sales of goods which originate in Washington if receipt of the goods occurs outside Washington.

(a) Where tangible personal property is located in Washington at the time of sale and is received by the purchaser or its agent in this state, or the purchaser or its agent exercises ownership over the goods inconsistent with the seller's continued dominion over the goods, the sale is subject to tax under the retailing or wholesaling classification. The tax applies even though the purchaser or its agent intends to and thereafter does transport or send the property out-of-state for use or resale there, or for use in conducting interstate or foreign commerce. It is immaterial that the contract of sale or contract to sell is negotiated and executed outside the state or that the purchaser resides outside the state.

(b) Where the seller delivers the goods to the purchaser who receives them at a point outside Washington neither retailing nor wholesaling business tax is applicable. This exemption applies even in cases where the shipment is arranged through a for-hire carrier or freight consolidator or freight forwarder acting on behalf of either the seller or purchaser. It also applies whether the shipment is arranged on a "freight prepaid" or a "freight collect" basis. The shipment may be made by the seller's own transportation equipment or by a carrier for-hire. For purposes of this section, a for-hire carrier's signature does not constitute receipt upon obtaining the goods for shipment unless the carrier is acting as the purchaser's agent and has express written authority from the purchaser to accept or reject the goods with the right of inspection.

(4) PROOF OF EXEMPT OUTBOUND SALES.

(a) If either a for-hire carrier or the seller itself carries the goods for receipt at a point outside of Washington, the seller is required to retain in its records documentary proof of the sales and delivery transaction and that the purchaser in fact received the goods outside the state in order to prove the sale is tax exempt. Acceptable proofs, among others, will be:

(i) The contract or agreement of sale, if any, AND

(ii) if shipped by a for-hire carrier, a waybill, bill of lading or other contract of carriage indicating the seller has delivered the goods to the for-hire carrier for transport to the purchaser or the purchaser's agent

at a point outside the state with the seller shown on the contract of carriage as the consignor and the purchaser or its agent as consignee; or

(iii) if sent by the seller's own transportation equipment, a trip-sheet signed by the person making delivery for the seller and showing:

the seller's name and address,

the purchaser's name and address,

the place of delivery, if different from purchaser's address,

the time of delivery to the purchaser together with the signature of the purchaser or its agent acknowledging receipt of the goods at the place designated outside the state of Washington.

(b) Delivery of the goods to a freight consolidator, freight forwarder or for-hire carrier merely utilized to arrange for and/or transport the goods is not receipt of the goods by the purchaser or its agent unless the consolidator, forwarder or for-hire carrier has express written authority to accept or reject the goods for the purchaser with the right of inspection. See also WAC 458-20-174, 458-20-175, 458-20-176, 458-20-177, 458-20-238 and 458-20-239 for certain statutory exemptions.

(5) OTHER B&O TAXES - OUTBOUND AND INBOUND SALES.

(a) EXTRACTING, MANUFACTURING. Persons engaged in these activities in Washington and who transfer or make delivery of such produced articles for receipt at points outside the state are subject to business tax under the extracting or manufacturing classification and are not subject to tax under the retailing or wholesaling classification. See also WAC 458-20-135 and 458-20-136. The activities taxed occur entirely within the state, are inherently local, and are conducted prior to the commercial journey. The tax is measured by the value of products as determined by the selling price in the case of articles on which the seller performs no further manufacturing after transfer out of Washington. It is immaterial that the value so determined includes an additional increment of value because the sale occurs outside the state. If the seller performs additional manufacturing on the article after transferring the article out of state, the value should be measured under the principles contained in WAC 458-20-112.

(b) EXTRACTING OR PROCESSING FOR HIRE, PRINTING AND PUBLISHING, REPAIR OR ALTERATION OF PROPERTY FOR OTHERS. These activities when performed in Washington are also inherently local and the gross income or total charge for work performed is subject to business tax, since the operating incidence of the tax is upon the business activity performed in this state. No deduction is permitted even though the articles produced, imprinted, repaired or altered are delivered to persons outside the state. It is immaterial that the customers are located outside the state, that the work was negotiated or contracted for outside the state, or that the property was shipped in from outside the state for such work.

(c) CONSTRUCTION, REPAIR. Construction or repair of buildings or other structures, public road construction and similar contracts performed in this state are inherently local business activities subject to b&o tax in this state. This is so even though materials involved may have been delivered from outside this state or the contracts may have been negotiated outside this state. It is immaterial that the work may be performed in this state by foreign sellers who performed preliminary services outside this state.

(d) RENTING OR LEASING OF TANGIBLE PERSONAL PROPERTY. Out-of-state lessors who rent or lease tangible personal property for use in this state are subject to b&o tax upon their gross proceeds from such rentals for periods of use in this state. Proration of tax liability based on the degree of use in Washington of leased property is required. It is immaterial that possession of the property leased may have passed to the lessee outside the state or that the lease agreement may have been consummated outside the state.

(6) RETAIL SALES TAX - OUTBOUND SALES. The retail sales tax generally applies to all retail sales made within this state. The legal incidence of the tax is upon the purchaser, but the seller is obligated to collect and remit the tax to the state. The retail sales tax applies to all sales to consumers of goods located in the state when goods are received in Washington by the purchaser or its agent, irrespective of the fact that the purchaser may use the property elsewhere. However, as indicated in subsection (4)(b), delivery of the goods to a freight consolidator, freight forwarder or for-hire carrier merely utilized to arrange for and/or transport the goods out-of-state is not receipt of the goods by the purchaser or its agent in this state, unless the consolidator, forwarder or for-hire carrier has express written authority to accept or reject the goods for the purchaser with the right of inspection.

(a) The retail sales tax does not apply when the seller delivers the goods to the purchaser who receives them at a point outside the state,

or delivers the same to a for-hire carrier consigned to the purchaser outside the state. This exemption applies even in cases where the shipment is arranged through a for-hire carrier or freight consolidator or freight forwarder acting on behalf of either the seller or the purchaser. It also applies regardless of whether the shipment is arranged on a "freight prepaid" or a "freight collect" basis and regardless of who bears the risk of loss. The seller must retain proof of exemption as outlined in subsection (4), above.

(b) RCW 82.08.0273 provides an exemption from the retail sales tax to certain nonresidents of Washington for purchases of tangible personal property for use outside this state when the nonresident purchaser provides proper documentation to the seller. This statutory exemption is available only to residents of states and possessions or Province of Canada other than Washington when the jurisdiction does not impose a retail sales tax of three percent or more. These sales are subject to b&o tax.

(c) A statutory exemption (RCW 82.08.0269) is allowed for sales of goods for use in states, territories and possessions of the United States which are not contiguous to any other state (Alaska, Hawaii, etc.), but only when, as a necessary incident to the contract of sale, the seller delivers the property to the purchaser or its designated agent at the usual receiving terminal of the for-hire carrier selected to transport the goods, under such circumstance that it is reasonably certain that the goods will be transported directly to a destination in such noncontiguous states, territories and possessions. As proof of exemption, the seller must retain the following as part of its sales records:

(i) A certification of the purchaser that the goods will not be used in the state of Washington and are intended for use in the specified noncontiguous state, territory or possession.

(ii) Written instructions signed by the purchaser directing delivery of the goods to a dock, depot, warehouse, airport or other receiving terminal for transportation of the goods to their place of ultimate use. Where the purchaser is also the carrier, delivery may be to a warehouse receiving terminal or other facility maintained by the purchaser when the circumstances are such that it is reasonably certain that the goods will be transported directly to their place of ultimate use.

(iii) A dock receipt, memorandum bill of lading, trip sheet, cargo manifest or other document evidencing actual delivery to such dock, depot, warehouse, freight consolidator or forwarder, or receiving terminal.

(iv) The requirements of (i) and (ii) above may be complied with through the use of a blanket exemption certificate as follows:

EXEMPTION CERTIFICATE

We hereby certify that all of the goods which we have purchased and which we will purchase from you will not be used in the State of Washington but are for use in the state, territory or possession of \_\_\_\_.

You are hereby directed to deliver all such goods to the following dock, depot, warehouse, freight consolidator, freight forwarder, transportation agency or other receiving terminal:

\_\_\_\_\_  
\_\_\_\_\_

for the transportation of those goods to their place of ultimate use.

This certificate shall be considered a part of each order that we have given you and which we may hereafter give to you, unless otherwise specified, and shall be valid until revoked by us in writing.

DATED \_\_\_\_\_.

\_\_\_\_\_  
(Purchaser)

By \_\_\_\_\_  
(Officer or Purchaser's Representative)

Address \_\_\_\_\_

(v) There is no business and occupation tax deduction of the gross proceeds of sales of goods for use in noncontiguous states.

(c) See WAC 458-20-173 for explanation of sales tax exemption in respect to charges for labor and material in the repair, cleaning or altering of tangible personal property for nonresidents when the repaired property is delivered to the purchaser at an out-of-state point.

(7) INBOUND SALES. Washington does not assert b&o tax on sales of goods which originate outside this state unless the goods are received by the purchaser in this state and the seller has nexus. There must be both the receipt of the goods in Washington by the purchaser and the

seller must have nexus for the b&o tax to apply to a particular sale. The b&o tax will not apply if one of these elements is missing.

(a) Delivery of the goods to a freight consolidator, freight forwarder or for-hire carrier located outside this state merely utilized to arrange for and/or transport the goods into this state is not receipt of the goods by the purchaser or its agent unless the consolidator, forwarder or for-hire carrier has express written authority to accept or reject the goods for the purchaser with the right of inspection.

(b) When the sales documents indicate the goods are to be shipped to a buyer in Washington, but the seller delivers the goods to the buyer at a location outside this state, the seller may use the proofs of exempt sales contained in subsection 4 to establish the fact of delivery outside Washington.

(c) If a seller carries on significant activity in this state and conducts no other business in the state except the business of making sales, this person has the distinct burden of establishing that the instate activities are not significantly associated in any way with the sales into this state. Once nexus has been established, it will continue throughout the statutory period of RCW 82.32.050 (up to five years), notwithstanding that the instate activity which created the nexus ceased. This continuing nexus does not apply to transactions taxable under the service b&o tax classification. (See WAC 458-20-194). The following activities are examples of sufficient nexus in Washington for the b&o tax to apply:

(i) The goods are located in Washington at the time of sale and the goods are received by the customer or its agent in this state.

(ii) The seller has a branch office, local outlet or other place of business in this state which is utilized in any way, such as in receiving the order, franchise or credit investigation, or distribution of the goods.

(iii) The order for the goods is solicited in this state by an agent or other representative of the seller.

(iv) The delivery of the goods is made by a local outlet or from a local stock of goods of the seller in this state.

(v) The out-of-state seller, either directly, or by an agent or other representative, performs significant services in relation to establishment or maintenance of sales into the state, even though the seller may not have formal sales offices in Washington or the agent or representative may not be formally characterized as a "salesperson".

(vi) The out-of-state seller, either directly or by an agent or other representative in this state, installs its products in this state as a condition of the sale.

(8) RETAIL SALES TAX - INBOUND SALES. Persons engaged in selling activities in this state are required to be registered with the department of revenue. Sellers who are not required to be registered may voluntarily register for the collection and reporting of the use tax. The retail sales tax must be collected and reported in every case where the retailing b&o tax is due as outlined in subsection 7. If the seller is not required to collect retail sales tax on a particular sale because the transaction is disassociated from the instate activity, it must collect the use tax from the buyer.

(9) USE TAX - INBOUND SALES. The following sets forth the conditions under which out-of-state sellers are required to collect and remit the use tax on goods received by customers in this state. A seller is required to pay or collect and remit the tax imposed by chapter 82.12 RCW if within this state it directly or by any agent or other representative:

(i) Has or utilizes any office, distribution house, sales house, warehouse, service enterprise or other place of business; or

(ii) Maintains any inventory or stock of goods for sale; or

(iii) Regularly solicits orders whether or not such orders are accepted in this state; or

(iv) Regularly engages in the delivery of property in this state other than by for-hire carrier or U.S. mail; or

(v) Regularly engages in any activity in connection with the leasing or servicing of property located within this state.

(a) The use tax is imposed upon the use, including storage preparatory to use in this state, of all tangible personal property acquired for any use or consumption in this state unless specifically exempt by statute. The out-of-state seller may have nexus to require the collection of use tax without personal contact with the customer if the seller has an extensive, continuous, and intentional solicitation and exploitation of Washington's consumer market. (See WAC 458-20-221).

(b) Every person who engages in this state in the business of acting as an independent selling agent for unregistered principals, and who receives compensation by reason of sales of tangible personal property of such principals for use in this state, is required to collect the use tax from purchasers, and remit the same to the department of revenue, in the manner and to the extent set forth in WAC 458-20-221.

(10) **EXAMPLES – OUTBOUND SALES.** The following examples show how the provisions of this section relating to interstate sales of tangible personal property will apply when the goods originate in Washington (outbound sales). The examples presume the seller has retained the proper proof documents and that the seller did not manufacture the items being sold.

(a) Company A is located in Washington. It sells machine parts at retail and wholesale. Company B is located in California and it purchases machine parts from Company A. Company A carries the parts to California in its own vehicle to make delivery. It is immaterial whether the goods are received at either the purchaser's out-of-state location or at any other place outside Washington state. The sale is not subject to Washington's b&o tax or its retail sales tax because the buyer did not receive the goods in Washington. Washington treats the transaction as a tax exempt interstate sale. California may impose its taxing jurisdiction on this sale.

(b) Company A, above, ships the parts by a for-hire carrier to Company B in California. Company B has not previously received the parts in Washington directly or through a receiving agent. It is immaterial whether the goods are received at either Company B's out-of-state location or any other place outside Washington state. It is immaterial whether the shipment is freight prepaid or freight collect. Again, Washington treats the transaction as an exempt interstate sale.

(c) Company B, above, has its employees or agents pick up the parts at Company A's Washington plant and transports them out of Washington. The sale is fully taxable under Washington's b&o tax and, if the parts are not purchased for resale by Company B, Washington's retail sales tax also applies.

(d) Company B, above, hires a carrier to transport the parts from Washington. Company B authorizes the carrier, or another agent, to inspect and accept the parts and, if necessary, to hold them temporarily for consolidation with other goods being shipped out of Washington. This sale is taxable under Washington's b&o tax and, if the parts are not purchased for resale by Company B, Washington's retail sales tax also applies. (e) Washington will not tax the transactions in the above examples (a) and (b) if Company A mails the parts to Company B rather than using its own vehicles or a for-hire carrier for out-of-state receipt. By contrast, Washington will tax the transactions in the above examples (c) and (d) if for some reason Company B or its agent mails the parts to an out-of-state location after receiving them in Washington. The b&o tax applies to the latter two examples and if the parts are not purchased for resale by Company B then retail sales tax will also apply.

(f) Buyer C who is located in Alaska purchases parts for its own use in Alaska from Seller D who is located in Washington. Buyer C specifies to the seller that the parts are to be delivered to the water carrier at a dock in Seattle. The buyer has entered into a written contract for the carrier to inspect the parts at the Seattle dock. The sale is subject to the b&o tax because receipt took place in Washington. The retail sales tax does not apply because of the specific exemption at RCW 82.08.0269. This transaction would have been exempt of the b&o tax if the buyer had taken no action to receive the goods in Washington.

(11) **EXAMPLES – INBOUND SALES.** The following examples show how the provisions of this section relating to interstate sales of tangible personal property will apply when the goods originate outside Washington (inbound sales). The examples presume the seller has retained the proper proof documents.

(a) Company A is located in California. It sells machine parts at retail and wholesale. Company B is located in Washington and it purchases machine parts for its own use from Company A. Company A uses its own vehicles to deliver the machine parts to its customers in Washington for receipt in this state. The sale is subject to the retail sales tax and is also subject to the b&o tax if the seller has nexus.

(b) Company A, above, ships the parts by a for-hire carrier to Company B in Washington. The goods are not accepted by Company B until the goods arrive in Washington. The sale is subject to the retail sales or use tax and is also subject to the b&o tax if the seller has nexus in Washington. It is immaterial whether the shipment is freight prepaid or freight collect.

(c) Company B, above, has its employees or agents pick up the parts at Company A's California plant and transports them into Washington. Company A is not required to collect sales or use tax and is not liable for b&o tax on the sale of these parts. Company B is liable for payment of use tax at the time of first use of the parts in Washington.

(d) Company B, above, hires a carrier to transport the parts from California. Company B authorizes the carrier, or an agent, to inspect

and accept the parts and, if necessary, to hold them temporarily for consolidation with other goods being shipped to Washington. The seller is not required to collect retail sales or use tax and is not liable for the b&o tax on these sales. Company B is subject to use tax on the first use of the parts in Washington.

(e) Company B, above, instructs Company A to deliver the machine parts to a freight consolidator selected by Company B. The freight consolidator does not have authority to receive the goods as agent for Company B. Receipt will not occur until the parts are received by Company B in Washington. Company A is required to collect retail sales or use tax and is liable for b&o tax if Company A has nexus for this sale. The mere delivery to a consolidator or for-hire carrier who is not acting as the buyer's receiving agent is not receipt by the buyer.

(f) Transactions in examples (11)(a) and (11)(b) will also be taxable if Company A mails the parts to Company B for receipt in Washington, rather than using its own vehicles or a for-hire carrier. The tax will continue to apply even if Company B for some reason sends the parts to a location outside Washington after the parts were accepted in Washington.

(g) Company W with its main office in Ohio has one employee working from the employee's home located in Washington. The taxpayer has no offices, inventory, or other employees in Washington. The employee calls on potential customers to promote the company's products and to solicit sales. On June 30, 1990 the employee is terminated. After this date the company no longer has an employee or agent calling on customers in Washington or carries on any activities in Washington which is significantly associated with the seller's ability to establish or maintain a market for its products in Washington. Washington customers who had previously been contacted by the former employee continue to purchase the products by placing orders by mail or telephone directly with the out-of-state seller. The nexus which was established by the employee's presence in Washington will be presumed to continue through December 31, 1994 and subject to b&o tax. Nexus will cease on December 31, 1994 if the seller has not established any new nexus during this period. Company W may disassociate and exclude from b&o tax sales to new customers who had no contact with the former employee. The burden of proof to disassociate is on the seller.

(h) Company X is located in Ohio and has no office, employees, or other agent located in Washington or any other contact which would create nexus. Company X receives by mail an order from Company Y for parts which are to be shipped to a Washington location. Company X purchases the parts from Company Z who is located in Washington and requests that the parts be drop shipped to Company Y. Since Company X has no nexus in Washington, Company X is not subject to b&o tax or required to collect retail sales tax. Company X has not taken possession or dominion or control over the parts in Washington. Company Z may accept a resale certificate from Company X which will bear the registration number issued by the state of Ohio. Company Y is required to pay use tax on the value of the parts.

(i) Company ABC is located in Washington and purchases goods from Company XYZ located in Ohio. Upon receiving the order, Company XYZ ships the goods by a for-hire carrier to a public warehouse in Washington. The goods will be considered as having been received by Company ABC at the time Company ABC is entitled to receive a warehouse receipt for the goods. Company XYZ will be subject to the b&o tax at that time if it had nexus for this sale.

## WSR 91-20-123

### EMERGENCY RULES

### DEPARTMENT OF REVENUE

[Filed September 30, 1991, 3:39 p.m.]

Date of Adoption: September 30, 1991.

Purpose: To implement chapter 200, Laws of 1991, effective October 1, 1991, which imposes a tax on the offloading from waterborne vessel of crude oil or petroleum products at marine terminals in this state.

Statutory Authority for Adoption: Chapter 200, section 808, Laws of 1991.

Other Authority: RCW 82.32.300.

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 emergency filing is necessary to implement chapter 200, Laws of 1991, by October 1, 1991, the effective date of the legislation.

Effective Date of Rule: Immediately.

September 30, 1991

Edward L. Faker  
Assistant Director

### NEW SECTION

**WAC 458-20-260 OIL SPILL RESPONSE AND ADMINISTRATION TAX (1) INTRODUCTION.** This section explains and implements the provisions of chapter 200, Laws of 1991. The legislation imposes an oil spill response tax and an oil spill administration tax, effective October 1, 1991. The taxes are imposed upon the privilege of offloading crude oil or petroleum products at a marine terminal in this state from a waterborne vessel or barge operating through or upon the navigable waters of this state. This section provides applicable definitions, the rate and measure of the tax, the tax payment and reporting procedure, and describes an exemption and a credit against tax.

(2) **DEFINITIONS.** For purposes of this section, the following terms will apply.

(a) "Tax" means the oil spill response and oil spill administration taxes imposed by chapter 200, Laws of 1991.

(b) "Barrel" means a unit of measurement of volume equal to forty-two United States gallons of crude oil or petroleum product.

(c) "Crude oil" means any naturally occurring liquid hydrocarbon at atmospheric temperature and pressure coming from the earth, including condensate and natural gasoline.

(d) "Department" means the department of revenue.

(e) "Marine terminal" means a facility of any kind, other than a waterborne vessel, that is used for transferring crude oil or petroleum products to or from a waterborne vessel or barge.

(f) "Navigable waters" means those waters of the state and their adjoining shorelines, that are subject to the ebb and flow of the tide, including the Columbia and Snake rivers.

(g) "Person" has the meaning provided in RCW 82.04.030.

(h) "Petroleum product" means any liquid hydrocarbons at atmospheric temperature and pressure that are the product of the fractionation, distillation, or other refining or processing of crude oil, and that are used as, useable as, or may be refined as fuel or fuel blendstock, including but not limited to, gasoline, diesel fuel, aviation fuel, bunker fuel, and fuels containing a blend of alcohol and petroleum.

(i) "Taxpayer" means the person owning crude oil or petroleum products immediately before the same are

off-loaded at a marine terminal in this state and who is liable for the tax.

(j) "waterborne vessel or barge" means any ship, barge or other watercraft capable of travelling on the navigable waters of this state and capable of transporting any crude oil or petroleum product in quantities of ten thousand gallons or more for purposes other than providing fuel for its motor or engine.

(k) "Previously taxed product" means any crude oil or petroleum product which has been offloaded in this state in a manner subject to the tax and upon which the tax has been paid.

(l) "Offloading" means the physical act of moving crude oil or petroleum product from a waterborne vessel or barge to a marine terminal. Offloading occurs at the point where the crude oil or petroleum product passes through the dock flange or point of connection between the vessel or barge and the marine terminal.

(3) **TAX RATE AND MEASURE.** The tax is imposed on the privilege of off-loading crude oil or petroleum products at a marine terminal within this state from a waterborne vessel or barge operating through or across the navigable waters of this state. The tax is levied upon the owner of the crude oil or petroleum products immediately before such off-loading occurs.

(a) The oil spill response tax is imposed at the rate of two cents per barrel of crude oil or petroleum product off-loaded.

(b) The oil spill administration tax is imposed at the rate of three cents per barrel of crude oil or petroleum product off-loaded.

(c) The number of barrels offloaded shall be computed as the net barrels received by the marine terminal operator. Net barrels shall be computed by using an industry standard adjustment to gross barrels offloaded to account for variations in temperature and content of water or other nonpetroleum substances.

(4) **TAX COLLECTION BY THE MARINE TERMINAL OPERATOR.** Unless the taxpayer has been issued a direct payment certificate as provided in subsection (5) below, the operator of any marine terminal located in this state where crude oil or petroleum products are offloaded is responsible for the collection of the tax from the taxpayer.

(a) Failure to collect the tax from the taxpayer and remit it to the department will cause the marine terminal operator to become personally liable for the tax, unless the marine terminal operator has billed the taxpayer for the tax or notified the taxpayer in writing of the imposition of the tax. The tax has been billed to a taxpayer when an invoice, statement of account, or notice of imposition of the tax is mailed or delivered to the taxpayer by the terminal operator within the operator's normal billing cycle and separately states the dates of offloading, rate of tax, number of barrels offloaded, and the amount of the tax required to be collected. A taxpayer has been notified of the imposition of the tax when, within ten days from the date of offloading, a notice is mailed or delivered to the taxpayer, or to an agent of the taxpayer authorized to accept notices of this type other than the marine terminal operator, which separately states the dates of offloading, rate of tax, number of barrels



offloaded, and the amount of the tax required to be collected. Marine terminal operators shall maintain a record of the names and addresses of taxpayers billed for the tax, or in cases where taxpayers are sent written notification of the imposition of the tax, the names and addresses of the persons to whom notice is sent. Such records shall indicate those persons billed or notified from whom the tax has been collected. Upon request, the records shall be made available for inspection by the department.

(b) The tax collected shall be held in trust by the terminal operator until paid to the department.

(c) The tax collected shall be due from the marine terminal operator, along with reports and returns on forms prescribed by the department, within twenty-five days after the end of the month in which the tax is collected.

(d) A terminal operator who relies in good faith upon a direct payment certificate issued to a taxpayer shall be relieved from any liability for the collection of the tax from the taxpayer. An MTO shall likewise be relieved from liability for collection of the tax from a taxpayer if the MTO relies in good faith upon a current roster of certificate holders published by the department which bears the name of a taxpayer.

(5) **DIRECT PAYMENT TO THE DEPARTMENT.** Any taxpayer may apply to the department in writing for permission to pay the tax directly to the department. Upon approval of the department, any taxpayer making application for direct payment shall be issued a direct payment certificate entitling the taxpayer to pay the tax directly to the department.

(a) In order to qualify for direct payment, the taxpayer must meet the following requirements:

(i) The taxpayer must be registered with the department.

(ii) The taxpayer must file a bond with the department in an amount equal to two months estimated liability for the tax, but in no event less than \$10,000. The bond shall be executed by the taxpayer as principal, and by a corporation approved by the department and authorized to engage in business as a surety company in this state, as surety. Two months estimated tax liability shall be determined by taking the total number of barrels offloaded in this state by the taxpayer during the two months in the immediately preceding twelve month period with the highest number of barrels offloaded and multiplying this figure by the total tax rate. If the department determines that the result of the foregoing calculation does not represent a fair estimate of the actual tax liability which the taxpayer is expected to incur, it may set the bond requirement at such higher amount as the department determines in its judgement will secure the payment of the tax. The bond requirement may be waived upon proof satisfactory to the department that the taxpayer has sufficient assets located in this state to insure payment of the tax.

(iii) The taxpayer must be current in all of its tax obligations to the state having filed all returns as required by title 82 RCW.

(b) The department may, from time to time, review the amount of any bond filed by a taxpayer possessing a

direct payment certificate and may, upon twenty days written notice to the taxpayer, require such higher bond as the department determines to be necessary to secure the payment of the tax. The filing of a substitute bond in such higher amount shall be a condition to the continuation of the right to make direct payment under this section.

(c) A direct payment certificate issued under this section may be revoked by the department if the taxpayer fails to maintain a current registration, fails to file a substitute bond within twenty days from a written request, or becomes delinquent in the payment of the tax.

(d) The department shall maintain a current roster of all taxpayers who have a direct payment certificate. Copies of the roster shall be made available on a monthly basis to any interested person requesting to be placed on the roster subscription list. Requests to be placed on the subscription list should be mailed to the Miscellaneous Tax Division, Department of Revenue, MS: AX-02, Olympia, WA 98504.

(e) Applications for a direct payment certificate shall be in writing and shall include the name and address of the applicant, the applicant's registration number if currently registered, and the name and phone number of a contact person. The application shall also contain a statement that if the application is approved, the taxpayer consents to the public disclosure that the taxpayer has been granted a direct payment certificate, or if the certificate is later revoked, the taxpayer consents to the public disclosure of the fact of revocation. Applications should be mailed to the Miscellaneous Tax Division, Department of Revenue, MS: AX-02, Olympia, WA 98504.

(6) **EXEMPTION - PREVIOUSLY TAXED OIL OR PETROLEUM PRODUCTS.** The tax applies only to the first offloading of crude oil or petroleum products at a marine terminal in this state. An exemption is available for the subsequent offloading at a marine terminal in this state of previously taxed product. This exemption applies even though the previously taxed product is refined or processed prior to further transportation and subsequent offloading.

(a) Crude oil or petroleum products offloaded for the first time at a marine terminal in this state which have been commingled with previously taxed product present a special problem in determining the amount of tax properly due. In such cases the amount of tax due is equal to the difference between the total number of barrels offloaded and the number of barrels of previously taxed product multiplied by the total tax rates. Due to the difficulty of determining the amount of tax due under such circumstances the following rebuttable presumptions shall apply:

(i) All crude oil or petroleum products loaded on a vessel and shipped from a point within this state will be presumed, subject to rebuttal, to be previously taxed product. The subsequent offloading at a point within this state of such product will be treated as exempt from the tax.

(ii) All crude oil or petroleum products loaded on a vessel and shipped from a point outside this state will be presumed to be crude oil or petroleum products offloaded

for the first time in this state. The subsequent offloading at a point within this state of such crude oil or petroleum products will be treated as subject to the tax.

(b) The presumptions in this subsection may be rebutted upon proof of the number of barrels of previously taxed product offloaded in this state.

(c) Example. The presumptions in this subsection (6) can be illustrated by the following example:

(i) A previously taxed petroleum product is loaded on an ocean going barge at a marine terminal located on Puget Sound in Washington. The barge is towed to Portland, Oregon where the petroleum product is offloaded and commingled with a similar product which has not been subjected to the tax. Later, commingled product is loaded onto a barge which is towed up the Columbia River to a marine terminal located in Pasco, Washington and offloaded. The petroleum products loaded onto the barge in Portland would be presumed, subject to rebuttal, to be subject to the tax when offloaded in Pasco.

(7) EXPORT CREDIT. A credit is allowed against the tax imposed for any crude oil or petroleum products previously offloaded in a manner subjected to the tax and subsequently exported or sold for export from the state.

(a) An export credit may be taken by any person exporting or selling for export any previously taxed product who has paid the tax on such product to a marine terminal operator or the department. An export credit may also be taken by any person who has purchased previously taxed product and who subsequently exports the product or sells the product for export, provided that such person has been invoiced for and has paid the tax to its seller. Any such invoice must state the amount of the tax passed on to the purchaser and identify the product to which the tax amount relates by type and quantity.

(b) A person exports previously taxed product when they actually transport the product beyond the borders of this state for purposes of sale, or deliver the product to a common carrier for delivery and subsequent sale or use at a point outside this state.

(c) A person sells previously taxed product for export when as a necessary incident to a contract of sale the seller agrees to, and does deliver previously taxed product

(i) to the buyer at a destination outside this state;

(ii) to a carrier consigned to and for transportation to a destination outside this state;

(iii) to the buyer along side or aboard a vessel or other vehicle of transportation under circumstances where it is clear that the process of exportation of the product has begun; or

(iv) into a pipeline for transportation to a destination outside this state.

In all circumstances there must be a certainty of export evidenced by some overt step taken in the export process. A sale for export will not necessarily be deemed to have occurred if the product is merely in storage awaiting shipment, even though there is reasonable certainty that the product will be exported. The intention to

export, as evidenced for example, by financial and contractual relationships does not indicate certainty of export if the product has not commenced its journey outside this state. The product must actually enter the export stream. Sales of petroleum products by delivery into the fuel tank of a vessel or other vehicle in quantities greater than one hundred gallons will be considered placed into the export stream, provided the vessel or vehicle is immediately destined for a point outside this state and the seller obtains and keeps the documentary evidence provided in subsection (7)(d).

(d) A person claiming credit for sales for export under this subsection (7) must document the fact the product was placed into the export process. This fact may be shown by obtaining and keeping any of the following documentary evidence:

(i) A bona fide bill of lading in which the seller is the shipper/consignor and by which the carrier agrees to transport the product to the buyer at a destination outside this state; or

(ii) a written certification in substantially the following form:

Certificate of Export

I hereby certify that the crude oil or petroleum products specified herein, purchased by or transferred to the undersigned from (seller or transferor), have been received into the export stream and are for export for sale or use outside Washington state. I will become liable for any tax credit granted (seller or transferor) pertaining to any crude oil or petroleum products which are not so exported outside Washington state. This certificate is given with full knowledge of, and subject to the legally prescribed penalties for fraud.

Registration No. \_\_\_\_\_ Type of Business \_\_\_\_\_  
(If applicable)

Firm Name \_\_\_\_\_ Registered Name \_\_\_\_\_  
(If different)

Authorized Signature \_\_\_\_\_

Title \_\_\_\_\_

Identity of Product \_\_\_\_\_  
(Kind and amount by volume)

Date \_\_\_\_\_

; or

(iii) Documents consisting of:

(aa) Purchase orders or contracts of sale which show that the seller is required to place the product into the export stream, e.g., "f.a.s. vessel," and

(bb) Local delivery receipts, tripsheets, waybills, warehouse releases, etc., reflecting how and when the product was delivered into the export stream; and

(cc) When available, records showing that the products were packaged, numbered or otherwise handled in a way which is exclusively attributable to products sold for export.

(e) Only the export or sale for export of crude oil or petroleum products will qualify for the export credit. Crude oil or petroleum products will not be eligible for the export credit if, prior to export, they are subject to

further processing or used as ingredients in other compounds unless the resulting products are themselves crude oil or petroleum products.

(f) Crude oil or petroleum products delivered to purchasers in other states pursuant to location exchange agreements will not qualify for the export credit unless the crude oil or petroleum products were previously subject to the tax and credit has not yet been taken. A location exchange agreement is any arrangement where crude oil or petroleum products located in this state are exchanged through an accounts crediting system, or any other method, for like substances located in other states. Any person acquiring previously taxed product in this state for which no credit has been taken may claim a credit on any such product subsequently exported or sold for export, provided all of the requirements set forth in this subsection (7) have been met.

(i) Example. An oil company enters into a location exchange agreement with a competitor which provides for the delivery of one thousand barrels of petroleum products to a local storage facility owned by the competitor. In exchange for the petroleum products delivered in Washington the competitor delivers one thousand barrels of like petroleum products to the oil company's storage facilities in California. The delivery of petroleum products in California would not constitute an export or sale for export of the products delivered in Washington even though the products are of like quality and quantity. If the competitor delivers products which have been previously subject to the tax and no credit has been taken, the delivery of products in California may qualify for the credit. The subsequent export of the petroleum products received by the competitor in Washington would qualify for the credit if the competitor has been invoiced for and has paid the tax to the exchanging oil company.

(g) Persons claiming this credit must maintain records necessary to verify that the credit taking qualifications have been met. For this purpose any person claiming a credit who maintains those records required by WAC 458-20-19301 (multiple activities tax credit), part (9), will be considered to have satisfied the requirements of this subsection.

(8) AMOUNT OF CREDIT. The amount of the credit will be equal to the tax previously paid by the person claiming the credit on the crude oil or petroleum product exported or sold for export.

(a) In the case of a person claiming credit who is not the taxpayer, the credit will be equal to that portion of the tax billed on an invoice which relates to the particular product exported or sold for export. In order to determine the amount of tax reflected on an invoice which relates to a particular product exported or sold for export, it may be necessary to convert the tax paid from a rate per barrel to a rate per gallon or some other unit of measurement. This conversion is computed by taking the total amount of tax paid on an invoice for a particular product and dividing that figure by the total quantity of the product expressed in terms of the unit of measurement used for export. The credit is then computed by multiplying the converted rate times the quantity of product exported or sold for export. In no event will a

credit be allowed in excess of the tax paid on the product exported or sold for export.

(b) Due to the fungible nature of crude oil and petroleum products it will sometimes be impossible for a person claiming a credit to determine exactly the rate of tax invoiced for a specific quantity of oil being exported or sold for export. The physical handling of oil or petroleum products requires that products of like kind be stored in bulk. This commingling results in product bearing tax passed on at different rates making it difficult to determine the amount of credit applicable to an export sale. Under such circumstances a person claiming the export credit may compute the tax using one of the following methods:

(i) First-in, first-out method. Under this method the export credit is computed by treating existing inventory as sold before later acquired inventory.

(ii) Average of tax paid method. Under this method the export credit is determined by calculating the average rate of tax paid on all inventory. This method requires computing the tax by making adjustments in the rate of tax paid on all product on hand as it is removed from or added to storage.

(iii) Any other method approved by the department.

(c) The use of one of the methods set forth in this subsection (8) to account for tax paid on commingled crude oil or petroleum products shall constitute an election to continue using the method selected. Once selected, no change in accounting method will be permitted without the prior consent of the department.

(d) Examples. The following are examples of the way in which the credit is to be computed:

(i) A petroleum products distributor purchases 100 barrels each of premium unleaded gasoline and regular unleaded gasoline. The invoice from the refiner separately states that the invoice includes five dollars of tax for each of the two types of products. The distributor pays the invoiced amount and later sells 2,000 gallons of the premium unleaded and 4,000 gallons of the regular unleaded to a retailer located outside Washington. In order to compute the amount of credit on the export sales the distributor must convert the tax paid from barrels to gallons. Since there are forty-two US gallons in a barrel, the tax paid on both products is equal to .119 cents per gallon ( $\$5.00 \div 4200$ ). The distributor would be eligible for credit equal to \$2.38 for the premium unleaded ( $2,000 \times \$0.0119$ ) and \$4.76 for the regular unleaded ( $4,000 \times \$0.0119$ ).

(ii) A petroleum products distributor purchases 100 barrels of unleaded gasoline which it will use to blend with 30 barrels of ethanol to produce gasohol. The invoice for the unleaded separately states that the total price includes four dollars of tax. The distributor pays the invoiced amount and sells 2,940 gallons of gasohol to a retailer for sale outside Washington. The tax paid on the unleaded is equal to .095 cents per gallon ( $\$4.00 \div 4200$ ). Since the exported product has been blended with a component that has not been taxed, only 76.9% of the exported product is eligible for credit ( $100 \div 130$ ). The credit would be \$2.15 ( $2,940 \times .769 \times \$0.0095$ ).

(iii) A petroleum distributor purchases 100 barrels of unleaded gasoline from refinery A and later purchases

100 barrels from refinery B. The distributor stores all of its unleaded gasoline in a single storage tank. The invoice from refinery A separately states the amount of tax on the gasoline as \$5.00 and the refinery B invoice states the tax as \$4.00. The distributor pays the two invoiced amounts and sells 2,100 gallons of the commingled unleaded to a retailer located outside Washington. The distributor then purchases 100 more barrels of unleaded gasoline from distributor C. Distributor C's invoice, separately states the tax as \$3.00. Following payment of the invoice, the distributor exports an additional 2,100 gallons of unleaded. The distributor could choose to calculate the tax using one of the methods of accounting described in subsection (8)(b).

(aa) Under the first-in, first-out method the distributor would treat all 4,200 gallons sold as if it was the unleaded gasoline purchased from refinery A. Under this method, the credit would be equal to .119 cents per gallon ( $\$5.00 \div 4,200$ ) or \$5.00 total ( $\$.00119 \times 4,200$ ).

(bb) Under the average of tax paid method the distributor would recompute the tax paid on average for the entire commingled amount making adjustments as gasoline is sold or gasoline is added. Prior to the addition of the purchases from refinery B or distributor C, the rate would be .119 cents per gallon ( $\$5.00 \div 4,200$ ). Following the addition of the 100 barrels from refinery B the tank contains 8,400 gallons. The rate of tax would now be .107 cents per gallon ( $(\$5.00 + \$4.00) \div 8,400$ ). Out of this amount 2,100 gallons is exported in the first sale. The credit for this sale would be equal to \$2.25 ( $\$.00107 \times 2,100$ ). After the addition of the 100 barrels from distributor C, the tank contains 10,500 gallons ( $8,400 - 2,100 + 4,200$ ). In order to recompute the tax, the total tax paid on the remaining gasoline after the first sale must be computed. After withdrawal of the 2,100 gallons of unleaded for the first sale, the total tax paid on the remainder would be \$6.74 ( $(8,400 - 2,100) \times \$.00107$ ). The addition of the 100 barrels from distributor C causes the total tax for the stored amount to rise to \$9.74 ( $\$6.74 + \$3.00$ ). The average rate of tax is now .093 cents per gallon ( $\$9.74 \div 10,500$ ). The credit for the second export sale would be \$1.95 ( $\$.00093 \times 2,100$ ).

(9) HOW AND WHEN TO PAY TAX. The tax must be reported on special return forms prescribed by the department. The tax is due for payment together with the timely filing of the return upon which it is reported, on the twenty-fifty day of the month following the month in which the taxable offloading occurs. In case any offloading commences on the last day of any month and extends past midnight, the offloading will be deemed to have occurred during the following month.

(10) HOW AND WHEN TO CLAIM CREDITS. Persons who pay tax under a direct payment certificate and persons who are both taxpayers and marine terminal operators should claim credits as an offset against tax liability reported on the same return when possible. The tax return form provides a line for reporting the tax and a line and supporting schedule for taking credits as an offset against the tax reported. Persons claiming credit who are not required to file returns reporting liability for the tax may claim credits on forms provided by the department

for this purpose. It is not required that any documents or other evidences of entitlement to credits be submitted with the report. Such proofs must be retained in permanent records for the purpose of verification of credits taken.

(11) SALES TO U.S. GOVERNMENT. The tax does not apply to the offloading of crude oil or petroleum products owned by the U.S. government. The U.S. is also not required to collect the tax as a marine terminal operator when the U.S. government owns the facilities where crude oil or petroleum products are received. However, owners of crude oil or petroleum products offloaded at marine terminals owned by the U.S. government remain liable for the tax. In such instances the taxpayer is required to report the tax on forms supplied by the department. The tax is due for payment along with a completed return on the twenty-fifth day of the month following the month in which the offloading occurred.

### WSR 91-20-124

#### EMERGENCY RULES

#### DEPARTMENT OF FISHERIES

[Order 91-104—Filed September 30, 1991, 4:51 p.m.]

Date of Adoption: September 30, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Amending WAC 220-32-051 and 220-32-059.

Statutory Authority for Adoption: RCW 75.08.080.

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: This rule is consistent with the decision of the Federal District Court for Oregon; and harvestable numbers of chinook and coho salmon are available in the Klickitat River. This regulation is consistent with the current Yakima Indian Nation regulations.

Effective Date of Rule: Immediately.

September 30, 1991  
Judith Merchant  
Deputy  
for Joseph R. Blum  
Director

#### NEW SECTION

WAC 220-32-051001 COLUMBIA RIVER SALMON SEASONS ABOVE BONNEVILLE. (1) Notwithstanding the provisions of WAC 220-32-051 and 220-32-052, 220-32-053, 220-32-056, 220-32-057, and 220-32-058, effective immediately, it is unlawful for a person to take or possess salmon, shad or sturgeon taken for commercial purposes from Columbia River Salmon Management and Catch Reporting Areas 1F, 1G or 1H, except those individuals possessing treaty

fishing rights under the Yakima, Warm Springs, Umatilla or Nez Perce treaties may fish or possess salmon, sturgeon and shad under the following provisions:

(a) Open for salmon and shad:

immediately to 6 PM October 2, 1991.

Sturgeon may be retained only for subsistence purposes.

(b) Open area: SMCRA 1F, 1G, and 1H

(c) Mesh: no mesh restriction

(2) Notwithstanding the provisions of WAC 220-32-058, closed area at the mouth of:

(a) Hood River is those waters along the Oregon side of the Columbia River and extends to mid-stream at right angles to the thread of the Columbia River between markers located approximately 0.85 miles downriver from the west bank at the end of the breakwall at the west end of the port of Hood River and ½ mile upriver from the east bank.

(b) Herman Creek is those waters upstream from a line between deadline markers near the mouth. One marker is located on the east bank piling and the other is located on the west bank to the north of the boat ramp.

(c) Deschutes River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one mile downstream from the western shoreline.

(d) Umatilla River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one mile downstream from the western shoreline.

(e) Big White Salmon River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between a marker located one-half mile downstream from the west bank upstream to light "35".

(f) Wind River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between markers located 1 ¼ miles downstream from the west bank and ½-mile upstream from the east bank.

(g) Klickitat River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between the downstream margin of Lyle Landing downstream to a marker located near the railroad tunnel approximately 1 ½ miles downstream from the west bank.

(h) Little White Salmon River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between Light "27" upstream to a marker located approximately one-half mile upstream from the eastern shoreline.

(i) Spring Creek is those waters of the Columbia River within a radius of 50 feet of the Spring Creek Hatchery fishway.

(3) Notwithstanding the provisions of WAC 220-22-010, during the open periods in subsection (1):

(a) Area 1F (Bonneville Pool) shall include those waters of the Columbia River upstream from the Bridge of Gods, and downstream from the west end of the 3 mile

rapids located approximately 1.8 miles below the Dalles Dam.

(b) Area 1G shall include those waters of the Columbia River upstream from a line drawn between a deadline marker on the Oregon shore located approximately ¾ mile above the Dalles Dam fishway exit, thence at a right angle to the the thread of the river to a point in midriver, then downstream to Light "1" on the Washington shore, and downstream from Preacher's Eddy light below John Day Dam.

(c) Area 1H shall include those waters of the Columbia River upstream from a fishing boundary marker approximately one-half mile above the John Day River, Oregon, extending at a right angle across the thread of the river to a point in midriver, then downstream to a fishing boundary marker on the Washington shore approximately opposite the mouth of the John Day River, and downstream from a line at a right angle across the thread of the river one mile downstream from McNary Dam

**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 220-32-05900S **KLICKITAT RIVER – SALMON.** Notwithstanding the provisions of WAC 220-32-051 and 220-32-052, 220-32-053, and 220-32-059, effective immediately, it is unlawful for a person to take or possess salmon, shad or sturgeon taken for commercial purposes from the waters of the Klickitat River, except those individuals possessing treaty fishing rights under the Yakima treaty may fish or possess salmon under the following provisions:

(1) **OPEN TIME PERIODS:**

Open 6:00 AM Tuesday to 6:00 PM Sunday of each week from October 1 through December 1, 1991.

(2) **OPEN AREA:**

Those waters of the Klickitat River between the swinging bridge, approximately one and one-half miles upstream from the mouth, and a monument located 25 feet downstream from the entrance to the upper Klickitat Falls Fishway (No. 5).

(3) **ALLOWABLE GEAR:**

(a) Commercial fishing may be conducted with dipnets, setbag nets, or hook and line with bait or lures.

(b) Snagging of fish is prohibited.

#### **WSR 91-20-125**

#### **NOTICE OF PUBLIC MEETINGS SPOKANE COMMUNITY COLLEGES**

[Memorandum—September 24, 1991]

The regular meeting of the board of trustees of the Community Colleges of Spokane (Washington Community College District 17) originally scheduled at the District Administration Building, North 2000 Greene Street on Tuesday, October 15, 1991, has been moved to Room 106 in the Administration Building (Building 1) at Spokane Falls Community College, West 3410 Fort

George Wright Drive, Spokane, WA 99204. The meeting will convene at 1:30 p.m.

**WSR 91-20-126**  
**RULES COORDINATOR**  
**MARINE EMPLOYEES' COMMISSION**

[Filed October 1, 1991, 10:46 a.m.]

Please note that pursuant to RCW 34.05.310(3), on September 27, 1991, the Marine Employees' Commission designated Louis O. Stewart as its rules coordinator.

Janis Lien  
Administrative Assistant

**WSR 91-20-127**  
**PROPOSED RULES**  
**DEPARTMENT OF ECOLOGY**

[Filed October 1, 1991, 1:22 p.m.]

Continuance of WSR 91-14-053.  
Title of Rule: WAC 173-19-2516 Normandy Park, city of, Shoreline Master Program.  
Purpose: Continue adoption date from October 15, 1991 to December 17, 1991.  
Date of Intended Adoption: December 17, 1991.

September 25, 1991  
Fred Olson  
Deputy Director

**WSR 91-20-128**  
**PREPROPOSAL COMMENTS**  
**DEPARTMENT OF ECOLOGY**

[Order 91-11—Filed October 1, 1991, 1:25 p.m.]

Subject of Possible Rule Making: Ecology has begun work on a rule governing facility financial responsibility requirements. The rule will cover insurance, bonding, self insurance and other means of demonstrating financial responsibility. The rule will define the method for determining the amount of financial responsibility required for facilities which may have oil spills into the navigable waters of the state.

Persons may comment on this subject in writing or by phoning Cathy Carruthers, (206) 459-6014, Department of Ecology, Central Programs, Mailstop PV-11, Olympia, Washington 98506. Ecology will take comment on the rule during the drafting process from October 1, 1991, through March 1, 1992.

Other Information or Comments by Agency at this Time, if any: Ecology has identified several issues to be resolved in the rule making process.

Demonstration of financial responsibility: What evidence of insurance should be required? What types of

surety bond should be required? What measures of "qualification" can be used for self insurers? What other evidence of financial responsibility will protect the state from losses due to clean up costs and damages in the event of a spill?

What measure of potential damages should be used?

How is a reasonable worst case spill to be estimated?

How is commercial availability and affordability to be measured?

September 30, 1991  
Fred Olson  
Deputy Director

**WSR 91-20-129**  
**PREPROPOSAL COMMENTS**  
**DEPARTMENT OF ECOLOGY**

[Order 91-55—Filed October 1, 1991, 1:29 p.m.]

Subject of Possible Rule Making: Revision of chapter 173-433 WAC, Solid fuel burning device standards to incorporate changes mandated by ESHB 1028 Clean Air Washington.

Persons may comment on this subject in writing to Paul Carr, Department of Ecology, Air Quality Program, P.O. Box 47600, Mailstop PV-11, Olympia, Washington 98504 on or before December 10, 1991.

Other Information or Comments by Agency at this Time, if any: Amendments to include: Emergency adoption of a \$30.00 fee on the retail sale of wood stoves by January 1992; changes in the opacity level standards for wood stoves, 20% for enforcement; and after January 1, 1995, a ban on the sale of stoves that do not meet January 1, 1991, EPA particulate air contaminant standards or their equivalent.

September 30, 1991  
Fred Olson  
Deputy Director

**WSR 91-20-130**  
**PREPROPOSAL COMMENTS**  
**DEPARTMENT OF ECOLOGY**

[Order 91-58—Filed October 1, 1991, 1:31 p.m.]

Subject of Possible Rule Making: Chapter 173-492 WAC, development of a new chapter proposed to comply with federal regulations concerning motor fuel specifications, specifically, to implement a winter time oxygenated gasoline program for areas with carbon monoxide (CO) air quality problems.

Persons may comment on this subject in writing Fritz Merkl, Department of Ecology, Mailstop PV-11, P.O. Box 47600, Olympia, Washington 98504-7600, prior to November 16, 1991.

September 24, 1991  
Fred Olson  
Deputy Director

## WSR 91-20-131

## PERMANENT RULES

## DEPARTMENT OF ECOLOGY

[Order 91-35—Filed October 1, 1991, 1:37 p.m.]

Date of Adoption: September 30, 1991.

Purpose: This is an amendment to chapter 173-307 WAC which implements the requirements for plans and related documents required from certain hazardous waste generators and hazardous substance users. Changes include greater flexibility in planning approaches and rewriting for clarification.

Citation of Existing Rules Affected by this Order: Amending chapter 173-307 WAC.

Statutory Authority for Adoption: Chapter 70.95C RCW.

Pursuant to notice filed as WSR 91-14-099 on July 2, 1991.

Changes Other than Editing from Proposed to Adopted Version: Citation changed from "Hazardous waste facility plans" to "Pollution prevention plans"; a greater amount of flexibility in planning approaches provided for plans prepared after 1996.

## CONCISE EXPLANATORY STATEMENT

This statement is in support of the final changes to the amendment to chapter 173-307 WAC adopted on September 30, 1991. The changes are the result of discussions and official comments received at three public hearings and/or in writing.

Change: The chapter citation was changed to "Pollution prevention plans."

Reason: The previous name of "Hazardous waste facility plans" was found to be confusing to many people, particularly those interested in hazardous waste management facilities such as incinerators and the rules pertaining to them.

Change: The definition of "hazardous substance" was expanded to include "any further updates" to the list of SARA Title III section 313 chemicals.

Reason: Plans and plan updates will be done over a long period of time. It is necessary that the most current list of chemicals is always utilized.

Change: A definition was added for "used oil" as follows: "Used oil" means (a) lubricating fluids that have been removed from an engine crankcase, transmission, gearbox, hydraulic device, or differential of an automobile, bus, truck, vessel, plane, heavy equipment, or machinery powered by an internal combustion engine; (b) any oil that has been refined from crude oil, used, and as a result of use, has been contaminated with physical or chemical impurities; and (c) any oil that has been refined from crude oil and, as a consequence of extended storage, spillage, or contamination, is no longer useful to the original purchaser. "Used oil" does not include used oil to which hazardous wastes have been added.

Reason: ESHB [2SSB] 5591, which was passed by 1991 legislature, in part amended chapter 70.95C RCW which is the statutory authority for this rule. The definition was added as conforming language.

Change: The language "a description of current reduction and recycling activities" was deleted in WAC 173-307-030(2).

Reason: This requirement was moved to subsection (1) in the proposed amendment, but it was not properly stricken from subsection (2).

Change: The language "This selection of products should attempt to include those that contain the highest concentrations of hazardous substances and the most toxic hazardous substances" was added to WAC 173-307-030 (2)(a)(ii).

Reason: This addition helps clarify the intent of which products containing hazardous substances are to [be] identified with the ninety percent threshold.

Change: The language "An explanation of the procedures used to determine that the thresholds were met or exceeded must be included in this section of the plan" was added to WAC 173-307-030 (2)(a)(iii).

Reason: Ecology agreed with a public comment that this was intended but not previously specifically stated.

Change: A modification was made to the planning approaches eligible for use after September 2, 1991, as detailed in WAC 173-307-030 (2)(a)(iv). The choice of using either the "pounds" or "percentage" approach for hazardous waste was made available in the same manner that it was for plans prepared prior to September 2, 1991.

Reason: In response to public comments, ecology agreed that this flexibility was appropriate and did not represent a substantial change.

Change: In WAC 173-307-040, the requirements of two subsections were combined into one, as follows:

~~(d) A summary of the processes used in production or service activities (a schematic drawing may be included).~~

~~(ed) A list of the type and amount of each hazardous waste and products containing hazardous substances as identified in subdivision (a) of subsection (2) of WAC 173-307-030 (2)(a). For products used which contain hazardous substances, available information on types and amounts of the hazardous substances contained in the product shall be included.~~

~~(fe) A brief description of the use and generation of the products containing hazardous substances and hazardous wastes listed in subdivision (c) in the processes described in subdivision (d): each process in the facility that generates hazardous waste or uses products containing hazardous substances as listed in subdivision (d).~~

Reason: The sections were in part redundant. The reorganization of them provides a clearer statement of the requirement.

Change: Part Two of the rule previously provided in an "in lieu" planning option for research labs. This same language was added to the executive summary, WAC 173-307-040.

Reason: It was discovered that those who utilized the "in lieu" procedure had no direction as to what to submit in their executive summary. The addition was the obvious solution.

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

September 30, 1991

Fred Olson

Deputy Director

**AMENDATORY SECTION** (Amending Order 90-57, filed 4/1/91, effective 5/2/91)

WAC 173-307-010 **PURPOSE.** This chapter implements chapter 70.95C RCW, an act relating to hazardous waste reduction. The act encourages voluntary efforts to redesign industrial, commercial, production, and other processes to result in the reduction or elimination of hazardous waste by-products and to maximize the in-process reuse or reclamation of valuable spent material. The act establishes a legislative policy to encourage reduction in the use of hazardous substances and reduction in the generation of hazardous waste whenever economically and technically practicable. It also adopts as a policy goal for Washington state the reduction of hazardous waste generation, through hazardous substance use reduction and waste reduction techniques, by fifty percent by 1995. Some individual facilities may have the ability to reduce the use of hazardous materials and the generation of hazardous wastes by far greater than fifty percent while others may not be able to reduce by as much as fifty percent. Therefore, the fifty percent reduction goal is not applied as a regulatory requirement. The plans provided for in this chapter are intended to achieve, for each facility, the greatest reduction economically and technically practicable. The intent of the department of ecology is to provide technical assistance, to the greatest extent possible, to those required to prepare facility plans. The purpose of this chapter is to establish the specific elements required to be included in the documents required of hazardous waste generators and hazardous substance users under the act. The regulation also establishes completion dates and ~~((penalties that may be imposed if the documents are not adequately completed))~~ implements other requirements in the act. Copies of all rules, regulations, or statutes cited in this chapter are available from the Department of Ecology, Mailstop PV-11, Olympia, Washington 98504-8711.

**AMENDATORY SECTION** (Amending Order 90-57, filed 4/1/91, effective 5/2/91)

WAC 173-307-015 **APPLICABILITY.** (1) The requirements of WAC 173-307-010 through 173-307-140 apply to all hazardous substance users as defined in this chapter and to hazardous waste generators who generate more than two thousand six hundred forty pounds of hazardous waste per year, except for those facilities that are primarily treatment, storage, and disposal facilities or recycling facilities. Used oil to be rerefined or burned for energy or heat recovery shall not be used in the calculation of hazardous wastes generated for purposes of this regulation, and is not required to be addressed by plans prepared under this regulation. For purposes of this section, hazardous waste reported on the annual dangerous waste generator report as having been either recycled on-site or recycled for beneficial use off-site and/or amounts of hazardous substances introduced into a process and subsequently recycled for beneficial use, shall not be used in the calculation of hazardous waste generated. A facility may petition the director to exclude hazardous wastes recycled for beneficial use even if they were not reported as such on the annual

dangerous waste generator report. Documentation from the hazardous waste handling facility that the hazardous waste was recycled for beneficial use must be submitted along with the petition.

(2) Except as noted in subsection (3) of this section, each hazardous substance user and hazardous waste generator identified above must prepare one plan for each facility owned or operated.

(3) A person with multiple interrelated facilities where a significant majority of the processes are substantially similar, as defined in this chapter, may prepare a single plan covering one or more of those facilities.

(a) A person desiring to submit a single plan under this provision must first submit to the director documentation that a significant majority of the processes at the facilities are substantially similar processes in order to obtain approval prior to plan development. This documentation must be submitted by May 1 of the year prior to the plan due date.

(b) If a single plan is being prepared for two or more interrelated facilities with substantially similar processes, the sum total of the hazardous waste generated and the hazardous substances used by these facilities must be considered when applying any of the thresholds and/or percentages required by this chapter.

(c) In instances where a person has interrelated facilities without substantially similar processes, a single document may be prepared, but it must contain separate detailed plans for each facility.

(4) Facilities required by this chapter to prepare plans are also required to pay a hazardous waste fee, as described in chapter 173-305 WAC. The requirements of WAC 173-305-010 through 173-305-050 and 173-305-210 through 173-305-240 specifically apply.

**AMENDATORY SECTION** (Amending Order 90-57, filed 4/1/91, effective 5/2/91)

WAC 173-307-020 **DEFINITIONS.** As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

"Closed-loop recycling" means that the entire process through completion of any reclamation is closed by being entirely connected with pipes or other comparable enclosed means of conveyance. Recycled materials are returned to the original process or processes.

"Dangerous waste" means any discarded, useless, unwanted, or abandoned nonradioactive substances, including but not limited to certain pesticides, or any residues or containers of such substances which are disposed of in such quantity or concentration as to pose a substantial present or potential hazard to human health, wildlife, or the environment because such wastes or constituents or combinations of such wastes:

Have short-lived, toxic properties that may cause death, injury, or illness or have mutagenic, teratogenic, or carcinogenic properties; or

Are corrosive, explosive, flammable, or may generate pressure through decomposition or other means.

Dangerous wastes shall specifically include those wastes designated as extremely hazardous by rules adopted pursuant to chapter 70.105 RCW.

"Department" means the department of ecology.



"Director" means the director of the department of ecology or the director's designee.

"EPA/state dangerous waste identification number" means the number assigned by the EPA (Environmental Protection Agency) or by the department of ecology to each generator and/or transporter and treatment, storage, and/or disposal facility.

"Extremely hazardous waste" means any dangerous waste which:

Will persist in a hazardous form for several years or more at a disposal site and which in its persistent form:

Presents a significant environmental hazard and may be concentrated by living organisms through a food chain or may affect the genetic make-up of man or wildlife; and

Is highly toxic to man and wildlife;

If disposed of at a disposal site in such quantities as would present an extreme hazard to man or the environment.

Extremely hazardous waste shall specifically include those wastes designated as extremely hazardous by rules adopted pursuant to chapter 70.105 RCW.

"Facility" means any geographical area that has been assigned an EPA/state dangerous waste identification number. In the case of a hazardous substance user not having an EPA/state dangerous waste identification number, facility means all buildings, equipment, structures, and other stationary items located on a single site or on contiguous or adjacent sites and owned or operated by the same person.

"Fee" means the annual hazardous waste fees imposed under RCW 70.95E.020 and 70.95E.030.

"Generate" means any act or process which produces hazardous waste or which first causes a hazardous waste to become subject to regulation.

"Hazardous substance" means any hazardous substance listed as a hazardous substance as of the effective date of this section pursuant to Section 313 of Title III of the Superfund Amendments and Reauthorization Act and any further updates, and all ozone depleting compounds as defined by the Montreal Protocol of October 1987 and any further updates of the Montreal Protocol.

"Hazardous substance use reduction" means the reduction, avoidance, or elimination of the use, toxicity, or production of hazardous substances without creating substantial new risks to human health or the environment. "Hazardous substance use reduction" includes proportionate changes in the usage of hazardous substances as the usage of a hazardous substance or hazardous substances changes as a result of production changes or other business changes.

"Hazardous substance user" means any facility required to report under Section 313 of Title III of the Superfund Amendments and Reauthorization Act, except for those facilities which only distribute or use fertilizers or pesticides intended for commercial agricultural applications.

Note: This definition refers to those SARA Title III, Section 313 reporters who must prepare a plan, whereas the definition of hazardous substance refers to the substances that must be addressed in the plan.

"Hazardous waste" means and includes all dangerous and extremely hazardous wastes, but does not include radioactive wastes or a substance composed of both radioactive and hazardous components and does not include any hazardous waste generated as a result of a remedial action under state or federal law.

"Hazardous waste generator" or "generator" means any person generating hazardous waste(s) which are subject to regulation by the department.

"Hazardous waste reduction" means all in-facility practices that reduce, avoid, or eliminate the generation of hazardous wastes or the toxicity of hazardous wastes, prior to generation, without creating substantial new risks to human health or the environment.

"Interrelated facilities" means multiple facilities owned or operated by the same person.

"Office" means the office of waste reduction.

"Plan" means the plan provided for in RCW 70.95C.200.

"Person" means an individual, trust, firm, joint stock company, partnership, association, state, public or private or municipal corporation, commission, political subdivision of a state, interstate body, the federal government, including any agency or officer thereof, and any Indian tribe or authorized tribal organization.

"Process" means one or a number of steps which produces an end product or service, or a component which is to be incorporated into an end product or service.

"Product" means any ((chemical)) hazardous substance or mixture ((of chemicals)) containing hazardous substances which is used by a facility in a production or service process. Metals or metal alloys used by the facility are not considered "products" if they do not become incorporated into the hazardous waste streams and have no known pathway for the release of metals to the environment, either at the facility or subsequent to their use at the facility, such as from ultimate disposal by the consumer. Facilities will have to decide whether to group similar products (for example with different brand names) and list them as a single product. While some flexibility is left to the facility, products must be identified as a single product if they have similar chemical composition and may be used interchangeably by the facility.

Note: The term "product" as defined here and used throughout this chapter is not to be confused with the term "end product" which specifically refers to the "output" of a production process.

"Recycled for beneficial use" means the use of hazardous waste, either before or after reclamation, as a substitute for a commercial product or raw material, but does not include:

- Use constituting disposal;
- Incineration; or
- Use as a fuel.

"Recycling" means reusing waste materials and extracting valuable materials from a waste stream. Recycling does not include burning for energy recovery.

Note: While burning for energy recovery may be preferable to disposal, burning for energy recovery does not count as recycling for the purpose of chapter 70.95C RCW.

"Remedial action wastes" means hazardous wastes which result from the cleanup of sites under state or federal hazardous waste laws.

"Shifting of risks" means changing the character, location, or receptor of a toxic material without achieving a substantial reduction in the overall risk to health and safety or the environment.

"Substantially similar processes" means processes that are essentially interchangeable, inasmuch as they use similar equipment and materials and produce similar products or services and generate similar wastes.

"Treatment" means the physical, chemical, or biological processing of waste to render it completely innocuous, produce a recyclable by-product, reduce toxicity, or substantially reduce the volume of material requiring disposal as described in the priorities established in RCW 70.105.150. Treatment does not include incineration.

"Used oil" means: Lubricating fluids that have been removed from an engine crankcase, transmission, gearbox, hydraulic device, or differential of an automobile, bus, truck, vessel, plane, heavy equipment, or machinery powered by an internal combustion engine; any oil that has been refined from crude oil, used, and as a result of use, has been contaminated with physical or chemical impurities; and any oil that has been refined from crude oil and, as a consequence of extended storage, spillage, or contamination, is no longer useful to the original purchaser. "Used oil" does not include used oil to which hazardous wastes have been added.

AMENDATORY SECTION (Amending Order 90-57, filed 4/1/91, effective 5/2/91)

WAC 173-307-030 PLAN REQUIREMENTS. This section establishes the specific elements required to be included in a plan. The purpose of a plan is to require serious consideration of ways in which processes and procedures may be modified to reduce dependence upon hazardous substances and/or the generation of hazardous wastes. All plans must consider ((options)) opportunities based on the following priorities: Hazardous substance use reduction and hazardous waste reduction, recycling, and treatment. The plans shall consist of the following parts:

(1) Part one. Part one shall include:

(a) A written policy articulating management and corporate support for the plan and a commitment to implement planned activities and achieve established goals.

(b) The plan scope and objectives.

(c) A description of the facility type, a description of product(s) made and/or services provided, and a statement or listing of the current level(s) of production or service activity in units of measure appropriate to the industry or activity; ((and))

(d) A general overview of the processes used in production or service activities (a schematic drawing may be included);

(e) A statement providing, for the last calendar year, the total pounds of extremely hazardous waste and total pounds of dangerous waste reported on Form 4, Generator Annual Dangerous Waste Report, and, if applicable,

the total pounds of toxic releases reported on Form R under SARA Title III, Section 313; and

(f) A description of current reduction, recycling, and treatment activities and documentation of hazardous substance use reduction and hazardous waste reduction efforts completed prior to the first plan due date specified in WAC 173-307-050. Clearly separate the explanations of reduction activities from recycling and other management activities.

(2) Part two. Part two shall include an identification of hazardous substances used and hazardous wastes generated by the facility, a description of the facility processes, ((a description of current reduction and recycling activities;)) an identification of reduction, recycling, and treatment opportunities, an evaluation of those opportunities, a selection of proposed options, a policy to prevent shifting of risks, performance goals, and an implementation schedule. Specifically, Part two shall include:

(a) An identification ((and inventory)) of products containing hazardous substances used and hazardous wastes generated((, including a list;)). This is to be based on actual usage and generation during the most recent calendar year for which records are available ((, of the types and amounts of the following:

(i) Each hazardous waste generated, listed by dangerous waste number;

(ii) Each product used which contains a total of fifty percent or more of any combination of hazardous substances if 1,000 lbs. or more was used; each product used which contains a total of between twenty-five percent and forty-nine percent of hazardous substances if 4,000 lbs. or more was used; and each product used which contains a total of between ten and twenty-four percent of hazardous substances if 10,000 lbs. or more was used. Determinations of whether these quantities are met or exceeded shall be based on the best available information. This information may be included or referenced in the plan. Available information shall include any or all of the following as necessary to determine quantities of hazardous substances contained in products; information available from material safety data sheets; information furnished upon request from manufacturers or suppliers of hazardous substances or products containing hazardous substances; information obtained from the department, and information otherwise known by the facility owner or operator. Any product which contains less than ten percent of any hazardous substances need not be included in the list regardless of the amount of the product used)). This task can be accomplished by choosing one of two approaches. The approaches are identified as the "pounds approach" and the "percentage approach." Look at the following descriptions and requirements of each of these and determine which one you wish to use.

(i) "Pounds approach."

This approach requires you to identify the types and amounts, in either weight or volume, of hazardous waste generated and products containing hazardous substances used up to these threshold levels:

(A) All dangerous waste streams five hundred pounds or greater, any smaller dangerous waste streams which individually represents ten percent or more of the total annual hazardous wastes, and all extremely hazardous

waste streams subject to regulation by the department. If this combination equals less than ninety percent of the total hazardous wastes generated, then additional dangerous wastes generated at the facility shall be included until ninety percent of the total is reached; and

(B) Each product used which contains a total of fifty percent or more of any combination of hazardous substances if one thousand pounds or more was used; each product used which contains a total of between twenty-five percent and forty-nine percent of hazardous substances if four thousand pounds or more was used; and each product used which contains a total of between ten and twenty-four percent of hazardous substances if ten thousand pounds or more was used. Any product which contains less than ten percent of any hazardous substances need not be included in the list regardless of the amount of the product used.

(C) Office products and products which are used at the facility for nonprocess routine janitorial or grounds maintenance related activities may be excluded from this list.

(D) Hazardous substances used and hazardous wastes generated in laboratory research need not be listed. Note: See Part two, (k) of this subsection for discussion on this issue.

(ii) "Percentage approach."

This approach requires you to identify the types and amounts, in either weight or volume, of hazardous waste generated and products containing hazardous substances used up to these threshold levels;

(A) All extremely hazardous waste and enough additional dangerous waste to reach ninety percent of all the hazardous waste generated; and

(B) Ninety percent of all the products used which contain hazardous substances. This selection of products should attempt to include those that contain the highest concentrations of hazardous substances and the most toxic hazardous substances.

(C) Office products and products which are used at the facility for nonprocess routine janitorial or grounds maintenance related activities may be excluded from this list.

(D) Hazardous substances used and hazardous wastes generated in laboratory research need not be listed. Note: See Part two, (k) of this subsection for discussion on this issue.

(iii) Determinations of whether these quantities are met or exceeded for either approach shall be based on the best available information. This information may be included or referenced in the plan. Available information may include any or all of the following as necessary to determine quantities of hazardous substances contained in products; information available from material safety data sheets, information furnished upon request from manufacturers or suppliers of hazardous substances or products containing hazardous substances, information obtained from the department, and information otherwise known by the facility owner or operator.

An explanation of the procedures used to determine that the thresholds were met or exceeded must be included in this section of the plan.

(iv) The above thresholds shall only be used for plans required to be completed prior to September 2, 1996. Plans or plan updates completed from that date on must identify the types and amounts, in either weight or volume, of hazardous waste generated and hazardous substances used up to the following threshold levels;

(A) The "pounds approach" can only be used for identifying hazardous waste after September 2, 1996. This approach cannot be used for products containing hazardous substances. The thresholds for hazardous waste are:

All dangerous waste streams five hundred pounds or greater, any smaller dangerous waste streams which individually represents ten percent or more of the total annual hazardous wastes, and all extremely hazardous waste streams subject to regulation by the department. If this combination equals less than ninety-five percent of the total hazardous wastes generated, then additional dangerous wastes generated at the facility shall be included until ninety-five percent of the total is reached.

(B) The "percentage approach" remains an optional approach for hazardous waste, but it is the only approach that can be used for products. The thresholds for this approach are:

All extremely hazardous waste and enough additional dangerous waste to reach ninety-five percent of all the hazardous waste generated; and

Ninety-five percent of all the products used which contain hazardous substances.

((The above inventory thresholds are repeated in the following tables:

INVENTORY THRESHOLD FOR HAZARDOUS WASTE

All Hazardous Waste Generated Shall Be Inventoried

INVENTORY THRESHOLDS FOR HAZARDOUS SUBSTANCES

Concentration of Hazardous Substances in Product	Amount of Product Used Per Year
greater than 50%	1,000 lbs or more
> 25% but < 49%	4,000 lbs or more
> 10% but < 24%	10,000 lbs or more
< 10%	exempt

(iii) Office products and products which are used at the facility for routine janitorial or grounds maintenance related activities may be excluded from this list.

(iv) Hazardous substances used and hazardous wastes generated in laboratory research need not be listed.

Note: See Part two, (j) of this subsection for discussion on this issue:))

(C) The exemptions in subitems (C) and (D) of item (ii) of this subdivision remain in effect.

(b) A detailed description of each process in the facility that generates hazardous waste or uses products containing hazardous substances as identified in the chosen approach in (a) of this subsection. This description may include a schematic drawing. ~~((Of the hazardous substances and hazardous wastes identified in (a) of this subsection, the description of processes required in this subsection, and the plan elements required in (d), (e), (f), (h), (i), and (j) of this subsection shall address the following:~~

~~(i) All products containing hazardous substances as listed in (a)(ii) of this subsection;~~

~~(ii) All dangerous waste streams five hundred pounds or greater, any smaller dangerous waste streams which individually represents ten percent or more of the total annual hazardous wastes, and all extremely hazardous waste streams subject to regulation by the department. If this combination equals less than ninety percent of the total hazardous wastes generated, then additional dangerous wastes generated at the facility shall be included until ninety percent of the total is reached.~~

The above planning thresholds are repeated in the following tables:

PLANNING THRESHOLDS FOR HAZARDOUS WASTE

Hazardous Waste Categories	Amount of Waste Generated Per Year
Extremely Hazardous Waste	All
Dangerous Waste	Each waste stream that is either: • > 500 lbs, or • < 500 lbs but > 10% of total HW generated; and, if necessary, additional DW to reach 90% of total HW generated

PLANNING THRESHOLDS FOR HAZARDOUS SUBSTANCES

Concentration of Hazardous Substances in Product	Amount of Product Used Per Year
> than 50%	1,000 lbs or more
> 25% but < 49%	4,000 lbs or more
> 10% but < 24%	10,000 lbs or more
< 10%	exempt

~~substance use reduction and hazardous waste reduction activities completed prior to the first plan due date specified in WAC 173-307-050;~~

~~(d) An) (c) For the hazardous waste and products containing hazardous substances identified in (a) of this subsection within each of the processes identified in (b) of this subsection, an identification, based on thorough research, of all reasonable opportunities for further hazardous substance use reduction, hazardous waste reduction, recycling, and treatment ((for each process)). Thorough research shall include, at a minimum, a review of ((available)) literature commonly available to that industry or trade. The full range of potentially feasible opportunities is to be identified without regard to possible impediments to implementing the opportunities. In identifying opportunities, consideration shall be given to alternative approaches which, in the judgment of the facility management, satisfy the same demand for end products or services but use substantially less hazardous substances or result in the generation of substantially less hazardous waste;~~

~~((e)) (d) An evaluation of the identified opportunities. ((The evaluation shall be conducted in the priority order identified in (c)(i) of this subsection. Consideration shall be given first to the highest priority option. A lower priority option shall be given consideration only after a determination is made that the higher priority option is inappropriate due to impediments to its implementation. Hazardous substance use reduction, hazardous waste reduction, and closed loop recycling options shall each be discussed separately from other recycling and treatment options. The evaluation of hazardous waste reduction opportunities must include an evaluation of hazardous substance use reduction options for those hazardous substances which subsequently result in hazardous waste streams as well as an evaluation of other options for the reduction in the generation of hazardous waste. The evaluation required under this subsection shall include an economic analysis, a technical evaluation, an analysis of whether, and if so how, the identified opportunity would result in a shifting of risk(s) from one part of a process, environmental medium, or product to another and an analysis of all impediments to implementing the opportunities. Evaluation of a particular opportunity is only required up to the point that an impediment is identified which is beyond the control of the facility owner/operator and which renders the opportunity invalid. In this case, this impediment together with any other known impediments shall be listed. The economic analysis shall seek to identify the total costs associated with the current hazardous substance use and hazardous waste generation, management and disposal, compared with comparable costs associated with implementing the alternatives.~~

~~(i) Priorities for consideration of opportunities are, in order, hazardous substance use reduction and hazardous waste reduction; recycling, and, treatment:~~

~~(ii) Impediments that shall be considered acceptable include, but are not limited to: Adverse impacts on product quality, legal or contractual obligations, economic and technical practicality, safety considerations, and the creation of substantial new risks to human~~

~~(c) A description of current reduction, recycling, and treatment activities and documentation of hazardous~~

health or the environment. A discussion of alternatives for eliminating impediments shall be included;)) Opportunities shall be grouped by priority and evaluated according to these priorities. The priorities are, in descending order: Hazardous substance use and hazardous waste reduction; recycling; and, treatment. Opportunities of a lower priority shall be given consideration only after a determination is made that the higher priority opportunities are inappropriate due to impediments to their implementation. Impediments that shall be considered acceptable include, but are not limited to: Adverse impacts on product quality, legal or contractual obligations, economic and technical practicality, safety considerations, and the creation of substantial new risks to human health or the environment.

Except with respect to the use and distribution of fertilizers or pesticides intended for commercial agricultural applications, the evaluation of hazardous waste reduction opportunities must include an evaluation of hazardous substance use reduction opportunities for those hazardous substances which subsequently result in hazardous waste streams as well as an evaluation of other opportunities for the reduction of hazardous waste.

The evaluation required under this subsection shall include an economic analysis, a technical evaluation, an identification of whether, and if so how, the identified opportunity would result in a shifting of risk(s) from one part of a process, environmental medium, or product to another and an identification of all impediments to implementing the opportunities. The economic analysis shall seek to identify the total costs associated with the current hazardous substance use and hazardous waste generation, management and disposal, compared with comparable costs associated with implementing the alternatives.

Evaluation of each opportunity may be considered complete when enough information is available to select or reject the opportunity for implementation. For opportunities rejected, the reason(s) for rejecting them shall be stated.

((f)) (e) A selection of ((options)) opportunities to be implemented in accordance with the evaluation conducted in ((f)) (d) of this subsection. For each selected ((option)) opportunity, the process(es) it affects shall be identified, and estimates of the amount, by weight, of the reduction of hazardous substances or products containing hazardous substances ((use reduction)) and hazardous waste reduction which would be achieved through implementation shall be stated, as well as the amount of hazardous wastes recycled or treated as a result of implementation shall be included;

((g)) (f) A written policy stating that in implementing the selected options whenever technically and economically practicable, risks will not be shifted from one part of a process, environmental medium, or product to another;

((h)) (g) Specific performance goals in each of the following categories, expressed in numeric terms:

(i) Hazardous substances or products containing hazardous substances to be reduced or eliminated from use;

(ii) Hazardous wastes to be reduced or eliminated through hazardous waste reduction techniques;

(iii) Materials or hazardous wastes to be recycled; and  
(iv) Hazardous wastes to be treated.

If the establishment of numeric performance goals is not practicable, the performance goals shall include a clearly stated list of objectives designed to lead to the establishment of numeric goals as soon as is practicable. Goals shall be set for a five-year period from the first reporting date (see ((f)) (h) of this subsection regarding implementation activities that will take longer than five years);

((i)) (h) A five-year implementation schedule, which shall display planned implementation activities for each of the five calendar years following completion of the plan. Information to be provided shall include, but is not limited to, the ((options)) opportunities (or phases of ((options)) opportunities) being implemented and related milestones. Where complete implementation of a selected ((option)) opportunity will take longer than five years, the schedule shall contain relevant milestones within a five-year period and an estimated date of completion. The schedule may be in table form and organized by ((options)) opportunities within processes, if desired.

((j)) (i) A description of how those hazardous wastes that are not recycled or treated and the residues from recycling and treatment processes are managed may be included in the plan.

((k)) (j) Documentation of any research conducted in fulfillment of any of the above subdivisions of this subsection shall be available to the department upon request.

((l)) (k) For research laboratories, the plan may include, in lieu of all the detailed requirements of this subsection ((except for (c) of this subsection)), a description of policies and procedures to be followed by laboratory personnel regarding the use of hazardous substances and the generation of hazardous wastes through laboratory research. These policies and procedures must be consistent with the waste reduction priorities as defined in this chapter.

(3) Part three. Part three shall provide a financial description of the plan, which shall identify costs and benefits realized from implementing selected ((options)) opportunities to the extent reasonably possible. Part three shall also include a description of accounting systems which will be used to identify hazardous substance use and hazardous waste management costs. Liability, compliance, and oversight costs must be ((estimated and factored into this)) components of these accounting systems.

(4) Part four. Part four of the plan shall include a description of personnel training and employee involvement programs. Each facility required to write a plan is encouraged to advise its employees of the planning process and solicit comments or suggestions from its employees on hazardous substance use and waste reduction ((options)) opportunities.

AMENDATORY SECTION (Amending Order 90-57, filed 4/1/91, effective 5/2/91)

WAC 173-307-040 EXECUTIVE SUMMARY.  
Upon completion of a plan, the owner, chief executive

officer, or other person with the authority to commit management to the plan, such as a facility manager, shall sign and submit an executive summary of the plan to the department. This summary shall be available from the department for public inspection upon request. The facility may elect to submit the complete plan to the department rather than prepare an executive summary. In that event, the complete plan shall also be available for public inspection.

Executive summaries shall include the following information from the plan:

(1) A written policy articulating management and corporate support for the plan and a commitment to implement planned activities and achieve established goals.

(2) The plan scope and objectives.

(3) A description of the facility type and a summary of product(s) made and/or services provided.

(4) ~~((A summary of the processes used in production or service activities (a schematic drawing may be included):~~

~~(5))~~ A list of the type and amount of each hazardous waste and products containing hazardous substances as identified in WAC 173-307-030 (2)(a). ~~((For products used which contain hazardous substances, available information on types and amounts of the hazardous substances contained in the product shall be included:))~~

~~((6))~~ (5) A brief description of ~~((the use and generation of the products and hazardous wastes listed in subsection (5) of this section in the processes described in subsection (4) of this section))~~ each process in the facility that generates hazardous waste or uses products containing hazardous substances as listed in subdivision (d).

~~((7))~~ (6) A description of current reduction, recycling, and treatment activities, and documentation of hazardous substance use reduction and hazardous waste reduction activities completed before the first reporting date specified in WAC 173-307-050.

~~((8))~~ (7) A summary of all further hazardous substance use reduction, hazardous waste reduction, recycling, and treatment opportunities identified. Opportunities shall be identified first for hazardous substance use reduction and hazardous waste reduction, secondly for recycling, and lastly for treatment. A statement of the reason(s) for rejecting any opportunity from further consideration and a summary of all identified impediments to implementing opportunities shall be included. ~~((Impediments that shall be considered acceptable include, but are not limited to: Adverse impacts on product quality, legal or contractual obligation, economic and technical practicality, safety considerations, and shifting of risks from one part of a process, product, or environmental medium to another:))~~

~~((9) A selection of options))~~ (8) A description of the opportunities selected to be implemented, process(es) affected, and estimated reductions to be achieved.

~~((10))~~ (9) Specific performance goals, expressed in numeric terms for each of the categories listed below (assumptions on changing production or service activity levels during the period covered by the plan must be described):

(a) Hazardous substances to be reduced or eliminated from use;

(b) Hazardous wastes to be reduced or eliminated through waste reduction techniques;

(c) Materials or hazardous wastes to be recycled; and

(d) Hazardous wastes to be treated.

If the establishment of numeric performance goals is not practicable, the performance goals shall include a clearly stated list of objectives designed to lead to the establishment of numeric goals as soon as is practicable. Goals shall be set for a five-year period from the first reporting date.

~~((11) A))~~ (10) The five-year implementation schedule identified in WAC 173-307-030 (2)(h) which shall display planned implementation activities for each of the five calendar years following completion of the plan. ~~((Information to be provided shall include, but is not limited to, the options (or phases of options) being implemented and related milestones. The schedule may be in table form and organized by options within processes, if desired:))~~

~~((12))~~ (11) A summary of costs and benefits realized from implementing selected ~~((options))~~ opportunities.

(12) For research labs, the executive summary may include, in lieu of all the detailed requirements of this section, a description of policies and procedures to be followed by laboratory personnel regarding the use of hazardous substances and the generation of hazardous waste through laboratory research. These policies and procedures must be consistent with the waste reduction priorities as defined in this chapter.

AMENDATORY SECTION (Amending Order 90-57, filed 4/1/91, effective 5/2/91)

WAC 173-307-060 PLAN AVAILABILITY. Plans developed under chapter 173-307 WAC shall be kept at the facility and made available for review to authorized representatives of the department. The plan is not a public record under the public disclosure laws of the state of Washington contained in chapter 42.17 RCW, unless submitted in lieu of an executive summary as provided for in WAC 173-307-040.

AMENDATORY SECTION (Amending Order 90-57, filed 4/1/91, effective 5/2/91)

WAC 173-307-070 PLAN AMENDMENTS AND UPDATES. (1) A plan must be kept reasonably current and may be amended in response to changes in facility operations, substances used, or wastes generated.

(a) Users or generators shall notify the department of an amended plan and submit amendments to their plan or executive summary, whichever was originally submitted, including an identification of which sections are being amended. The implementation schedule of the amended plan and/or new executive summary shall be within the original five-year timeline initiated by completion of the original plan.

(b) Even if a plan is amended, a five-year plan update will still be required five years from completion of the first plan, or from the last five-year update.

(2) Every five years, each plan shall be updated, and the plan or a new executive summary shall be submitted to the department. A plan update shall conform to the requirements for preparing reduction plans as specified in this chapter.

**AMENDATORY SECTION** (Amending Order 90-57, filed 4/1/91, effective 5/2/91)

**WAC 173-307-080 PROGRESS REPORTS.** Progress reports shall be submitted to the department annually on September 1 following the due date of the plan. The purpose of the progress report is to provide information on quantities of hazardous waste and hazardous substances or products containing hazardous substances reduced in the prior twelve-month period.

(1) Progress reports shall include a discussion of:

(a) Performance goals. If numeric performance goals were listed in the plan, progress toward these goals shall be discussed. If numeric performance goals were not listed in the plan, progress made toward establishing numeric goals shall be discussed, and also progress made towards achieving the goals as stated in the plan. This discussion shall include:

(i) A description of reduction, recycling, and treatment (~~options~~) opportunities which were implemented.

(ii) A description of the process(es) impacted by each (~~option~~) opportunity.

(iii) A description of the quantities, by weight, of hazardous substances or products containing hazardous substances reduced and hazardous waste reduced by each option. (~~The units of measure;~~) Estimation techniques, and any assumptions used shall be described. Quantities reduced must be displayed in relation to changing production levels. The description shall also include a statement of the level of production or service activity in relation to the level of production or service activity stated in the plan at the time the plan was prepared.

Note: Factors not resulting in actual reductions, such as new estimating techniques, delistings of substances or hazardous wastes, and reclassifications of waste management techniques cannot be counted or claimed as reductions.

(iv) If measurement or estimation techniques are changed from the prior reports such that reductions are not additive for the five-year planning period, a methodology for converting prior reported reductions must be described and recalculations provided.

(b) Problems encountered in the implementation process. Problems shall be clearly identified and include a discussion of steps taken or proposed to resolve problems. An update on problems reported in previous progress reports shall be included.

(2) Upon the request of two or more users or generators belonging to similar industrial classifications, the department may aggregate data contained in their annual progress reports for the purpose of developing a public record.

**WSR 91-20-132**

**EMERGENCY RULES**

**DEPARTMENT OF ECOLOGY**

[Order 91-48—Filed October 1, 1991, 1:43 p.m.]

Date of Adoption: October 1, 1991.

Purpose: This emergency rule amends WAC 173-548-050 and 173-160-040 to further restrict well drilling and establishment of new water uses in subbasins which were closed to further appropriation with the adoption in 1976 of chapter 173-548 WAC.

Citation of Existing Rules Affected by this Order: Amending chapters 173-548 and 173-160 WAC.

Statutory Authority for Adoption: Chapters 34.05, 90.54, 18.104, 90.03, and 90.44 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: The department has determined based on existing information that there are no surface waters or hydraulically connected ground water available for appropriation in subbasins closed in the 1977 regulation. The department has identified these subbasins as requiring intensive control of ground water withdrawals. Specific situations in which wells may be approved are identified.

Effective Date of Rule: Immediately.

October 1, 1991

Fred Olson

Deputy Director

**AMENDATORY SECTION** (Amending Order DE 76-37, filed 12/28/76)

**WAC 173-548-050 STREAMS AND LAKES CLOSED TO FURTHER CONSUMPTIVE APPROPRIATIONS.** *The department, having determined based on existing information that there are no waters available for further appropriation through the establishment of rights to use water consumptively, closes the (~~following~~) streams and lakes listed in (a) and (b), and ground water hydraulically connected with these surface waters to further consumptive appropriation (~~for the periods indicated, with exceptions as noted;~~) This includes rights to use water consumptively established through permit procedures and ground water withdrawals otherwise exempted from permit under Chapter 90.44.050 RCW. Specific situations in which well construction may be approved are identified.*

*No wells shall be constructed for any purposes, including those exempt from permitting under RCW 90.44.050, unless one or more of the following conditions have been met and construction of the well has been approved in writing by the department prior to the beginning of well construction:*

*(1) The proponent has a valid water right permit recognized by the department. For an existing community domestic use, a water right permit must be held by a purveyor of an approved system. (For the purposes of*

this chapter, an approved water system is one in compliance with the state Drinking Water Regulations, Chapter 246-290 WAC and the state Surface and Ground Water Codes, Chapters 90.03 and 90.44 RCW); or

(2) The proponent has obtained a valid state surface or ground water right through a transfer approved by the department under the statutory authority of Chapter 90.03 RCW or Chapter 90.44 RCW; or

(3) The proponent is replacing or modifying an existing well developed under the exemption from permit clause of RCW 90.44.050 and this has been approved in writing by the department; or,

(4) If the ground water being sought for withdrawal has been determined by the department not to be hydraulically connected with surface waters listed as closed, the department may approve a withdrawal. When insufficient evidence is available to the department to make a determination that ground and surface waters are not hydraulically connected, the department shall not approve the withdrawal of ground water unless the person proposing to withdraw the ground water provides additional information sufficient for the department to determine that hydraulic continuity does not exist and that water is available.

**(a) STREAM CLOSURES**

The following streams are closed all year, including all ground waters hydraulically connected to these streams.

Stream Name (Includes Tributaries)	((Affected Reach — Period Closure))
Wolf Creek	((Mouth to Headwaters — Closed all year**))
Bear Creek (Davis Lake)	(( — Closed all year))
Thompson Creek	(( — Closed all year**))
Beaver Creek	(( — Closed May 1 to Oct. 1**))
Alder Creek	(( — Closed all year))
Benson Creek	(( — Closed all year**))
Texas Creek	(( — Closed all year))
Libby Creek	(( — Closed May 1 to Oct. 1**))
Cow Creek	(( — Closed May 1 to Oct. 1))
Gold Creek	(( — Closed May 1 to Oct. 1**/**))
McFarland Creek	(( — Closed May 1 to Oct. 1))
Squaw Creek	(( — Closed May 1 to Oct. 1))
Black Canyon Creek	(( — Closed May 1 to Oct. 1))
French Creek	((Closed May 1 to Oct. 1**/**))

\*Exception for single domestic and stock water.

\*\*Exception for water developed solely from added storage capacity within the basin.))

**(b) LAKE CLOSURES**

((All lakes not listed below are restricted to rights to divert water for single domestic and stock watering purposes only, as appropriate:)) The following lakes are closed all year, including all ground waters hydraulically connected to these lakes:

Name	Location
Alta Lake	3 mi. SW of Pateros
Black Lake	25 mi. N of Winthrop

Name	Location
Black Pine Lake	9 mi. SW of Twisp
Crater Lake	10 mi. W of Carlton
Davis Lake	Bear Creek Drainage
Eagle Lake	11 mi. SW of Carlton
French Creek	Sec.28, T.31N., R.23E.
Libby Lake	10 mi. W of Carlton
((Louise)) Louis Lake	20 mi. W of Winthrop
Middle Oval Lake	16 mi. W of Carlton
North Lake	20 mi. W of Winthrop
Patterson Lake	Sec.8, T.34N., R.21E.
Pearrygin Lake	Sec.36, T.35N., R.21E.
Slate Lake	14 mi. W of Winthrop
Sunrise Lake	16 mi. W of Methow
Upper Eagle Lake	12 mi. W of Carlton
West Oval Lake	16 mi. W of Carlton

~~((The development of future impoundments creating new lakes is provided for under WAC 173-548-050(a).))~~

**AMENDATORY SECTION (Amending Order 88-58, filed 4/6/88)**

WAC 173-160-040 PERMIT. As provided in RCW 90.44.050, no well shall be constructed if a withdrawal of more than five thousand gallons a day or irrigation of more than one-half acre of noncommercial lawn and garden is contemplated, unless an application to appropriate such waters has been made to the department and a permit has been granted.

As provided in WAC 173-548-050, no wells shall be constructed for any purposes in subbasins closed in the Methow water resources regulation, including those exempt from permitting under RCW 90.44.050, unless written approval has been obtained from the department prior to beginning well construction.

**WSR 91-20-133  
WITHDRAWAL OF PROPOSED RULES  
HIGHER EDUCATION  
PERSONNEL BOARD  
(By the Code Reviser's Office)  
[Filed October 1, 1991, 1:47 p.m.]**

WAC 251-09-020, proposed by the Higher Education Personnel Board in WSR 91-07-060, appearing in issue 91-07 of the State Register, which was distributed on April 3, 1991, is withdrawn by the code reviser's office 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 91-20-134**  
**WITHDRAWAL OF PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
**(By the Code Reviser's Office)**  
 [Filed October 1, 1991, 1:48 p.m.]

WAC 360-20-220, proposed by the Department of Health in WSR 91-07-056, appearing in issue 91-07 of the State Register, which was distributed on April 3, 1991, is withdrawn by the code reviser's office 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 91-20-135**  
**RULES COORDINATOR**  
**DEPARTMENT OF**  
**NATURAL RESOURCES**  
**(Forest Practices Board)**  
 [Filed October 1, 1991, 2:11 p.m.]

The rules coordinator for the Forest Practices Board is Edward R. Summerfield, assistant to the chairman, Forest Practices Board. This supersedes WSR 91-02-065.

Brian Boyle  
 Commissioner of Public Lands  
 Chairman, Forest Practices Board

**WSR 91-20-136**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**  
**(Real Estate Commission)**  
 [Filed October 1, 1991, 4:26 p.m.]

**Original Notice.**

Title of Rule: Amending WAC 308-124A-025 Application process to take examination, 308-124A-110 Application for real estate examination, licensed in another jurisdiction, 308-124A-120 Application for license—Interim license, 308-124A-570 Reinstatement of a cancelled license for nonpayment of renewal fee, 308-124E-012(1) Administration of funds held in trust—General procedures, 308-124E-013(1) Administration of funds held in trust—Real estate and business opportunity transactions, and 308-124E-014(1) Administration of funds held in trust—Property management; new sections WAC 308-124A-422 Application for broker license examination and 308-124A-600 Continuing education clock hour requirements; and repealing WAC 308-124H-010.

Purpose: To modify existing rules so that they reflect recent policy changes relating to real estate education by the commission and a legislative change relating to examinations for continuing education courses.

Statutory Authority for Adoption: RCW 18.85.040.

Statute Being Implemented: RCW 18.85.040.

Reasons Supporting Proposal: WAC 308-124A-025, amended so that examination fee shall be by certified check, cashier's check or money order; 308-124A-110, clarifies requirements for applicants from other jurisdictions; 308-124A-120, deletes reference to expiration on applicant's birthdate; 308-124A-422, clarifies requirements broker examination applicant's; 308-124A-570, creates a procedure for reinstating a cancelled license; 308-124A-600, clarifies continuing education requirements; 308-124E-012(1), adds "dba" to language about firm name; 308-124E-013(1), adds "dba" to language about firm name; and 308-124E-014(1), adds "dba" to language about firm name; and 308-124H-010, these requirements have been moved to chapter 308-124A WAC or deleted because obsolete.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Robert Mitchell, 2424 Bristol Court, Olympia 98504, 586-4681.

Name of Proponent: Department of Licensing Real Estate Commission, 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 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: General Administration Office Building, 2424 Bristol Court S.W., 2nd Floor Conference Room, Olympia, WA 98504, on November 7, 1991, at 1:30 p.m.

Submit Written Comments to: Robert Mitchell, 2424 Bristol Court S.W., Olympia, WA 98504, by November 6, 1991, 5:00 p.m.

Date of Intended Adoption: November 7, 1991.

October 1, 1991  
 Linda M. Moran  
 Assistant Attorney General

**AMENDATORY SECTION** (Amending Order PM 829, filed 3/24/89)

WAC 308-124A-025 APPLICATION PROCESS TO TAKE EXAMINATION. (1) Any person desiring to take an examination for a real estate salesperson license, except candidates who are actively licensed in another jurisdiction or were so licensed in the preceding six months or candidates who have received ~~((clockhours))~~ clock hours in another jurisdiction, must submit a completed examination application together with the examination fee and supporting documents, including evidence satisfactory to the department of having successfully completed an approved thirty ~~((clockhour))~~ clock hour fundamentals course, to the testing service approved by the department. ~~((Dishonored checks will be considered as an incomplete application.))~~

(2) Any person desiring to take an examination for a real estate broker license or real estate salesperson license who is actively licensed in another jurisdiction or was so licensed in the preceding six months or who has received ~~((clockhours))~~ clock hours in another jurisdiction must submit a completed examination application with supporting documents, including evidence satisfactory to the department of having successfully completed any and all approved ~~((clockhour))~~ clock hour courses for licensure, to the licensing division of the department of licensing. After the qualifications for the examination have been verified by the department, the candidate shall submit the completed examination application and examination fee by cashier's check, certified check, or money order to the testing service approved by the department.

(3) The applicant will be assigned to the first available examination subsequent to determination of eligibility. The cutoff date for eligibility for any specific examination is available to the applicant upon request.

(4) An examination candidate who has a completed examination application with the examination walk-in fee and supporting documents, including evidence satisfactory to the department of having successfully completed an approved thirty ~~((clockhour))~~ clock hour fundamentals course for candidates for a salesperson license, may ~~((walk-in))~~ walk in to an examination if there are adequate space and test booklets after accommodating all candidates who have pre-applied under ~~((sections))~~ subsections (1) and (2) of this ~~((rule))~~ section. A candidate for a real estate broker license or real estate salesperson license who is actively licensed in another jurisdiction or was so licensed in the preceding six months or who has received ~~((clockhours))~~ clock hours in another jurisdiction must have his or her qualifications for the examination verified by the department as provided in ~~((section))~~ subsection (2) of this section prior to ~~((walking-in))~~ walking in to an examination as permitted in this section. The examination walk-in fee shall be paid in the form of a ~~((personat))~~ certified check, a cashier's check, or money order made payable to the testing service approved by the department. Cash will not be accepted from walk-in candidates.

(5) An applicant shall forfeit all examination fees for any examination or examinations for which the applicant has applied and does not take for any reason, other than through the fault or mistake of the department of licensing.

**AMENDATORY SECTION** (Amending Order PM 775, filed 9/30/88)

**WAC 308-124A-110 APPLICATION FOR REAL ESTATE EXAMINATION, LICENSED IN ANOTHER JURISDICTION.**

(1) Any person applying for a real estate broker or real estate salesperson examination who is actively licensed in another state, territory of the United States or province of the Dominion of Canada and has maintained his or her license in good standing or who was actively licensed in good standing within the preceding six months may become licensed as a Washington real estate broker, associate broker or salesperson after passing an examination on Washington law and real estate practices if he or she meets the minimum requirements established by RCW 18.85.090, 18.85.095, and/or 18.85.120 whichever is (are) applicable ~~((, except as provided in WAC 308-124A-425(3))).~~

(2) Applicants for the broker's examination will be approved as satisfying the minimum requirements established by RCW 18.85.090, if the education requirements for licensure in the other jurisdiction are determined by the director, with the advice of the commission, as being at least equivalent to the clock hours of instruction required under RCW 18.85.090(4).

(3) Applicants for the salesperson's examination will be approved as satisfying the minimum requirements established by RCW 18.85.095, if the education requirements for licensure in the other jurisdiction are determined by the director, with the advice of the commission, as being at least equivalent to the real estate fundamentals course required under RCW 18.85.095.

(4) Any person applying to take the examination under this ~~((rule))~~ section shall submit evidence of licensure in another state, territory of the United States or province of the Dominion of Canada by a license verification form completed by an administrative officer of the licensure authority ~~((ff))~~ in such jurisdiction.

**AMENDATORY SECTION** (Amending Order PM 774, filed 9/30/88, effective 1/1/89)

**WAC 308-124A-120 APPLICATION FOR LICENSE—INTERIM LICENSE.** (1) A person who desires to be licensed as a real estate salesperson or associate broker, or broker shall make application on a form approved by the director and the real estate salesperson and associate broker application shall be signed by the broker or designated broker to whom the license will be issued. The branch manager may sign for the broker or designated broker for licenses to be issued to that branch office. All signatures must be original signatures of the signators, unless signed under authority of a written power of attorney.

(2) Upon receipt of notice of passage of the examination and the license application form, applicants for a real estate salesperson license may commence working upon the postmark date to the department or date of hand delivery to the licensing division of the department of the signed, dated and completed license application form with the license fee. The completed license application form, if submitted with the license fee, shall serve as an interim license for a period up to forty-five

days after the postmark date or date of hand delivery to the department, unless grounds exist to take disciplinary action against the license under RCW 18.85.230. ~~((If the applicant's birthdate occurs during the forty-five days of the interim license, then the interim license shall expire on the applicant's birthdate and the applicant shall submit a renewal fee.))~~

(3) There are no interim licenses for designated brokers for corporations or partnership, individual real estate brokers or associate brokers. Upon notification of passage of the examination, applicants for associate broker licenses, individual broker licenses, or designated broker licenses for corporations or partnerships must submit a complete license application with the license fee to the department of licensing and qualify for the license under chapter 18.85 RCW and the rules.

**NEW SECTION**

**WAC 308-124A-422 APPLICATION FOR BROKER LICENSE EXAMINATION—CLOCK HOUR REQUIREMENTS.**

(1) Applicants for the broker's examination shall have ninety clock hours of approved real estate instruction in addition to any other clock hours completed and used to satisfy requirements of chapter 18.85 RCW. Instruction must include a course in real estate law and a course in real estate brokerage management. All courses completed to satisfy this requirement must be substantive real estate subject matter as defined in WAC 308-124H-025(1) and be at least thirty clock hours in length and include a comprehensive examination. Courses must be completed within five years prior to applying for the broker's examination.

(2) Courses in real estate law and real estate brokerage management used to satisfy continuing education requirements within five years of applying for the broker's examination shall satisfy the requirements of subsection (1) of this section provided the applicant successfully completed a comprehensive examination. Applicants are required to complete ninety clock hours of approved course work in addition to real estate law and brokerage management when they are used for continuing education credit.

**AMENDATORY SECTION** (Amending Order PM 775, filed 9/30/88)

**WAC 308-124A-425 WAIVER OF ~~((CLOCKHOURS))~~ CLOCK HOURS.** ~~((+))~~ Waiver of ~~((the thirty))~~ clock hours required ~~((for second renewal))~~ under RCW 18.85.090, 18.85.095, 18.85.165, and 18.85.215 shall not be considered or granted.

~~((2))~~ Waiver of the thirty clockhours required for activation of an inactive license under RCW 18.85.215(3) shall not be considered or granted.

~~((3))~~ Waiver of the thirty clockhours of real estate fundamentals required under RCW 18.85.095 shall not be considered or granted, except a waiver may be granted to an applicant for a real estate salesperson's license who is actively licensed or was actively licensed in good standing within the six months preceding the application in another state, territory of the United States or province of the Dominion of Canada if the education requirements for licensure in the other jurisdiction are determined by the director with the advice of the commission as being at least equivalent to the real estate fundamentals course required under RCW 18.85.095.)

**NEW SECTION**

**WAC 308-124A-570 REINSTATEMENT OF A CANCELLED LICENSE FOR NONPAYMENT OF RENEWAL FEE.** Any person desiring to be reinstated as a real estate licensee within two years of cancellation may have their license reinstated by satisfying either of the following options:

(1) Submission of an application to the director providing proof of the following:

(a) Successful completion of sixty clock hours of approved real estate course work completed within one year preceding the application for reinstatement. A minimum of thirty clock hours must include the real estate law course specified in WAC 308-124H-037;

(b) Payment of all back renewal fees with penalty at the current rate; and

(c) Payment of a reinstatement penalty fine of one hundred dollars; or

(2) Satisfy the procedures and qualifications for initial licensing, including the following:

(a) Successful completion of any applicable licensing examinations; and

(b) Successful completion of required courses pursuant to RCW 18.85.090 and/or 18.85.095, whichever applicable, within five years preceding the application for reinstatement.

(3) Former licensees, cancelled for nonpayment of fees for periods in excess of two years will be required to satisfy the requirements of subsection (2) of this section.

#### NEW SECTION

**WAC 308-124A-600 CONTINUING EDUCATION CLOCK HOUR REQUIREMENTS.** A licensee shall submit to the department evidence of satisfactory completion of clock hours, pursuant to RCW 18.85.165, in the manner and on forms prescribed by the department.

(1) A licensee applying for renewal of an active license shall submit evidence of completion of at least thirty clock hours of instruction in a course(s) approved by the director and commenced within thirty-six months of a licensee's renewal date. A minimum of fifteen clock hours must be completed within twenty-four months of the licensee's current renewal date; up to fifteen clock hours of instruction beyond the thirty clock hours submitted for a previous renewal date may be carried forward to the following renewal date.

(2) The thirty clock hours may be satisfied by evidence of at least twenty clock hours in courses designated by the commission as substantive real estate subject matter and not more than ten clock hours in courses designated by the commission as business skills and management courses; this subsection shall become effective on January 1, 1992.

(3) Courses for continuing education clock hour credit shall be commenced after issuance of a first license.

(4) A licensee shall not place a license on inactive status to avoid the continuing education requirement. A licensee shall submit evidence of completion of continuing education clock hours to activate a license if activation occurs within one year after the license had been placed on inactive status and the last renewal of the license had been as an inactive license.

(5) Only approved courses in real estate law, real estate finance, taxation, and license law, rules and regulations may be repeated for continuing education credit.

(6) Clock hour credit for continuing education shall not be accepted if:

(a) The course is not approved pursuant to chapter 308-124H WAC and chapter 18.85 RCW;

(b) Course(s) was taken to activate an inactive license pursuant to RCW 18.85.215(3);

(c) Course(s) was used to satisfy the requirements of RCW 18.85.095 (1)(c), real estate salesperson's license, RCW 18.85.140, reinstatement, and RCW 18.85.090, broker's license.

(7) Instructors shall not receive clock hour credit for teaching or course development.

#### AMENDATORY SECTION (Amending WSR 91-12-012, filed 5/30/91, effective 6/30/91)

**WAC 308-124E-012 ADMINISTRATION OF FUNDS HELD IN TRUST—GENERAL PROCEDURES.** Any real estate broker who receives funds or moneys from any principal or any party to a real estate or business opportunity transaction, property management agreement, or contract/mortgage collection agreement shall hold the funds or moneys in trust for the purposes of the transaction or agreement, and shall not utilize such funds or moneys for the benefit of the broker or any person not entitled to such benefit. Except as specifically provided in this section, funds or moneys received in trust shall be deposited in a federally chartered or approved banking institution or a Washington state banking institution approved by the banking division, department of general administration, state of Washington, or successor. The broker is responsible for depositing, holding, disbursing and accounting for funds in trust as provided herein.

(1) Bank accounts shall be designated as trust accounts in the firm or DBA name of the real estate broker as licensed.

(2) Interest credited to a clients account must be recorded as a liability on client ledger. Interest assigned or credited by written assignment agreement to the broker may not be maintained in the trust account. The broker is responsible to make arrangements with the financial institution to credit this interest to the general account of the firm.

(3) The broker shall establish and maintain a system of records and procedures approved by the director that provide an audit trail accounting for all funds received and disbursed, identified to the account of each individual client. Records and procedures described herein meet approval requirements. Any alternative records or procedures proposed for use by a broker shall be approved in advance by the department.

(4) The real estate broker shall be responsible for deposits, disbursements or transfers of clients' funds received and held in trust, whether disbursed by personal signature, signature plate or signature of another person authorized to act on the broker's behalf.

(5) All funds or moneys received for any reason pertaining to the sale, renting, leasing or option of real estate or business opportunities or contract or mortgage collections shall be deposited in the broker's real estate trust bank account not later than the first banking day following receipt thereof; except:

(a) Checks received as earnest money deposits when the earnest money agreement states that a check is to be held for a specified length of time or until the occurrence of a specific event; and

(b) Checks, funds or moneys received as rent, contract payments or mortgage payments on real estate or business opportunities, owned exclusively by the real estate broker or the broker's real estate firm.

(c) For purposes of this section, Saturday shall not be considered a banking day.

(6) All checks, funds or moneys received shall be identified by the day received and by the amount, source and purpose on either a cash receipts journal or duplicate receipt retained as a permanent record.

(7) All deposits to the trust bank account shall be documented by duplicate deposit slip, validated by bank imprint, teller's stamp, or electronic transfer memo identifying the source of funds and transaction to which it applies. Receipt of funds by wire transfer are to be posted in the same manner as other receipts provided there is a traceable identifying number provided by the financial institution or transferring entity. The broker must also make arrangements for a follow-up "hard-copy" receipt for the deposit.

(8) An individual client's ledger sheet shall be established and maintained for each client for whom funds are received in trust, to which ledger sheet all receipts and disbursements shall be posted. The credit entries must show the date of deposit, amount of deposit, and item covered including, but not limited to "earnest money deposit," "down payment," "rent," "damage deposit," "rent deposit" "interest." The debit entries must show the date of the check, check number, amount of the check, name of payee and item covered. The "item covered" entry may indicate a code number per chart of accounts, or may be documented by entry in a cash receipts journal, cash disbursements journal, or check voucher.

(9) The real estate trust bank account balance must be equal at all times to the outstanding trust liability to clients. The balance shown in the check register or bank control account must equal the total liability to clients.

(10) The broker shall be responsible for preparation of a monthly trial balance of the client's ledger, reconciling the ledger with both the trust account bank statement and the trust account check register or bank control account.

(11) All disbursements of trust funds shall be made by check, or electronic transfer, drawn on the real estate trust bank account and identified thereon to a specific real estate or business opportunity transaction, or collection/management agreement. The number of each check, amount, date, payee, items covered and the specific client's ledger sheet debited must be shown on the check stub or check register and all data must agree exactly with the check as written.

(a) No disbursement from the trust account shall be made based upon wire transfer receipts until the deposit has been verified.

(b) The broker must make arrangements with the financial institution in which the trust account is located to provide a follow-up "hard-copy" debit memo when funds are disbursed via wire transfer.

(c) The broker shall retain in the transaction file a copy of instructions signed by the owner of funds to be wire-transferred which identifies the receiving entity and account number.

(12) Voided checks written on the trust bank account shall be permanently defaced and shall be retained.

(13) Commissions owed to another real estate broker may be paid from the real estate trust bank account. Those commissions shall be paid promptly upon receipt of funds. Commissions shared with another broker are a reduction of the gross commissions received.

(14) No deposits to the real estate trust bank account shall be made of funds:

(a) That belong to the real estate broker or the real estate firm, including funds to "open" the bank account or to keep the account from being "closed"; or

(b) That do not pertain to a client's real estate or business opportunity sales transaction or are not received in connection with a client's rental, contract or mortgage collection account.

(15) No disbursements from the real estate trust bank account shall be made:

(a) For items not pertaining to a specific real estate or business opportunity transaction or a rental, contract or mortgage collection account;

(b) Pertaining to a specific real estate or business opportunity transaction or a rental, contract or mortgage collection account in excess of the actual amount held in the real estate trust bank account in connection with that transaction or collection account;

(c) In payment of a commission owed to any person licensed to the real estate broker or in payment of any business expense of the broker. Payment of commissions to persons licensed to the broker or of any business expense of the broker shall be paid from the regular business bank account of the broker.

(d) For bank charges of any nature, including bank services, checks or other items, except as specified in WAC 308-124E-013 (1)(a) and (d). Bank charges are business overhead expenses of the broker. Arrangements must be made with the bank to have any such charges applicable to the real estate trust bank account charged to the regular business bank account, or to provide a separate monthly statement of bank charges so that they may be paid from the brokers business bank account.

(16) The provisions of this chapter are applicable to manual or computerized accounting systems. For clarity, the following is addressed for computer systems:

(a) The system must provide for a capability to back-up all data files.

(b) Receipt and check registers will be printed at least once monthly and retained as a permanent record. Reconciliation and trial balance will be accomplished at least once monthly, printed and retained as a permanent record.

(c) The broker will maintain a printed, dated source document file to support any changes to existing accounting records.

(d) If the program has the ability to write checks, the check number must be preprinted on the check or retained voucher copy by the supplier. The program may, if desired assign suffixes or subaccount codes before or after the check number for identification purposes.

(e) The check number must appear in the magnetic coding which also identifies the account number for readability by the financial institution computer.

#### AMENDATORY SECTION (Amending WSR 90-23-039, filed 11/15/90, effective 12/16/90)

WAC 308-124E-013 ADMINISTRATION OF FUNDS HELD IN TRUST—REAL ESTATE AND BUSINESS OPPORTUNITY TRANSACTIONS. The procedures in this section are applicable to funds received by the broker in connection with real estate sales or business opportunity transactions or options thereon. These procedures are in addition to the requirements of the general trust account procedures contained in WAC 308-124E-012.

(1) Bank accounts shall be designated as trust accounts in the firm or DBA name of the real estate broker as licensed. Trust bank accounts for real estate sales or business opportunity transactions shall be interest bearing demand deposit accounts. These accounts shall be established as described in RCW 18.85.310 and this section.

(a) The broker shall maintain a pooled interest bearing trust account identified as housing trust fund account for deposit of trust funds which are five thousand dollars or less.

Interest income from this account will be paid to the department by the depository institution in accordance with RCW 18.85.310(7) after deduction of reasonable bank service charges and fees, which shall not include check printing fees or fees for bookkeeping systems. The department shall remit the funds to the state treasurer.

(b) The agent shall disclose in writing to the party depositing more than five thousand dollars that the party has an option between (i) and (ii) below;

(i) All trust funds not required to be deposited in the account specified in (a) of this subsection shall be deposited in a separate interest-bearing trust account for the particular party or party's matter on which the interest will be paid to the party(ies); or

(ii) In the pooled interest-bearing account specified in (a) of this subsection if the parties to the transaction agree in writing.

(c)(i) For accounts established as specified in (a) of this subsection, the broker will maintain an additional ledger card with the heading identified as "Housing trust account interest." As the monthly bank statements are received, indicating interest credited, the broker will post the amount to the pooled interest ledger card. When the bank statement indicates that the interest was paid to the state or bank fees were charged, the broker will debit the ledger card accordingly.

(ii) For accounts established as specified in (b)(i) of this subsection, the interest earned or bank fees charged will be posted to the individual ledger card.

(d) When the bank charges/fees exceed the interest earned, causing the balance to be less than trust account liability, the broker shall within one banking day after receipt of such notice, deposit funds from the brokers business account or other non-trust account to bring the trust account into balance with outstanding liability. The broker may be reimbursed by the party depositing the funds for these charges for accounts established as specified in (b)(i) of this subsection, if the reimbursement is authorized in writing by the party depositing the funds. For accounts established under (a) of this subsection, the broker will absorb the excess bank charges/fees as a business expense.

(2) A separate check shall be drawn on the real estate trust bank account, payable to the broker as licensed, for each commission earned, after the final closing of the real estate or business opportunity transaction. Each commission check shall be identified to the transaction to which it applies.

(3) No disbursements from the real estate trust bank account shall be made in advance of closing of a real estate or business opportunity transaction or before the happening of a condition set forth in the earnest money agreement, to any person or for any reason, without a written release from both the purchaser and seller; except that

(i) If the agreement terminates according to its own terms prior to closing, disbursement of funds shall be made as provided by the agreement without a written release; and

(ii) Funds may be disbursed to the escrow agent designated in writing by the purchaser and seller to close the transaction, reasonably prior to the date of closing in order to permit checks to clear.

(4) When a transaction provides for the earnest money deposit/note or other instrument to be held by a party other than the broker, the broker shall deliver the deposit to the party designated to hold the funds, unless the parties to the transaction instruct otherwise in writing. The delivery shall be made within one banking day after all parties to the transaction have signed the agreement. A dated receipt will be obtained and placed in the transaction file.

#### AMENDATORY SECTION (Amending WSR 90-09-014, filed 4/6/90, effective 5/7/90)

WAC 308-124E-014 ADMINISTRATION OF FUNDS HELD IN TRUST—PROPERTY MANAGEMENT. Any real estate broker who receives funds or moneys from any principal or any party to property management agreement or contract/mortgage collection agreement shall hold the funds or moneys in trust for the purposes of the agreement, and shall not utilize such funds or moneys for the benefit of the broker or any person not entitled to such benefit. These procedures are applicable to property management and contract/mortgage collection agreements, and are in addition to the general trust account procedures in WAC 308-124E-012.

(1) Bank accounts shall be designated as trust accounts in the firm or DBA name of the real estate broker as licensed. Trust bank accounts for property management transactions are exempt from the interest-bearing requirement of RCW 18.85.310. However, interest-bearing accounts for property management transactions may be established as described in this section.

(a) Interest-bearing trust bank accounts or dividend-earning investment accounts containing only funds held on behalf of an individual owner of income property managed by the broker may be established when directed by written property management agreement or directive signed by the owner: PROVIDED, That all interest or earnings shall accrue to the owner;

(b) Interest-bearing trust bank accounts containing only damage or security deposits received from tenants of residential income properties managed by the broker for an individual owner may be established by the broker when directed by written management agreement, and the interest on such trust bank accounts may be paid to the owner, if the broker is by written agreement designated a "representative of the

landlord" under the provisions of RCW 59.18.270, Residential Landlord-Tenant Act;

(c) The broker is not required to establish individual interest-bearing accounts for each owner when all owners assign the interest to the broker;

(d) A common account, usually referred to as a "clearing account" may be established if desired. No funds which belong to the broker or firm or are related to transactions on property owned by the broker or firm shall be maintained in this account.

(2) Any property management accounting system is to be an accounting of cash received and disbursed by the managing broker only. Any other method of accounting offered to owners for their rental properties, unit and/or complexes are to be supplementary to the brokers accounting of all cash received and disbursed through his/her trust account(s). All owners' summary statements must include this accounting.

(3) The preauthorization of disbursements or deductions by the financial institution for recurring expenses such as mortgage payments on behalf of the owner is not permitted if the account contains tenant security deposits or funds belonging to more than one client.

(4) A single check may be drawn on the real estate trust bank account, payable to the broker as licensed, in payment of all property management fees and commissions, if such check is supported by a schedule of commissions identified to each individual client. Property management commissions shall be withdrawn at least once monthly.

(5) No disbursements from the real estate trust bank account shall be made of funds received as damage or security deposit on a lease or rental contract for property managed by the broker to the owner or any other person without the written agreement of the tenant, until the end of the tenancy when the funds are to be disbursed to the person or persons entitled to the funds as provided by the terms of the rental or lease agreement.

(6) When the management agreement between the owner(s) and the broker is terminated, the owner(s) funds shall be disbursed according to the agreement. Funds held as damage or security deposits shall be disbursed to the owner(s) or successor property manager, and the tenants so notified by the disbursing broker consistent with the provisions of RCW 59.18.270, Residential Landlord-Tenant Act.

**AMENDATORY SECTION** (Amending WSR 91-07-029, filed 3/14/91, effective 4/14/91)

**WAC 308-124H-025 APPLICATION FOR COURSE APPROVAL.** Courses shall meet the following requirements:

(1) Provide practical information related to the practice of real estate, and deal with substantive real estate subject matter in any of the following real estate topic areas: Fundamentals, principles/practices/essentials, law, legal aspects, brokerage management, business management, taxation, appraisal, evaluating real estate and business opportunities, property management and leasing, construction and land development, ethics and standards of practice, escrow closing/settlement practices, current trends and issues, finance, hazardous waste and other environmental issues, or;

(2) Provide practical information related to assisting licensees in improving their business skills and business management in order to enable them to better serve and protect the consumer in any of the following topic areas: Advertising, agent supervision and broker responsibility, cross cultural communication, theory and practices of relocation, and accounting for real estate offices. Have a minimum of three hours of classroom work for the student. A classroom hour is a period of fifty minutes of actual classroom or workshop instruction, exclusive of examination time;

(3) Be under the supervision of an approved instructor approved to teach the course in the classroom at all sessions and offered by an approved school provided that, if the instructional methods include the use of prerecorded audio and/or visual instructional materials, presentation shall be under the supervision of a monitor at all times and an approved instructor who shall, at a minimum, be available to respond to specific questions from students;

(4) Courses of thirty clock hours or more which are submitted as substantive real estate subject matter courses shall include a comprehensive examination(s) and answer key(s) of no fewer than three questions per clock hour with a minimum of ((ten)) ninety questions, and a requirement of passing course grade of at least seventy percent; essay question examination keys shall identify the material to be tested and the points assigned for each question;

(5) Include textbook or instructional materials approved by the director, which shall be kept accurate and current. Course materials shall be updated no later than thirty days after the effective date of a change in statute or rules;

(6) Include in its title the phrase "real estate fundamentals," "real estate brokerage management," or "real estate law" if submitted for approval for clock hours in real estate fundamentals pursuant to WAC 308-124H-035, real estate brokerage management pursuant to WAC 308-124H-036, or real estate law pursuant to WAC 308-124H-037. No other courses shall use these phrases in their titles;

(7) Not have a title which misleads the public as to the subject matter of the course;

(8) Be offered by a tax-supported, public vocational-technical institution, community college or any other institution of higher learning that may certify clock hours as indicated in RCW 18.85.010(9) or by a private entity approved by the director to operate as a school;

(9) Any change in course content or material other than updating for statute or rule changes, shall be submitted to the department no later than twenty days prior to the date of using the changed course content material, for approval by the director;

(10) Changes in course instructors may be made only if the substitute instructors are currently approved to teach the course pursuant to chapter 308-124H WAC;

(11) A course completed in another jurisdiction may be approved for clock hour credit if:

(a) The course was offered by a tax-supported, public vocational-technical institution, community college, or any other institution of higher learning, or by a national institution with uniform scope and quality of representation, or was approved to satisfy an education requirement for real estate licensing or renewal and offered by an entity approved to offer the course by the real estate licensing agency in that jurisdiction; and

(b) The course satisfies the requirements of subsections (1) through (5) of this section, and includes a comprehensive examination and requirement of a passing course grade of at least seventy percent; and/or

(c) If the director determines that the course substantially satisfies the requirements of the real estate fundamentals course required under RCW 18.85.095 or satisfies the requirements of the law and brokerage management courses required under RCW 18.85.090.

**AMENDATORY SECTION** (Amending WSR 90-10-010, filed 4/20/90, effective 8/1/90)

**WAC 308-124H-270 COURSE DESCRIPTION.** Each approved school shall have available for distribution to prospective and enrolled students a course description containing the following information:

(1) Name of approved school;

(2) Date(s) and location of the course;

(3) The course title;

(4) The educational objectives of the course;

(5) The type of instruction (e.g., classroom, lecture, audio visual, computer assisted) in the course and the length of time required for completion;

(6) The number of clock hours approved for the course, or, a statement that an application for approval is pending;

(7) Name(s) of instructors when available;

(8) Equipment and supplies which the student must provide;

(9) Fees for the course;

(10) The specific education requirements under chapter 18.85 RCW or chapter 308-124H WAC which will be met upon completion of the course students shall be informed, that for substantive courses of thirty clock hours or more, a comprehensive examination is available and is mandatory to satisfy the requirements of RCW 18.85.090 and 18.85.095;

(11) Cancellation policy;

(12) Tuition refund policy.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

**WAC 308-124H-010 APPROVAL OF REAL ESTATE COURSES TO SATISFY CLOCK HOUR REQUIREMENTS.**

**WSR 91-20-137**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**

[Filed October 1, 1991, 4:28 p.m.]

**Original Notice.**

Title of Rule: New section WAC 308-125-035 State residential classification; and amending WAC 308-125-040 Examination prerequisite state-certified residential/105 classification, and 308-125-045 Examination prerequisite state-certified residential/75 classification.

Purpose: These rules amendments are to facilitate directives from the Federal Appraisal Subcommittee regarding qualifications and scope of practice for appraiser certification.

Statutory Authority for Adoption: RCW 18.140.030.

Statute Being Implemented: RCW 18.140.080 and 18.140.090.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Cleotis Borner, 2424 Bristol Court, Olympia 98504, 753-1062.

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 308-125-035, this section identifies two levels of education that can be submitted to obtain state certification for residential appraising; 308-125-040, this section identifies the education hours required for federal residential transactions without regard to transaction value or complexity; and 308-125-045, this section identifies the education hours required for federal residential transactions of noncomplex one to four residential units with a transaction value of less than one million and complex one to four residential units with a transaction value of less than \$250,000.

Proposal Changes the Following Existing Rules: See Explanation above.

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

Hearing Location: WestCoast SeaTac Hotel, 18220 Pacific Highway South, Seattle, WA, on November 6, 1991, at 9:30 a.m.; and at Cavanaugh's (Towne Plaza), North 7th Street and East Yakima, Yakima, Washington, on November 7, 1991, at 9:30 a.m.

Submit Written Comments to: Cleotis Borner, 2424 Bristol Court S.W., Olympia, WA 98504, by October 23, 1991.

Date of Intended Adoption: November 7, 1991.

October 1, 1991  
 Linda M. Moran  
 Assistant Attorney General

**NEW SECTION**

**WAC 308-125-035 STATE-CERTIFIED RESIDENTIAL CLASSIFICATION.** (1) There shall be two certificates for state-certified residential real estate appraiser:

(a) State-certified residential real estate appraiser/105 classification which applies to appraisals of all types of residential property of one to four units without regard to transaction value or complexity.

(b) State-certified residential real estate appraiser/75 classification which applies to appraisal of noncomplex one to four residential units

having a transaction value less than one million dollars and complex one to four residential units having a transaction value less than two hundred fifty thousand dollars.

(2) Those who hold a "state-certified residential real estate appraiser" certificate on or after the effective date of this rule shall hold the equivalent of a state-certified residential real estate appraiser/75 certificate. This is consistent with the standards created by the appraiser qualifications board and is equivalent to the federal "state-licensed" designation.

(3) The two certificates for state-certified residential real estate appraiser are created to satisfy changes made by the appraiser qualifications board which has three classifications:

- (a) Certified general real property appraiser;
- (b) Certified residential real property appraiser; and
- (c) Licensed real property appraiser.

**AMENDATORY SECTION** (Amending WSR 91-04-074, filed 2/5/91, effective 3/8/91)

**WAC 308-125-040 EXAMINATION PREREQUISITE STATE-CERTIFIED RESIDENTIAL/105 CLASSIFICATION.** The state-certified residential real estate appraiser/105 classification applies to appraisals of all types of residential property of one to four (~~residential~~) units without regard to transaction value or complexity.

(1) As a prerequisite to taking the examination for certification as a state-certified residential real estate appraiser/105, an applicant shall present evidence satisfactory to the director that he/she has successfully completed not less than (~~seventy-five~~) one hundred five classroom hours of courses in subjects related to real estate appraisal approved by the director. Each applicant must have successfully completed not less than thirty classroom hours of study relating to the basic principles of real estate appraising and not less than fifteen classroom hours of studies specifically relating to Uniform Standards of Professional Appraisal Practice.

(2) An original certification as a state-certified residential real estate appraiser/105 shall not be issued to any person who does not possess two years of experience as a full time real estate appraiser in Washington or in another state having comparable certification requirements within (~~the~~) five years immediately preceding the filing of the application for examination and certification. An applicant may accumulate the required experience over the preceding five years; however (~~no more than fifteen hundred hours may be credited in any twelve-month period~~) a minimum of two calendar years is required.

(3) The content for courses required prerequisite to taking the examination for certification as a state-certified residential real estate appraiser (~~should~~) must include coverage of (~~real estate appraisal related topics, such as~~) all the topics listed below with particular emphasis on the appraisal of one to four unit residential properties:

- (a) Influences on real estate value.
- (b) Legal considerations in appraisal.
- (c) Types of value.
- (d) Economic principles.
- (e) Real estate markets and analysis.
- (f) Valuation process.
- (g) Property description.
- (h) Highest and best use analysis.
- (i) Appraisal statistical concepts.
- (j) Sales comparison approach.
- (k) Site value.
- (l) Cost approach.
- (m) Income approach.
  - Gross rent multiplier analysis.
  - Estimation of income and expenses.
  - Operating expense ratios.
  - Direct capitalization.
- (n) Valuation of partial interests.
- (o) Appraisal standards and ethics.
- (p) Narrative report writing.

Preexamination review seminars or examination preparation seminars will not be approved for clock hour credit.

**NEW SECTION**

**WAC 308-125-045 EXAMINATION PREREQUISITE STATE-CERTIFIED RESIDENTIAL/75 CLASSIFICATION.** The state-certified residential real estate appraiser/75 classification applies to appraisal of noncomplex one to four residential units having a transaction value less than one million dollars and complex one to four

residential units having a transaction value less than two hundred fifty thousand dollars.

(1) As a prerequisite to taking the examination for certification as a state-certified residential real estate appraiser/75, an applicant shall present evidence satisfactory to the director that he/she has successfully completed not less than seventy-five classroom hours of courses in subjects related to real estate appraisal approved by the director. Each applicant must have successfully completed not less than thirty classroom hours of study relating to the basic principles of real estate appraising and not less than fifteen classroom hours of studies specifically relating to Uniform Standards of Professional Appraisal Practice.

(2) An original certification as a state-certified residential real estate appraiser/75 shall not be issued to any person who does not possess two years of experience as a full-time real estate appraiser in Washington or in another state having comparable certification requirements within five years immediately preceding the filing of the application for examination and certification. An applicant may accumulate the required experience over the preceding five years; however a minimum of two calendar years is required.

(3) The content for courses required prerequisite to taking the examination for certification as a state-certified residential real estate appraiser/75 must include coverage of all the topics listed below with particular emphasis on the appraisal of one to four unit residential properties:

- (a) Influences on real estate value.
- (b) Legal considerations in appraisal.
- (c) Types of value.
- (d) Economic principles.
- (e) Real estate markets and analysis.
- (f) Valuation process.
- (g) Property description.
- (h) Highest and best use analysis.
- (i) Appraisal statistical concepts.
- (j) Sales comparison approach.
- (k) Site value.
- (l) Cost approach.
- (m) Income approach.
- Gross rent multiplier analysis.
- Estimation of income and expenses.
- Operating expense ratios.
- (n) Valuation of partial interests.
- (o) Appraisal standards and ethics.

Preexamination review seminars or examination preparation seminars will not be approved for clock hour credit.

## WSR 91-20-138

### PROPOSED RULES

#### BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

[Filed October 1, 1991, 4:30 p.m.]

#### Original Notice.

Title of Rule: Amendments to WAC 196-16-031 Reciprocity pertaining to regulation of land surveyors; 196-24-030 Reciprocity and 196-24-080 Fees, both pertain to regulation of engineers and land surveyors.

Purpose: Clarify language and bring into accord with amended statute, chapter 19, Laws of 1991.

Statutory Authority for Adoption: RCW 18.43.035.

Statute Being Implemented: Chapter 18.43 RCW.

Summary: These amendments reflect changes made to chapter 18.43 RCW.

Reasons Supporting Proposal: The 1991 legislative session made changes to chapter 18.43 RCW. This proposal changes the WAC language to conform with the new language in chapter 18.43 RCW.

Name of Agency Personnel Responsible for Drafting and Implementation: W. Rick Notestine, 2424 Bristol

Court S.W., Olympia, 753-3634; and Enforcement: Alan E. Rathbun, 2424 Bristol Court S.W., Olympia, 753-3634.

Name of Proponent: Board of Registration for Professional Engineers and Land Surveyors, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 196-16-031, the title of this rule is being changed from reciprocity to comity. It defines the conditions under which a land surveyor licensed in another jurisdiction can be licensed in Washington. The effect will be better understanding of the rule and improved comity licensure from other states; WAC 196-24-030, the title of this rule is being changed from reciprocity to comity. It defines the conditions under which an engineer may be licensed in Washington without further examination. The effect will be better understanding of the rule and improved comity licensure from other states; and WAC 196-24-080, this rule states that fees must be paid to take licensing examinations. The effect will be that an applicant must pay for each examination taken.

Proposal Changes the Following Existing Rules: WAC 196-16-030, title is changed from reciprocity to comity. The definition of "in good standing" is reworded to conform with WAC 196-24-030. This section regarding "like consideration" is deleted; WAC 196-24-030, title is changed from reciprocity to comity. The section regarding "like consideration" is deleted. Minor changes to other language for clarification; and WAC 196-24-080, the rule is changed to provide that the cost of the engineer wall certificate is included with the application fee and that an applicant must pay a fee for each examination taken.

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

Hearing Location: Seattle Marriott - SeaTac, City Suite Area, 3201 South 176th Street, Seattle, WA, on November 8, 1991, at 10:00 a.m.

Submit Written Comments to: Alan E. Rathbun, PE, P.O. Box 9649, Olympia, WA, 98507-8001, by November 6, 1991.

Date of Intended Adoption: November 8, 1991.

October 1, 1991  
Alan E. Rathbun  
Executive Director

#### AMENDATORY SECTION (Amending WSR 90-21-035, filed 10/10/90, effective 11/10/90)

WAC 196-24-030 ((~~RECIPROcity~~)) COMITY. ((~~Reciprocal registration is considered as being applied towards an applicant's original jurisdiction of registration by examination.~~)) The board for professional engineers and land surveyors may, upon application, and payment of a fee, issue a certificate of registration without further examination as a professional engineer to any person who holds a certificate of ((~~qualification of~~)) registration issued to the applicant following examination by proper authority, of any state, territory or possession of the United States, the District of Columbia, or of any foreign country, provided the following conditions are met:

- (1) That the applicant's qualifications meet the requirements of ((~~the~~)) chapter 18.43 RCW and the rules established by the board;
- (2) That the applicant is in good standing with the licensing agency in said state, territory, possession, district, or foreign country. Good standing shall be defined as a currently valid license in the jurisdiction

of original registration or the jurisdiction of most recent practice, if different from the jurisdiction of original registration; and

(3) ~~((That the said state, territory, possession, district, or foreign country gives like consideration on a reciprocal basis to those persons who have been registered by examination in this state, and~~

~~(4)) That the ((license)) certificate of registration has been granted on the basis of ((an)) examinations equivalent to ((that)) those given by the state of Washington.~~

**AMENDATORY SECTION** (Amending Order PM 820, filed 2/10/89)

WAC 196-24-080 FEES. All checks or money orders shall be made payable to the state treasurer. Registration: The application must be accompanied with ~~((the required fee, with engineers submitting the certificate fee after passage of the exam. Should the board deny the application, the initial fee will be retained as an application fee. An applicant who fails the first scheduled exam may be reexamined once without payment of an additional fee, provided he notifies the board office in writing of his intention to appear for the examination a second time at least three months prior to said examination. Each subsequent examination will be granted upon payment of an examination fee received at least three months prior to said examination))~~ a registration fee. Should the board find the applicant ineligible for examination or licensure by comity the registration fee shall be retained as an application fee. An applicant who fails an examination may be scheduled for reexamination by paying the required exam fee, submitted within a time frame defined by the board. Applicants who fail to appear for an examination, for which they are scheduled, will forfeit their examination fee and/or their privilege to be reexamined without an additional fee. Applicants may withdraw from a scheduled examination without penalty by submitting a written notice to the board office no later than six weeks prior to the date of examination.

**AMENDATORY SECTION** (Amending Order PM 820, filed 2/10/89)

WAC 196-16-031 ~~((RECIPROCIITY))~~ **COMITY**. Applicants for registration as a land surveyor by ~~((reciprocity))~~ comity will be exempt from the full sixteen-hour written examination administered by this board provided:

(1) That the applicant's qualifications meet the requirements of chapter 18.43 RCW and the rules established by the board;

(2) That the applicant has been qualified by a written sixteen-hour examination determined by the board to be equivalent to the exam administered in Washington; and

(3) That the applicant ~~((has a currently valid license in the state of original licensure, and~~

~~(4) That the applicant's state of original licensure gives like consideration to Washington registrants))~~ is in good standing with the licensing agency in said state, territory, possession, district, or foreign country. Good standing shall be defined as a currently valid license in the jurisdiction of original registration or the jurisdiction of most recent practice, if different from the jurisdiction of original registration.

All candidates will be required to pass a written examination as prescribed by the board. The examination shall test knowledge areas as described in WAC 196-16-020.

**WSR 91-20-139**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**  
 [Filed October 1, 1991, 4:32 p.m.]

Original Notice.

Title of Rule: WAC 308-13-150 Landscape architect fees.

Purpose: To set fees collected by the Department of Licensing for landscape architect examination or reexamination (landscape architect registration examination).

Statutory Authority for Adoption: RCW 43.24.086.

Statute Being Implemented: RCW 18.96.080.

Summary: This amendment sets forth the fee to be collected by the Department of Licensing for examination or reexamination fees (landscape architect registration examination).

Reasons Supporting Proposal: Implement the fee structure to support the landscape architect registration program.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: James D. Hanson, 2424 Bristol Court, Olympia, 753-6967.

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: This amendment changes the fees required for examination or reexamination of landscape architect examination candidates to support the landscape architect registration program.

Proposal Changes the Following Existing Rules: It lists the new sections of the examination and revises the fee schedule.

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

Hearing Location: Conference Room, 3rd Floor, 2424 Bristol Court, Olympia, WA 98502, on November 7, 1991, at 9:00 a.m.

Submit Written Comments to: James D. Hanson, Landscape Architect Board, P.O. Box 9649, Olympia, WA, 98507, by October 31, 1991.

Date of Intended Adoption: November 7, 1991.

October 1, 1991

James D. Hanson

Program Administrator

**AMENDATORY SECTION** (Amending WSR 90-15-039, filed 7/13/90, effective 8/13/90)

WAC 308-13-150 LANDSCAPE ARCHITECT FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Application fee	\$150.00
<del>((Examination or reexamination (entire) fee</del>	<del>350.00</del>
Reexamination fee	50.00
Section 1	20.00
Section 2	30.00
Section 3	100.00
Section 4	85.00
Section 5	65.00
Section 6	50.00))
Examination or reexamination (entire) fee	400.00
Reexamination fee	50.00
Section 1: Legal and administrative aspects of practice	15.00
Section 2: Programming and environmental analysis	20.00
Section 3: Conceptualization and communication	65.00
Section 4: Design synthesis	65.00
Section 5: Integration of technical and design requirements	80.00
Section 6: Grading and drainage	75.00
Section 7: Implementation of design through construction process	40.00
Section 8: Plant identification	40.00
Exam proctor	100.00



Title of Fee	Fee
Renewal (3 years)	450.00
Late renewal penalty	150.00
Duplicate license	25.00
Initial registration (3 years)	450.00
Reciprocity application fee	200.00
Certification	45.00
Proctoring program	125.00
Replacement certificate	20.00
((Examination regrading (per performance sheet) -----	25.00))

**WSR 91-20-140**  
**PROPOSED RULES**  
**HIGHER EDUCATION**  
**PERSONNEL BOARD**

[Filed October 1, 1991, 4:35 p.m.]

**Original Notice.**

Title of Rule: Amending WAC 251-09-025 Schedule changes, 251-09-030 Overtime and 251-18-180 Eligible lists—Definitions—Composition; and repealing WAC 251-01-010, 251-01-155, and 251-01-320.

Purpose: To clarify Higher Education Personnel Board rules relative to the Fair Labor Standards Act.

Statutory Authority for Adoption: RCW 28B.16.100.

Statute Being Implemented: Chapter 28B.16 RCW.

Summary: Amending WAC 251-09-025, to clarify that hours worked during a schedule change period are subject to the overtime provisions of WAC 251-09-030 and FLSA; amending WAC 251-09-030, to clarify computation of overtime pay or time off; amending WAC 251-18-180, to eliminate reference to Higher Education Personnel Board definitions and insert reference to FLSA; and repealing WAC 251-01-010 Administrative employees, 251-01-155 Executive employees and 251-01-320 Professional employees to reflect Fair Labor Standards Act definition of excepted work period designation.

Reasons Supporting Proposal: Modifications clarify Higher Education Personnel Board rules relative to the Fair Labor Standards Act.

Name of Agency Personnel Responsible for Drafting: Jamie McNamara, 1202 Black Lake Boulevard, FT-11, Olympia 98504, 753-0653; 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: Amendments clarify Higher Education Personnel Board rules with regard to application of the Fair Labor Standards Act.

Proposal Changes the Following Existing Rules: Clarifies Higher Education Personnel Board rules relative to the Fair Labor Standards Act.

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

Hearing Location: Grays Harbor College, Room 1512, Library Building, College Heights, Aberdeen, Washington, on November 7, 1991, at 10:00 a.m.

Submit Written Comments to: Jamie McNamara, 1202 Black Lake Boulevard, FT-11, Olympia, WA 98504, by November 6, 1991.

Date of Intended Adoption: November 7, 1991.

October 1, 1991

John A. Spitz

Director

**AMENDATORY SECTION** (Amending Order 62, filed 8/30/77, effective 10/1/77)

WAC 251-09-025 SCHEDULE CHANGES. Changes to a scheduled work period employee's assigned hours may be made under the following condition(s):

(1) For temporary changes of work hours within the assigned week:  
 (a) By providing two calendar days notice to the employee. (The day notification is given constitutes a day of notice); or

(b) Because of emergency conditions; or

(c) When the change is requested by the employee and approved by the employing official; or

(d) For operational convenience (instances where the conditions above do not exist), in which case the employee shall have the right to work his/her regularly assigned schedule in addition to the modified schedule (in accordance with the provisions of WAC 251-09-030) unless:

(i) There is no work; or

(ii) There is a safety hazard to the employee or others; or

(iii) The resulting total hours worked would exceed one and one-half of the employee's regular shift.

(2) For changes in work hours or shift extending beyond seven calendar days for an indefinite period:

(a) By providing seven calendar days notice to the employee. (The day notification is given constitutes a day of notice); or

(b) Because of emergency conditions; or

(c) When the change is requested by the employee and approved by the employing official; or

(d) For operational convenience (instances where the conditions above do not exist), in which case the employee shall be paid premium pay (at time and one-half) for each hour outside of the regular shift (pro rata for part-time employees) for a maximum of seven calendar days from the date of the notice of the schedule change.

(3) ~~((Overtime worked shall be computed on the employee's base rate plus shift premium where applicable))~~ All hours worked during a schedule change period are subject to the requirements of WAC 251-09-030, Overtime, and to the provisions of the Fair Labor Standards Act.

**AMENDATORY SECTION** (Amending Order 151, filed 5/22/86, effective 7/1/86)

WAC 251-09-030 OVERTIME. (1) Any one of the following constitutes overtime:

(a) Work in excess of the daily work shift for full-time employees assigned to scheduled work period positions;

(b) Work in excess of forty hours in one work week for employees assigned to scheduled or nonscheduled work period positions; or

(c) For hospital personnel assigned to a fourteen-day schedule, work in excess of eight hours in a twenty-four hour period or eighty hours in a fourteen-day period.

(2) Overtime worked by employees assigned to scheduled or nonscheduled work period positions shall be compensated at a rate of one and one-half times the employee's ~~((straight time hourly rate including shift differential for all overtime worked as provided in subsection (1) of this section))~~ base rate plus any additional payment(s) required to be included by the Fair Labor Standards Act such as shift differential.

(3) Employees assigned to scheduled or nonscheduled work period positions shall receive monetary payment as compensation for overtime worked; however, at the employee's request compensatory time off at one and one-half times the overtime hours worked may be granted in lieu of monetary payment, except that agricultural employees shall receive compensatory time off or monetary payment at the option of the institution. The accumulation of unused compensatory time that exceeds two hundred forty hours (four hundred eighty for employees engaged in public safety or emergency response activity) must be paid in cash.

(4) If compensation is paid to an employee for accrued compensatory time, such compensation shall be paid at the regular rate earned by the employee at the time the employee receives such payment. Upon termination of employment, an employee will be paid for any unused compensatory time in accordance with the Fair Labor Standards Act.

(5) Use of accrued compensatory time shall be approved by the employing official with consideration being given to the work requirements of the department and the wishes of the employee. Compensatory time off may be scheduled by the employing official during the final sixty days of a biennium.

(6) Employees assigned to excepted work period positions normally do not qualify for overtime pay. Under circumstances in which the employee is directed to work an excessive amount of overtime, the personnel officer may authorize additional compensation in cash or ((compensatory)) time off not to exceed one and one-half times the employee's regular rate. The employee may petition the personnel officer for compensation of the directed overtime.

(7) For purposes of computing overtime compensation, holidays or leave with pay during the employee's regular work schedule shall be considered as time worked.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- WAC 251-01-010 ADMINISTRATIVE EMPLOYEES
- WAC 251-01-155 EXECUTIVE EMPLOYEES
- WAC 251-01-320 PROFESSIONAL EMPLOYEES

**AMENDATORY SECTION** (Amending Order 176, filed 3/23/89, effective 5/1/89)

WAC 251-18-180 ELIGIBLE LISTS—DEFINITION—COMPOSITION. Eligible lists shall be established by class as follows:

- (1) Institution-wide layoff lists shall contain the names of:
  - (a) All permanent and probationary employees of the institution laid off or scheduled for layoff in accord with WAC 251-10-030 and 251-10-055 ranked in order of layoff seniority.
  - (b) Former permanent employees of the institution who (i) have transferred, promoted, voluntarily demoted or laterally moved to positions at other institutions/related boards, and (ii) have not successfully completed their trial service periods at the institution to which they moved, ranked in order of layoff seniority.
- (2) Organizational unit promotional lists shall contain the names of all permanent employees of the organizational unit for which the list is established who have passed the examination for the class. This list shall also contain the names of former employees separated from the organizational unit per WAC 251-10-070 who have submitted an application for reemployment pursuant to WAC 251-10-080 and who have passed the examination for the class, provided that during their previous employment with the institution they were not demoted for disciplinary reasons, reverted, or dismissed from the class. This list shall be ranked in order of their final examination scores.
- (3) Institution-wide promotional lists shall contain the names of all permanent employees of the institution who have passed the examination for the class. This list shall also contain the names of former employees separated from the institution per WAC 251-10-070 who have submitted an application for reemployment pursuant to WAC 251-10-080 and who have passed the examination for the class, provided that during their previous employment with the institution they were not demoted for disciplinary reasons, reverted, or dismissed from the class. This list shall be ranked in order of their final examination scores.
- (4) Special employment program layoff lists shall contain the names of permanent employees of the institution laid off, scheduled for layoff or removed from service within a class due to layoff conditions in special employment programs as provided in WAC 251-10-035 ranked in order of layoff seniority.
- (5) State-wide layoff lists shall contain the names of permanent employees laid off or scheduled for layoff who have exercised their option per WAC 251-10-060, ranked in order of layoff seniority as provided in WAC 251-10-060(2).
- (6) Interinstitutional employee lists shall contain the names of permanent employees of an institution or related board other than the one at which he/she is applying, who have passed the examination for the class, ranked in order of their final examination scores.
- (7) Intersystem employee lists shall contain the names of permanent employees under the jurisdiction of chapter 41.06 RCW who have

passed the examination for the class, ranked in order of their final examination scores.

(8) Open competitive lists shall contain the names of all other applicants who have passed the examination for the class, ranked in order of their final examination scores.

(9) Noncompetitive lists shall be established per WAC 251-17-040 and shall contain the names of applicants who meet the minimum qualifications and have passed the noncompetitive examination, if any, for the class, ranked by priority in time of filing application.

(10) For positions which meet the ((HEPB definitions)) Fair Labor Standards Act's exemption criteria of administrative, executive or professional employees, the personnel officer may combine the organizational unit promotional list, the institution-wide promotional list, the special employment program layoff list, the interinstitutional employee list, the intersystem employee list, the state-wide layoff list, and the open competitive list into a single eligible list:

(a) The combined list option must be specified in the recruitment notice for a class in order for the personnel officer to combine lists for positions in the class;

(b) The combined list shall contain the names of eligibles ranked in order of their final examination scores. Permanent employees of the institution and former permanent employees eligible to return to work pursuant to WAC 251-10-090 shall have a five percent credit added to their final passing scores.

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 91-20-141**  
**PROPOSED RULES**  
**HIGHER EDUCATION**  
**COORDINATING BOARD**  
 [Filed October 2, 1991, 9:01 a.m.]

Original Notice.

Title of Rule: State of Washington health professional loan repayment and scholarship program.

Purpose: Adoption of rules to establish the state of Washington health professional loan repayment and scholarship program and repealing chapters 250-67, 250-68, and 250-75 WAC.

Statutory Authority for Adoption: Chapter 332, Laws of 1991.

Statute Being Implemented: Chapter 332, Laws of 1991.

Summary: A program to encourage eligible health care professionals to serve in shortage areas by providing financial support in the form of loan repayment or scholarship.

Reasons Supporting Proposal: Implementation of the state of Washington health professional loan repayment and scholarship program.

Name of Agency Personnel Responsible for Drafting and Implementation: Kathy McVay and Marilyn Sjolund, 917 Lakeridge Way, Olympia, 753-3570; and Enforcement: Shirley Ort and Ann Daley, 917 Lakeridge Way, Olympia, 753-3570.

Name of Proponent: Higher Education Coordinating Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Summary above.

Proposal Changes the Following Existing Rules: Repeals chapters 250-67, 250-68 and 250-75 WAC.

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

Hearing Location: Conference Room, Higher Education Coordinating Board, 917 Lakeridge Way, GV-11, Olympia, WA 98504, on November 5, 1991, at 9:30 a.m.

Submit Written Comments to: Ann Daley, by November 5, 1991.

Date of Intended Adoption: November 20, 1991.

October 1, 1991

Ann Daley

Executive Director

**REPEALER**

The following chapters of the Washington Administrative Code are repealed:

- Chapter 250-67 WAC
- Chapter 250-68 WAC
- Chapter 250-75 WAC

**STATE OF WASHINGTON  
HEALTH PROFESSIONAL LOAN REPAYMENT  
AND SCHOLARSHIP PROGRAM**

Chapter 332, Laws of 1991

**RULES AND REGULATIONS  
WAC 250-25**

WAC 250-25-010	Purpose
WAC 250-25-020	Authority to administer
WAC 250-25-030	Definitions
WAC 250-25-040	Eligibility to participate
WAC 250-25-045	Ineligible Program
WAC 250-25-050	Selection Criteria
WAC 250-25-060	Award Amount
WAC 250-25-070	Award Disbursement
WAC 250-25-080	Repayment Provisions
WAC 250-25-090	Appeals

**NEW SECTION**

WAC 250-25-010. **PURPOSE.** The purpose of the health professional loan repayment and scholarship program is to encourage eligible health care professionals to serve in shortage areas by providing financial support in the form of loan repayment or conditional scholarship to attend school if the participant renders health care service in medically underserved areas or professional shortage areas within Washington state.

**NEW SECTION**

WAC 250-25-020. **AUTHORITY TO ADMINISTER.** The higher education coordinating board is charged with the administration of the health professional loan repayment and scholarship program. These regulations are being adopted pursuant to the authority of sections 15 through 25, chapter 332, Laws of 1991, first executive session. When a responsibility of the board is referenced in these regulations, the authority needed to discharge that responsibility lies with the executive director or his or her designee. In administering this program, the board shall:

- (1) Select credentialed health care professionals and eligible students to participate in the loan repayment and scholarship program;
- (2) Develop guidelines;
- (3) Collect and manage repayments from participants who do not meet their service obligations;
- (4) Publicize the program to maximize participation among individuals in shortage areas and among populations expected to experience the greatest growth in the work force;
- (5) Solicit and accept grants and donations from public and private sources for the program;
- (6) Develop criteria for a contract obligating recipients to a service obligation or repayment where appropriate;

(7) Establish a planning committee to include representatives of the department, the department of social and health services, appropriate representatives from health care facilities, provider groups, consumers, the state board for community and technical colleges, the superintendent of public instruction, and other appropriate public and private agencies and organizations; and

(8) Deposit all receipts from the program into the trust fund dedicated to this program.

**NEW SECTION**

WAC 250-25-030. **DEFINITIONS.** Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

- (1) "Board" means the higher education coordinating board.
- (2) "Department" means the state department of health.
- (3) "Eligible education and training programs" means education and training programs approved by the department that lead to eligibility for a credential as a credentialed health care professional.
- (4) "Eligible expenses" means reasonable expenses associated with the costs of acquiring an education such as tuition, books, equipment, fees, room and board, and other expenses approved by the board.
- (5) "Eligible student" means a student who has been accepted into an eligible education or training program and has a declared intention to serve in a health professional shortage area upon completion of the education or training program.
- (6) "Forgiven" or "to forgive" or "forgiveness" means to render health care services in a health professional shortage area in the state of Washington in lieu of monetary repayment.
- (7) "Health professional shortage areas" means those areas where credentialed health care professionals are in short supply as a result of geographic maldistribution or as the result of a short supply of credentialed health care professionals in specialty health care areas and where vacancies exist in serious numbers that jeopardize patient care and pose a threat to the public health and safety. The department shall determine health professional shortage areas. In determining health professional shortage areas in the state the department may be guided by applicable federal standards for "health professional shortage areas," and "medically underserved areas," and "medically underserved populations."
- (8) "Credentialed health care profession" means a health care profession regulated by a disciplining authority in the state of Washington and designated as a profession having shortages of credentialed health care professionals in the state.
- (9) "Credentialed health care professional" means a person regulated by a disciplining authority in the state of Washington to practice a health care profession.
- (10) "Loan repayment" means a loan that is paid in full or in part if the participant renders health care services in a health professional shortage area as defined by the department.
- (11) "Nonshortage rural area" means a nonurban area of the state of Washington that has not been designated as a rural physician shortage area. The department shall identify the nonshortage rural areas of the state.
- (12) "Participant" means a credentialed health care professional who has received a loan repayment award and has commenced practice as a credentialed health care provider in a designated health professional shortage area or an eligible student who has received a scholarship under this program.
- (13) "Program" means the health professional loan repayment and scholarship program.
- (14) "Required service obligation" means an obligation by the participant to provide health care services in a health professional shortage area for a period not less than three years and not more than five years.
- (15) "Rural physician shortage area" means rural geographic areas where primary care physicians are in short supply as a result of geographic maldistributions and where their limited numbers jeopardize patient care and pose a threat to public health and safety. The department shall designate rural physician shortage areas.
- (16) "Sponsoring community" means a rural hospital or hospitals as authorized in chapter 70.41 RCW, a rural health care facility or facilities as authorized in chapter 70.175 RCW, or a city or county government or governments.
- (17) "Scholarship" means a loan that is forgiven in whole or in part if the recipient renders health care service in a designated health professional shortage area in the state.

NEW SECTION

WAC 250-25-040. **ELIGIBILITY TO PARTICIPATE.** To be eligible to apply for the loan repayment and scholarship program an individual must:

- (1) Be an eligible credentialed health professional or eligible student;
- (2) Be enrolled as a student in an approved course of study or program which leads to a degree which is offered by an accredited school; or be enrolled in an accredited graduate training program; or have a degree in a health care program and have completed an approved graduate training program; or have a current and valid license to practice such health profession in Washington state by the time of execution of contract; or be in the final stage of training to be a licensed health care professional;
- (3) Submit an application on a form provided by the board for participation in the health professional loan repayment and scholarship program;
- (4) Not owe an obligation for health professional service to the federal government, state, or other entity unless that obligation will be completely satisfied prior to the beginning of service under this program.

NEW SECTION

WAC 250-25-045. **INELIGIBLE PROGRAM.** Scholarship participants are ineligible to receive loan repayment if they have received a scholarship from this program or the nurses conditional scholarship (28B.104 RCW) or rural physician, pharmacist, and midwife scholarship programs (70.180 RCW). Loan repayment participants are ineligible to receive a scholarship if they have received loan repayment from this program or the health professional loan repayment program (18.150 RCW).

NEW SECTION

WAC 250-25-050. **SELECTION CRITERIA.** Applicants will be selected for participation in the health professional loan repayment and scholarship program based upon criteria that shall include but not be limited to the following:

- (1) Applicant Training. The individual's training is in a health profession or specialty needed to fulfill an underserved area in Washington state.
- (2) Applicant Qualification. The individual's academic standing, prior professional experience in a medically underserved area or health personnel shortage area, board certification, residency achievements, peer recommendations, depth of past residency practice experience, and other criteria related to professional competence or conduct.
- (3) Applicant Service Commitment. (a) The individual's commitment to serve in a medically underserved area or community-based primary care site as determined by the statement of commitment on the application form; (b) The availability of the individual for service, with highest consideration being given to individuals who will be available for service at the earliest dates; and (c) The length of the individual's proposed service obligation, with greatest consideration being given to persons who agree to serve for longer periods of time.
- (4) Scholarship Applicant Relationship with Rural Area. Preference for scholarships shall be given to students who reside in rural areas of the state prior to admission to the medical training program. Higher preference shall be given to students seeking admission who are recommended by sponsoring communities and who declare the intent of serving as a primary care physician in a rural area.

NEW SECTION

WAC 250-25-060. **AWARD AMOUNT.** The annual award amount for each credentialed health care profession shall be based upon an assessment by the board, in consultation with the advisory committee, of reasonable annual eligible expenses and loan indebtedness incurred in training and education for each credentialed health care profession. The annual award amount may be established at a level less than annual eligible expenses. The annual award amount shall not be more than fifteen thousand dollars per year. The awards may be renewed for eligible participants who continue to meet all renewal criteria but shall not be paid for more than a maximum of five years per individual.

NEW SECTION

WAC 250-25-070. **AWARD DISBURSEMENT.** As part of the award procedure, each participant must sign an agreement with the board which serves as the legal document verifying the participant's understanding of the obligation to serve for no less than three years or no more than five years in a shortage area or repay the program according to the terms of the signed agreement.

Loan repayment participants shall receive payment from the program for the purpose of repaying educational loans secured while attending a program of health professional training which led to credentialing as a health professional.

(1) Repayment shall be limited to loans covering eligible educational and living expenses as approved by the board and shall include principal and interest.

(2) Loans from both government and private sources may be repaid by the program. Participants shall agree to allow the board access to loan records and to acquire information from lenders necessary to verify eligibility and to determine payments. Loans may not be renegotiated with lenders to accelerate repayment. Financial debts or service obligations which do not qualify for payment include: Public Health and National Health Service Corps scholarship training program, National Health Service Corps scholarship program, and armed forces (Army, Navy, or Air Force).

(3) Participants will be required to submit appropriate documentation of service as required by the board verifying the terms of the agreement have been met for each payment period.

(4) Participants violating the nondiscrimination provisions described in the signed agreement shall be declared ineligible and terminated from the program.

Scholarship participants shall receive payment from the program for the purpose of paying educational costs incurred while enrolled in a program of health professional training which leads to a credential as a credentialed health professional in the state of Washington. In no case shall the award amount exceed the actual cost of attendance for the particular program. Scholarship awards are intended to meet the eligible expenses of participants.

NEW SECTION

WAC 250-25-080. **REPAYMENT PROVISIONS.** Loan repayment participants who serve less than the required service obligation shall be obligated to repay to the program an amount equal to twice the total amount paid by the program on their behalf in addition to any payments on the unsatisfied portion of the principal and interest. Should the participant discontinue service in a health professional shortage area payments against the loans of the participant shall cease to be effective on the date that the participant discontinues service. The board shall not be held responsible for any outstanding payments on principal and interest to any lenders once a participant's eligibility expires.

Scholarship participants incur an obligation to repay the scholarship, with interest, unless they serve the required service obligation in a health professional shortage area in the state of Washington. The entire principal and interest of each payment shall be forgiven for each payment period in which the participant serves in a health professional shortage area until the entire repayment obligation is satisfied or the borrower ceases to so serve. The terms of the repayment, including deferral and rate of interest, shall be consistent with the terms of the federal guaranteed student loan program. The period for repayment shall coincide with the required service obligation, with payments accruing quarterly commencing no later than nine months from the date the participant completes or discontinues the course of study or completes or discontinues the required residency.

On the request of the participant, the board may waive, in full or in part, the obligation for service or its rights to recover financial damages whenever the board determines that failure to do so was due to circumstances beyond the participant's control. Conditions that would be considered as a waiver from default provisions may include: Participant becomes physically impaired to the degree that he or she can no longer function in his or her assigned duties; participant becomes mentally impaired to the degree that he or she can no longer function in his or her assigned duties; or death.

The board shall exercise due diligence in such collection, maintaining all necessary records to ensure that the maximum amount of payment made on behalf of the participant is recovered. Collection under this section shall be pursued using the full extent of the law, including wage garnishment if necessary.

**NEW SECTION**

WAC 250-25-090. APPEALS. Participants who have been accepted in the health professional loan repayment and scholarship program may request in writing a review of any adverse decision affecting them by requesting such review within twenty days of adverse decision, addressed to the executive director of the higher education coordinating board. The review shall be handled by brief adjudication hearing procedures as outlined in the administrative act chapter 34.05 RCW.

**WSR 91-20-142**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**NATURAL RESOURCES**  
 [Memorandum—October 2, 1991]

**MEETING NOTICE**  
**DEPARTMENT OF NATURAL RESOURCES**  
**NATURAL RESOURCES CONSERVATION AREAS**  
**STATEWIDE ADVISORY COMMITTEE**

When: October 18, 1991, 9:00 a.m. to 12 noon.

Where: Best Western Airport Executel, 20717 Pacific Highway South, Conference Room 2, SeaTac, WA.

Purpose: The Natural Resources Conservation Area (NRCA) Statewide Advisory Committee will meet to advise the department regarding management plans for NRCAs, and in public outreach and environmental education programs.

For further information contact:

NRCA Program  
 Division of Land and Water Conservation  
 Department of Natural Resources  
 234 East 8th Avenue  
 Mailstop EG-11  
 Olympia, WA 98504  
 (206) 753-2400

**WSR 91-20-143**  
**NOTICE OF PUBLIC MEETINGS**  
**HOUSING FINANCE COMMISSION**  
 [Memorandum—October 2, 1991]

The Washington State Housing Finance commission will hold an open public hearing for the purpose of accepting public comment on the biennial review of amendments to the commission's housing finance plan, as required by laws governing the commission. The public hearing will be held at 10:00 a.m., Friday, December 6, 1991, in the Building Conference Room, Second Floor, 1111 Third Avenue, Seattle, WA, 98101. The state housing finance plan provides the general policies of the commission and specific policies with regard to the programs of the commission. The plan outlines the manner in which the commission intends to issue bonds during the period in accordance with the goals and objectives of the plan. The commission is encouraging public comment on the proposed housing finance plan. Interested parties and individuals are encouraged to send written comments to

the commission at the address provided below or to attend the public hearing. A copy of the proposed document may be obtained by telephone or written request to the commission and will be available at the commission office as of November 4, 1991. Written public comment is invited, but must be received by Thursday, December 5, 1991, in the offices of the Washington State Housing Finance Commission, 1111 Third Avenue, Suite 2240, Seattle, WA, 98101-3202. Public testimony will be heard from all interested members of the public attending the hearing. The commission will consider the public testimony and written comments in potential changes made to its housing finance plan.

**WSR 91-20-144**  
**NOTICE OF PUBLIC MEETINGS**  
**HOUSING FINANCE COMMISSION**  
 [Memorandum—October 2, 1991]

The Washington State Housing Finance Commission will hold an open public hearing for the purpose of accepting public comment on the biennial review of amendments to the commission's housing finance plan, as required by laws governing the commission. The public hearing will be held at 10:00 a.m., Wednesday, December 4, 1991, in the Commissioners Assembly Room, County Courthouse, West 1116 Broadway, Spokane, WA. The state housing finance plan provides the general policies of the commission and specific policies with regard to the programs of the commission. The plan outlines the manner in which the commission intends to issue bonds during the period in accordance with the goals and objectives of the plan. The commission is encouraging public comment on the proposed housing finance plan. Interested parties and individuals are encouraged to send written comments to the commission at the address provided below or to attend the public hearing. A copy of the proposed document may be obtained by telephone or written request to the commission and will be available at the commission office as of November 4, 1991. Written public comment is invited, but must be received by Monday, December 2, 1991, in the offices of the Washington State Housing Finance Commission, 1111 Third Avenue, Suite 2240, Seattle, WA 98101-3202. Verbal testimony will be heard from all interested members of the public attending the hearing. The commission will consider the public testimony and written comments in potential changes made to its housing finance plan.

**WSR 91-20-145**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**  
**(Noxious Weed Control Board)**  
 [Filed October 2, 1991, 9:56 a.m.]

Original Notice.

Title of Rule: Chapter 16-750 WAC, State noxious weed list and schedule of monetary penalties.

**Purpose:** The State Noxious Weed Control Board has amended the state noxious weed list to add species determined to be noxious, to delete species, and to change areas designated for some Class B weeds. Additions, deletions, and changes to this chapter are being made to provide for more effective statewide weed control pursuant to chapter 17.10 RCW.

**Statutory Authority for Adoption:** Chapter 17.10 RCW.

**Statute Being Implemented:** Chapter 17.10 RCW.

**Summary:** The state noxious weed list is being amended to add four species and to delete three other species from the Class A noxious weed list; and to add two species to the Class B noxious weed list. Regions in which Class B weeds will be designated for mandatory control have been changed for nine species. The Class C noxious weed list is being readopted.

**Name of Agency Personnel Responsible for Drafting:** Catherine Hovanic, Executive Secretary, Washington State Weed Board, 1851 South Central Place, Suite 211, Kent, WA 98031, (206) 872-6480; **Implementation:** Walter Wm. Wolf, Chairman, Washington State Weed Board, 1851 South Central Place, Suite 211, Kent, WA 98031, (206) 843-1808; and **Enforcement:** Bill Brookreson, Assistant Director, Washington State Agriculture, 6120 Capitol Boulevard, Tumwater, WA, (206) 586-5306.

**Name of Proponent:** Washington State Noxious Weed Control Board, governmental.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** The Washington state noxious weed list and schedule of monetary penalties, chapter 16-750 WAC, provides the basis for noxious weed control efforts by county noxious weed control boards, weed districts, the State Noxious Weed Control Board and the Department of Agriculture, in implementing chapter 17.10 RCW.

**Proposal Changes the Following Existing Rules:** See Summary above.

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

**Hearing Location:** Agricultural Services Center, State Conference Room, 2015 South 1st Street, Yakima, WA, on November 20, 1991, at 10:00 a.m.

**Submit Written Comments to:** Catherine Hovanic, Washington State Noxious Weed Control Board, 1851 South Central Place, Suite 211, Kent, WA 98031-7507, by November 14, 1991.

**Date of Intended Adoption:** November 20, 1991.

October 1, 1991  
Catherine Hovanic  
Executive Secretary  
for Walter Wm. Wolf  
Chairman  
Noxious Weed Control Board

**READOPTED SECTION** (Readopting Order 22, Resolution No. 22, filed 3/7/88)

WAC 16-750-001 STATE NOXIOUS WEED LIST—PURPOSE. In accordance with RCW 17.10.080 a state noxious weed list comprising the names of those plants which the state noxious weed control board finds to be highly destructive, competitive, or difficult to

control by cultural or chemical practices is hereby adopted in this chapter.

**READOPTED SECTION** (Readopting WSR 91-01-016, filed 12/7/90, effective 1/7/91)

WAC 16-750-003 DEFINITIONS. (1) The definitions set forth in this section shall apply throughout this chapter, unless the context otherwise plainly requires:

(a) "Board" and "state board" means the noxious weed control board of this state, or a duly authorized representative.

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

(c) "Department" means the department of agriculture of this state.

(d) "Person" means any individual, partnership, corporation, firm, or any other entity.

(2) The definitions set forth in this subsection shall apply throughout this chapter, chapter 17.10 RCW, and any rules adopted thereunder unless the context otherwise plainly requires:

(a) "Control" means to prevent all seed production.

(b) "Contain" means to confine a noxious weed and its propagules to an identified area of infestation.

(c) "Eradicate" means to eliminate a noxious weed within an area of infestation.

(d) "Prevent the spread of noxious weeds" means to contain noxious weeds.

(e) Class A noxious weeds are those noxious weeds not native to the state that are of limited distribution or are unrecorded in the state and whose introduction to the state of Washington was not intentional, or whose intentional introduction poses a serious threat to the state for which no containment is assured by the owner.

(f) Class B noxious weeds are those noxious weeds not native to the state that are of limited distribution or are unrecorded in a region of the state and that pose a serious threat to that region.

(g) "Class B designate" means those Class B noxious weeds whose populations in a region or area are such that all seed production can be prevented within a calendar year.

(h) Class C are any other noxious weeds.

(3) Any county noxious weed control board may enhance the clarity of any definition contained in subsection (2) of this section, making that definition more specific, but shall not change its general meaning.

**READOPTED SECTION** (Readopting Order 24, Resolution No. 24, filed 8/25/88)

WAC 16-750-004 NOXIOUS WEED REGION DESCRIPTIONS. The state of Washington is divided into ten regions for the purpose of designating Class B noxious weeds.

(1) Region 1 description. A region consisting of all lands lying within the boundaries of Clallam and Jefferson counties.

(2) Region 2 description. A region consisting of all lands lying within the boundaries of Whatcom, Skagit, Snohomish, San Juan, and Island counties.

(3) Region 3 description. A region consisting of:

(a) All lands lying within the boundaries of Okanogan County.

(b) All lands lying within the boundaries of Chelan and Douglas counties and north of Highway 2.

(4) Region 4 description. A region consisting of:

(a) All lands lying within the boundaries of Ferry, Stevens, and Pend Oreille counties.

(b) All lands lying within the boundaries of Spokane County and north of the Spokane River.

(5) Region 5 description. A region consisting of all lands lying within the boundaries of Grays Harbor, Mason, Kitsap, Thurston, Pierce, and King counties.

(6) Region 6 description. A region consisting of:

(a) All lands lying within the boundaries of Kittitas and Grant counties.

(b) All lands lying within the boundaries of Chelan and Douglas counties and south of Highway 2.

(c) All lands lying within the boundaries of Yakima County and north of Highway 12 from the Yakima — Lewis County line to Yakima and north of Highway 82 from Yakima to the Yakima — Kittitas County line.

(d) All lands lying within the boundaries of Ranges 28E, 29E, and 30E of Adams County.

(7) Region 7 description. A region consisting of:

(a) All lands lying within the boundaries of Lincoln and Whitman counties.

(b) All lands lying within the boundaries of Spokane County and south of the Spokane River.

(c) All lands lying with the boundaries of Ranges 31E, 32E, 33E, 34E, 35E, 36E, 37E, and 38E of Adams County.

(8) Region 8 description. A region consisting of all lands lying within the boundaries of Pacific, Lewis, Wahkiakum, Cowlitz, Skamania, and Clark counties.

(9) Region 9 description. A region consisting of:

(a) All lands lying within the boundaries of Benton and Klickitat counties.

(b) All lands lying within the boundaries of Yakima County and south of Highway 12 from the Yakima — Lewis County line to Yakima and south of Highway 82 from Yakima to the Yakima — Kittitas County line.

(c) All lands lying within the boundaries of Franklin County and west of Highway 395.

(10) Region 10 description. A region consisting of:

(a) All lands lying within the boundaries of Asotin, Garfield, Columbia, and Walla Walla counties.

(b) All lands lying within the boundaries of Franklin County and east of Highway 395.

**AMENDATORY SECTION** (Amending WSR 91-01-016, filed 12/7/90, effective 1/7/91)

**WAC 16-750-005 STATE NOXIOUS WEED LIST—CLASS A NOXIOUS WEEDS.**

COMMON NAME	SCIENTIFIC NAME
bean-caper, Syrian	Zygophyllum fabago
blueweed, Texas	Helianthus ciliaris
buffalobur	Solanum rostratum
<del>((bursage, skeleton-leaf</del>	<del>Ambrosia tomentosa))</del>
chervil, wild	Anthriscus sylvestris
cordgrass, salt meadow	Spartina patens
crupina, common	Crupina vulgaris
four o'clock, wild	Mirabilis nyctaginea
hawkweed, mouseear	Hieracium pilosella
hedgearsley	Torilis arvensis
hogweed, giant	Heracleum mantegazzianum
johnsongrass	Sorghum halepense
knapweed, bighead	Centaurea macrocephala
<del>((knapweed, featherhead</del>	<del>Centaurea trichocephala))</del>
knapweed, Vochin	Centaurea nigrescens
mallow, Venice	Hibiscus trionum
nightshade, silverleaf	Solanum elaeagnifolium
peganum	Peganum harmala
<del>((rupturewort</del>	<del>Herniaria cimeria))</del>
sage, Mediterranean	Salvia aethiopsis
snapdragon, dwarf	Chaenorrhinum minus
starthistle, purple	Centaurea calcitrapa
thistle, Italian	Carduus pycnocephalus
thistle, milk	Silybum marianum
thistle, slenderflower	Carduus tenuiflorus
unicorn-plant	Proboscidea louisianica
velvetleaf	Abutilon theophrasti
waterhyacinth	Eichornia crassipes
woad, dyers	Isatis tinctoria

**AMENDATORY SECTION** (Amending WSR 91-01-016, filed 12/7/90, effective 1/7/91)

**WAC 16-750-011 STATE NOXIOUS WEED LIST—CLASS B NOXIOUS WEEDS.**

Name	Will be a "Class B designate" in all lands lying within:
(1) blackgrass <del>Alopecurus myosuroides</del>	(a) regions 1,2,3,5,6,8,9,10 (b) <del>Ferry, Stevens, Pend Oreille counties of region 4</del> (c) <del>Adams and Whitman counties of region 7.</del>
<del>((++))</del>	
(2) blueweed Echium vulgare	(a) regions 1,2,3,4,5,6,8,9,10 (b) region 7 except for an area starting at the Stevens County line on SR 291 south to the SR 291 bridge over the Little Spokane River, thence upstream along the Little Spokane River

Name	Will be a "Class B designate" in all lands lying within:
<del>((2))</del>	
(3) broom, Scotch Cytisus scoparius	to the first Rutter Parkway Bridge; thence south along the Rutter Parkway to the intersection of Rutter Parkway and Indian Trail Road; thence southerly along Indian Trail Road to a point three miles south (on section line between sections 22 and 27, T-26N, R-42E); thence due west to a point intersecting the line between Ranges 41 and 42; thence north along this line to a point 1/4 mile south of Charles Road; thence northwesterly parallel to Charles Road to a point 1/4 miles south of the intersection of Charles Road and West Shore Road; thence northerly along West Shore Road to the Spokane River (Long Lake); thence southeasterly along the Spokane River to the point of beginning.
<del>((3))</del>	
(4) bryonia, white Bryonia alba	(a) regions 1,2,3,4,5,6,8,9 (b) region 7 except Whitman County (c) Franklin County of region 10.
<del>((4))</del>	
(5) bugloss, common Anchusa officinalis	(a) regions 1,2,3,5,6,8,9,10 (b) Ferry County of region 4 (c) Lincoln, Adams, and Whitman counties of region 7 (d) Pend Oreille County north of the northernmost boundary of T33N.
(6) bugloss, annual <del>Anchusa arvensis</del>	(a) regions 1,2,3,4,5,6,8,9 (b) Lincoln and Adams counties (c) Whitman County except ranges 43 through 46 East of Townships 16 through 20 North.
<del>((5))</del>	
(7) camelthorn Alhagi pseudalhagi	(a) regions 1,2,3,4,5,7,8,9 (b) region 6 except those portions of Sections 23,24,25, and 29 through 36, T16N, R27E, W.M. lying outside Intercounty Weed District No. 52 and except Sections 1 through 12, T15N, R27E, W.M. in Grant County (c) T16N, R29E; T16N, R30E; T15N, R28E except Sec. 5; T15N, R29E; T15N, R30E (d) Columbia, Garfield, and Asotin counties of region 10 (e) an area beginning at the Washington — Oregon border at the southwest portion of section 15, R32E, T6N, then north to the northwest corner of section 3, R32E, T7N, then east to the northeast corner of section 3, R36E, T7N, then south to southeast portion of section 15, R36E, T6N, at the Washington — Oregon border, then west along the Washington — Oregon border to the point of beginning.
<del>((6))</del>	
(8) catsear, common Hypochaeris radicata	(a) regions 3,4,6,7,9,10.
<del>((7))</del>	
(9) Cordgrass, smooth Spartina alterniflora	(a) regions 1,3,4,5,6,7,9,10

Name	Will be a "Class B designate" in all lands lying within:	Name	Will be a "Class B designate" in all lands lying within:
	(b) region 2 except bays and estuaries of Skagit County	<del>((21))</del> <u>(22)</u> knapweed, diffuse <i>Centaurea diffusa</i>	(a) regions 1,2,5,8 (b) Grant County lying in ((the north half of Township 15 North, Ranges 25 through 27 East; Township 16 North; Ranges 25, 26 and 27 East; Townships 17 and 18 North, Ranges 25 through 30 East; Townships 19 and 20 North, Range 30 East; Township 21 North, Ranges 23, 24, and 25 East, Sections 1 through 30; Township 21 North, Range 26 East; Sections 5, 6, 7, 8, 17, and 18; East half of Township 21 North, Range 27 East; Township 21 North, Ranges 28, 29, and 30 East; those portions of Townships 22 through 28 North, Ranges 23 through 30 East; those portions of Townships 22 through 28 North, Ranges 23 through 30 East; lying in Grant County, all W.M.;) Townships 13 through 16 North, Ranges 25 through 27 East; Townships 17 and 18 N., Ranges 25 through 30 East; Townships 19 and 20 North, Ranges 29 and 30 East; T21N, R23E, Sections 1 through 30; T21N, R26E., Sections 5, 6, 7, 8, 17, and 18; East 1/2 Township 21N, Range 27E.; T21N, Ranges 28 through 30 East; those portions of Townships 22 through 28N, Ranges 28 through 30 E.; those portions of Township 22 through 28N., Ranges 23 through 30 E. lying in Grant County; all W.M.
<del>((8))</del> <u>(10)</u> cordgrass, common <i>Spartina anglica</i>	(c) region 8 except bays and estuaries of Pacific County. (a) regions 1,3,4,5,6,7,8,9,10 (b) region 2 except bays and estuaries of Skagit, Island, and Snohomish counties.		(c) Adams County except those areas within T15N, R36E, Section 36; T15N, R37E, Sections 22,23,24,25,26,27,28, 31,32,33 and 34; T15N, R38E, Sections 2,10,11,14,15,19 and 20; T16N, R38E, Sections 34 and 35; T17N, R37E, Sections 5 and 6; T18N, R37E, Sections 29,30,31 and 32
<del>((9))</del> <u>(11)</u> daisy, oxeye <i>Chrysanthemum leucanthemum</i>	(a) regions 6,7,9,10.		(d) Franklin County of regions 9 and 10.
<del>((10))</del> <u>(12)</u> deadnettle, hybrid <i>Lamium hybridum</i>	(a) regions 1,3,4,5,6, 7,8,9,10 (b) region 2 except Skagit County.		(a) regions 1,2,3,4,5,7,9,10 (b) region 6 except Kittitas County (c) region 8 except Clark County.
<del>((11))</del> <u>(13)</u> dogtailgrass, hedgehog <i>Cynosurus echinatus</i>	(a) regions 3,4,6,7,10 (b) region 9 except Klickitat County.		(a) regions 1,2,3,4,5,6, 7,8,9 (b) region 7 and 10 except within the Palouse River Canyon from Big Palouse Falls to the Snake River.
<del>((12))</del> <u>(14)</u> fieldcress, Austrian <i>Rorippa austriaca</i>	(a) regions 1,2,3,4,5,6, 8,9 (b) regions 7 and 10 except within the Palouse River Canyon from Big Palouse Falls to the Snake River.		(a) regions 1,2,3,5,6,8,9,10 (b) Ferry, Stevens, Pend Oreille counties of region 4 (c) Adams and Whitman counties of region 7.)
<del>((13))</del> <del>foxtail, slender <i>Alopecurus myosuroides</i></del>	<del>(a) regions 1,2,3,5,6,8,9,10 (b) Ferry, Stevens, Pend Oreille counties of region 4 (c) Adams and Whitman counties of region 7.)</del>		(a) regions 1,2,5,8 (b) Ferry County of region 4 (c) Grant and Adams counties of region 6 (d) Franklin County of regions 9 and 10 (e) Intercounty Weed District No. 51.
<del>((14))</del> <u>(15)</u> goatgrass, jointed <i>Aegilops cylindrica</i>	(a) regions 1,2,5,8 (b) Ferry County of region 4 (c) Grant and Adams counties of region 6 (d) Franklin County of regions 9 and 10 (e) Intercounty Weed District No. 51.		(a) regions 3,4,6,7,9,10 (b) Thurston and Pierce counties of region 5 (c) Wahkiakum and Cowlitz counties of region 8.
<del>((15))</del> <u>(16)</u> gorse <i>Ulex europaeus</i>	(a) regions 3,4,6,7,9,10 (b) Thurston and Pierce counties of region 5 (c) Wahkiakum and Cowlitz counties of region 8.		(a) regions 1,2,3,4,5,7,9,10 (b) region 6 except Kittitas County (c) region 8 except Clark County.
<del>((16))</del> <u>(17)</u> hawkweed, orange <i>Hieracium aurantiacum</i>	(a) regions 3,6,9,10 (b) Ferry County of region 4 (c) Lincoln and Adams counties of region 7.		(a) regions 1,2,3,4,5,6,7,8,9,10 (b) region 4 except north of T32N in Pend Oreille County and east Highway 395 and north of Highway 20 in Stevens County.
<del>((17))</del> <u>(18)</u> hawkweed, yellow <i>Hieracium pratense</i>	(a) regions 1,2,3,5,6,7,8,9,10 (b) region 4 except north of T32N in Pend Oreille County and east Highway 395 and north of Highway 20 in Stevens County.	<del>((22))</del> <u>(23)</u> knapweed, meadow <i>Centaurea jacea</i> x <i>nigra</i>	(a) regions 1,2,3,4,5,7,8 (b) region 4 except that area lying within the boundaries of the Colville Indian Reservation within Ferry County (c) Adams County except those areas in the Main Lind Coulee Drainage area of T17N, R32E, Sections 19,20,25,27,28,29,32, 33,34,35 and 36; T17N, R33E, Sections 16,17,19,20 and 30; and those areas within the Lower Crab Creek drainage area of T15N, R28E, sections 5 and 6; and the western half of T16N, R28E
<del>((18))</del> <u>(19)</u> indigobush <i>Amorpha fruticosa</i>	(a) regions 1,2,3,4,5,6 (b) regions 7 and 10 except within 200 feet of the Snake River from Central Ferry downstream regions 8, 9, and 10 except within 200 feet of the Columbia River. (c) Adams County except those areas in the Main Lind Coulee Drainage area of T17N, R32E, Sections 19,20,25,27,28,29,32, 33,34,35 and 36; T17N, R33E, Sections 16,17,19,20 and 30; and those areas within the Lower Crab Creek drainage area of T15N, R28E, sections 5 and 6; and the western half of T16N, R28E	<del>((23))</del> <u>(24)</u> knapweed, Russian <i>Acroptilon repens</i>	(d) Intercounty Weed District No. 52 (e) region 10 except Franklin County.
<del>((19))</del> <u>(20)</u> knapweed, black <i>Centaurea nigra</i>	(a) regions 1,2,3,4,5,7,9,10 (b) region 6 except Kittitas County (c) region 8 except Clark County.		
<del>((20))</del> <u>(21)</u> knapweed, brown <i>Centaurea jacea</i>	(a) regions 1,2,3,4,5,7,9,10 (b) region 6 except Kittitas County (c) region 8 except Clark County.		



Name	Will be a "Class B designate" in all lands lying within:	Name	Will be a "Class B designate" in all lands lying within:
<p><del>((24))</del>                      (25) knapweed, spotted  <i>Centaurea maculosa</i></p>	<p>(a) regions 1,2,3,5,6,8,9                      (b) Ferry County of region 4                      (c) Adams and Whitman counties of region 7                      (d) region 10 except Garfield County.</p>	<p><del>((24))</del>                      (30) nutsedge, yellow  <i>Cyperus esculentus</i></p>	<p><u>of the section line of the location of County Road H SE/NE if constructed</u>  <del>((e))</del>                      (f) region 9 except Benton County  <del>((f))</del>                      (g) region 10 except Walla Walla County  <del>((g))</del>                      (h) Intercounty Weed Districts No. 51 and No. 52.</p>
<p><del>((25))</del>                      (26) lepyrodiclis  <i>Lepydiclis holsteoides</i></p>	<p>(a) regions 1,2,3,4,5,6,8,9,10                      (b) region 7 except an area within Whitman County east of the Pullman — Wawawai Road from Wawawai to Pullman and south of State Highway 270 from Pullman to Moscow, Idaho.</p>	<p><del>((28))</del>                      (31) oxtongue, hawkweed  <i>Picris hieracioides</i></p>	<p>(a) regions 1,2,3,4,5,7,8                      (b) region 6 except:                      (i) those areas lying between State Highway 26 and State Highway 28, and westerly of Dodson Road in Grant County, and except 5 1/2, Sec. 2, T20N, R25E., W.M.                      (ii) those areas lying in Yakima County                      (c) region 9 except:                      (i) those areas lying in Yakima County                      (ii) an area lying southerly of State Route 14 and within T2N, Ranges 13 and 14 E of Klickitat County                      (d) region 10 except Walla Walla County.</p>
<p>(27) loosestrife, garden  <i>Lysimachia vulgaris</i></p>	<p>(a) regions 1,2,3,4,6,7,8,9,10                      (b) region 5 except King County.</p>	<p><del>((29))</del>                      (32) pepperweed, perennial  <i>Lepidium latifolium</i></p>	<p>(a) regions 1,2,3,4,5,6,7,9, 10                      (b) region 8 except Skamania County.                      (a) regions 1,2,3,4,5,7,8,10                      (b) Grant County lying northerly of Township 21, North, W.M.                      (c) Intercounty Weed Districts No. 51 and 52.</p>
<p><del>((26))</del>                      (28) loosestrife, purple  <i>Lythrum salicaria</i></p>	<p>(a) regions 1,((3;))4,7,8                      (b) region 2 except Snohomish County                      (c) <u>region 3 except within 100 feet of the ordinary highwater mark of the Okanogan River from the Canadian border south to Riverside</u>                      (d) region 5 except King County  <del>((d))</del>                      (e) region 6 except that portion of Grant County ((in T16 through 20N, R22 through 29E, W.M., and except Sections 21,28,29, and 32, T21N, R26E, W.M.)) lying northerly of the Frenchmen Hills—O'Sullivan Dam Road, southerly of Highway Interstate 90, easterly of the section line of the location of County Road J SW/NW if constructed and westerly of the section line of the location of County Road H SE/NE if constructed  <del>((e))</del>                      (f) region 9 except Benton County  <del>((f))</del>                      (g) region 10 except Walla Walla County  <del>((g))</del>                      (h) Intercounty Weed Districts No. 51 and No. 52.</p>	<p><del>((30))</del>                      (33) ragwort, tansy  <i>Senecio jacobaea</i>  <del>((32))</del>                      (34) sandbur, longspine  <i>Cenchrus longispinus</i></p>	<p>(a) regions 3,4,6,7,9,10.                      (a) regions 1,2,3,4,5,7,8                      (b) Adams County of region 6 except for that area lying within Intercounty Weed District No. 52                      (c) Intercounty Weed District No. 51.</p>
<p><del>((27))</del>                      (29) loosestrife, wand  <i>Lythrum virgatum</i></p>	<p>(a) regions 1,((3;))4,7,8                      (b) region 2 except Snohomish County                      (c) <u>region 3 except within 100 feet of the ordinary highwater mark of the Okanogan River from the Canadian border south to Riverside</u>                      (d) region 5 except King County  <del>((d))</del>                      (e) region 6 except that portion of Grant County ((in T16 through 20N, R22 through 29E, W.M., and except sections 21,28,29, and 32, T21N, R26E, W.M.)) lying northerly of the Frenchmen Hills—O'Sullivan Dam Road, southerly of Highway Interstate 90, easterly of the section line of the location of County Road J SW/NW if constructed and westerly</p>	<p><del>((31))</del>                      (35) skeletonweed, rush  <i>Chondrilla juncea</i></p>	<p>(a) regions 1,2,3,5,8,9                      (b) Franklin County except T13N, R36E; and T14N, R36E                      (c) Adams County except those areas lying east of a boundary line running north from Franklin County along the western boundary of Range 36 East to State Highway 26 then east on State Highway 26 to State Highway 261 then north on State Highway 261 to Suttan Road then east on Suttan Road to Snyder Road then north on Snyder Road extended to Providence Road then west on Providence Road to Klein Road then north on Klein Road to Wellsandt Road then east on Wellsandt Road to Interstate 90 then east on I-90 to the Lincoln County line                      (d) region 6 except that portion lying within Grant County that is southerly of State Highway 28, northerly of Interstate Highway 90 and easterly of Grant County Road E. Northwest</p>

Name	Will be a "Class B designate" in all lands lying within:	Name	Will be a "Class B designate" in all lands lying within:
<p><del>((34))</del>  <u>(36)</u> sowthistle, perennial  <i>Sonchus arvensis arvensis</i>  <del>((35))</del>  <u>(37)</u> spurge, leafy  <i>Euphorbia esula</i></p>	<p>(e) Pend Oreille (<del>(County)</del>) and Stevens counties north of <del>((the northernmost boundary of))</del> Township 33 North            (f) Ferry County            (g) Asotin County of region 10            (h) <u>Garfield and Columbia counties south of Highway 12</u>            (i) <u>Whitman County lying in Ranges 43 through 46 East of Townships 15 through 20 North; T14N, Ranges 44 through 46 East; and T13N, Ranges 45 and 46 East.</u></p>	<p><del>((37))</del>  <u>(39)</u> Swainsonpea  <i>Sphaerophysa salsula</i></p>	<p>31,32, and 33; T10N, R44E, Sections 1,2,3,4,5,6,8,9, 10,11,12,15, and 16; T10N, R45E, Sections 23 and 24; T10N, R46E, Sections 7,8, 17,18,19,20,21,22,27,34, and 35; T9N, R46E, Sections 1,2,12,13,14,23,24,25,26, 35, and 36; T9N, R47E, Sections 18,19,30, and 31; T8N, R46E, Sections 1,2, 3,9,10,11,12,13,14, 15,16,23, and 24; T8N, R47E, Sections 8,17,18, 19,20,29,30,31, and 32.</p>
<p><del>((35))</del>  <u>(37)</u> spurge, leafy  <i>Euphorbia esula</i></p>	<p>(a) regions 1,2,3,4,5,7,8,9,10.            (a) regions 1,2,3,4,5,6,8,9,10            (b) region 7 except as follows:            ((i) <del>T27N, R39E, Sections 24,25,28,29,30,32,33,34</del>  <del>T26N, R39E, Sections 3,4,5,9,10,15,16,21,22</del> of Lincoln County            (ii) <del>T22N, R37E, Sections 1,12,13,14,23,24,25,26, 35,36; T22N, R38E, Sections 3,4,5,6,7,8,17,18; 19; T23N, R38E, Sections 7,8,17,18,19,20,21,27,28; 29,30,31,32,33,34; T23N, R37E, Sections 23,24,25; 26,35,36</del> of Lincoln County))            ((iii))            (i) T27N, R37E, Sections 34,35,36; T27N, R38E, Sections 31,32,33; T26N, R37E, Sections 1,2,3,10, 11,12,13,14,15,16,26; T26N, R38E, Sections 5, 6,7,8 of Lincoln County            ((iv))            (ii) T24N, R43E, Section 12, Qtr. Section 3, Parcel No. 9068 of Spokane County.            ((c) region 10 except as follows:            (i) <del>T9N, R39E, Section 8</del> of Columbia County            (ii) <del>T13N, R40E, Sections 10; 11,12,13,14,15,16; T13N, R41E, Sections 5,6; 7,8,9,10,11,12,13,14; T13N, R42E, Sections 2,3; 4,5,7,8,9,10,11,26,27; 34,35</del> of Garfield County.))</p>	<p><del>((38))</del>  <u>(40)</u> thistle, musk  <i>Carduus nutans</i>  <del>((39))</del>  <u>(41)</u> thistle, plumeless  <i>Carduus acanthoides</i>  <del>((40))</del>  <u>(42)</u> thistle, Scotch  <i>Onopordum acanthium</i></p>	<p>(a) regions 1,2,3,4,5,7,8            (b) Columbia, Garfield, Asotin, and Franklin counties an area beginning at the Washington — Oregon border at the southwest portion of section 15, R32E, T6N, then north to the northwest corner of section 3, R32E, T7N, then east to the northeast corner of section 3, R36E, T7N, then south to the southeast portion of section 15, R36E, T6N, at the Washington — Oregon border, then west along the Washington — Oregon border to the point of beginning            (d) <u>Weed District No. 3 of Grant County.</u></p>
<p><del>((36))</del>  <u>(38)</u> starthistle, yellow  <i>Centaurea solstitialis</i></p>	<p>(a) regions 1,2,3,4,5,6,8            (b) region 7 except those areas within Whitman County lying south of State Highway 26 from the Adams County line to Colfax and south of State Highway 195 from Colfax to Pullman and south of State Highway 270 from Pullman to the Idaho border            (c) Franklin County            (d) region 9 except Klickitat County            (e) in all lands lying within Asotin County, Region 10, except as follows: T11N, R44E, Sections 25, 26,27,28,29,31,32,33,34, and 35; T11N, R45E, Sections 21,22,23, and 25; T11N, R36E, Sections 19,20,21,28,29,30,</p>	<p><del>((41))</del>  <u>(43)</u> toadflax, Dalmatian  <i>Linaria genistifolia</i> ssp. <i>dalmatica</i>  <del>((42))</del>  <u>(44)</u> watermilfoil,  <i>Eurasian</i>  <i>Myriophyllum spicatum</i></p>	<p>(a) regions 1,2,3,5,6,7,8,9,10            (b) Spokane and Pend Oreille counties.            (a) regions 1,2,3,5,6,7,8,9,10            (b) region 4 except those areas within Stevens County lying north of State Highway 20.            (a) regions 1,2,3,4,5,6,8,9            (b) region 7 except for those areas within Whitman County lying south of State Highway 26 from the Adams County line to Colfax and south of State Highway 195 from Colfax to Pullman and south of State Highway 270 from Pullman to the Idaho border            (c) Franklin County.            (a) regions 1,2,5,8,10            (b) Kittitas, Chelan, Douglas, Adams counties of region 6            (c) Intercounty Weed District No. 51            (d) <u>Weed District No. 3 of Grant County</u>            (e) Lincoln and Adams counties            ((and)) The western two miles of Spokane County of region 7            ((te))            (g) region 9 except as follows:            (i) those areas lying within Yakima County            (ii) those areas lying west of the Klickitat River and within Klickitat County.            (a) regions 1,8,9,10            (b) region 7 except Spokane County.</p>

**READOPTED SECTION** (Readopting WSR 91-01-016, filed 12/7/90, effective 1/7/91)

**WAC 16-750-015 STATE NOXIOUS WEED LIST—CLASS C NOXIOUS WEEDS.**

COMMON NAME	SCIENTIFIC NAME
babysbreath	Gypsophila paniculata
bindweed, field	Convolvulus arvensis
carrot, wild	Daucus carota
catchfly, conical	Silene conoidea
cocklebur, spiny	Xanthium spinosum
cross, hoary	Cardaria draba
dodder, smoothseed alfalfa	Cuscuta approximata
garden rocket	Eruca vesicaria spp. sativa
henbane, black	Hyoscyamus niger
houndstongue	Cynoglossum officinale
kochia	Kochia scoparia
mayweed, scentless	Matricaria maritima var. agrestis
mullein, common	Verbascum thapsus
nightshade, bitter	Solanum dulcamara
poison-hemlock	Conium maculatum
puncturevine	Tribulus terrestris
rye, cereal	Secale cereale
spikeweed	Hemizonia pungens
St. Johnswort, common	Hypericum perforatum
tansy, common	Tanacetum vulgare
toadflax, yellow	Linaria vulgaris
thistle, bull	Cirsium vulgare
thistle, Canada	Cirsium arvense
whiteweed, hairy	Cardaria pubescens
wormwood, absinth	Artemisia absinthium

**WSR 91-20-146**  
**PROPOSED RULES**  
**HEALTH CARE AUTHORITY**  
**(State Employees Benefits Board)**  
 [Filed October 2, 1991, 10:07 a.m.]

**Original Notice.**

Title of Rule: WAC 182-12-111 Eligible entities.

Purpose: To clarify conditions for participation in SEBB insurance plans by eligible entities.

Statutory Authority for Adoption: Chapter 41.05 RCW.

Statute Being Implemented: RCW 41.04.205, 41.05-.011, and 41.05.065.

Summary: The employees and retirees of eligible entities and their dependents must meet the individual eligibility requirements set forth in WAC 182-12-115 in order to participate in SEBB insurance plans.

Reasons Supporting Proposal: To implement SB 5874 passed by the 1991 legislature.

Name of Agency Personnel Responsible for Drafting: Kristen West, Lacey, 438-7990; Implementation and Enforcement: Margaret T. Stanley, Lacey, 438-7979.

Name of Proponent: State Employees Benefits Board, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: This is necessary to implement SB 5874.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The employees and retirees of eligible entities and their dependents must meet the individual eligibility requirements set forth in WAC 182-12-115 in order to participate in SEBB insurance plans.

Proposal Changes the Following Existing Rules: This appends WAC 182-12-111 and clarifies eligible entities.

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

Hearing Location: Sea-Tac Auditorium, Sea-Tac Airport, on November 13, 1991, at 1:00 p.m.

Submit Written Comments to: Kristen West, Health Care Authority, 4505 Woodview Drive S.E., Olympia, WA 98504, by November 8, 1991.

Date of Intended Adoption: November 14, 1991.

October 2, 1991

Kristen West

Rules Coordinator

**AMENDATORY SECTION** (Amending Order 2-78, filed 1/10/78)

~~WAC 182-12-111 ELIGIBLE ENTITIES. ((Every department, division, or separate agency of state government is eligible and required to participate in all board approved plans. Participation by any county, municipality, or other political subdivision of this state shall be subject to the board's approval of the political subdivision's application. Conditions under which the board may approve such applications include, but are not limited to, the following; the political subdivision shall:~~

- ~~(1) Include all eligible employees as a unit;~~
- ~~(2) Obligate itself to participate in all board approved plans;~~
- ~~(3) Make employer contributions in the same amount as those provided by the state as employer;~~
- ~~(4) Furnish the board, employee census data and prior claim experience, if available;~~
- ~~(5) Agree to maintain its participation in all board approved plans at least to the July 1 following its effective date of participation, and in the event of termination furnish the board written notice at least thirty days prior to its termination date. Provided the board shall:~~

~~(1) Consider and act on all applications received from political subdivisions;~~

~~(2) Hold a public hearing on all applications received;)) The employees and retirees of eligible entities and their dependents must meet the individual eligibility requirements set forth in WAC 182-12-115 in order to participate in SEBB insurance plans. Only individuals who participated in SEBB insurance plans as an active employee and their dependents are eligible to participate in SEBB insurance plans upon disability or retirement. The following entities shall be eligible to participate in SEBB insurance plans subject to the terms and conditions set forth below.~~

~~(1) State agencies. Every department, division, or separate agency of state government including the higher education personnel board, higher education coordinating board, and the state board for community and technical colleges is eligible and required to participate in all board approved plans provided:~~

~~Employees of vocational-technical institutions who belong to collective bargaining units may participate in SEBB insurance plans only if the entire collective bargaining unit enrolls in the plans and such participation is consistent with section 83, chapter 238, Laws of 1991.~~

~~(2) Counties, municipalities, and political subdivisions, including K-12 school districts. Counties, municipalities, and political subdivisions, including K-12 school districts of the state may participate in SEBB insurance programs provided:~~

~~(a) All eligible employees of the entity transfer to SEBB plan coverage as a unit.~~

~~(b) The legislative authority or the board of directors obligates itself to participate in all SEBB insurance plans.~~

~~(c) The legislative authority of the entity or the board of directors of the school district submits an application together with employee census data and, if available, prior claims experience of the entity to the health care authority.~~

~~(d) The legislative authority or the board of directors agrees to maintain its SEBB plan participation through the end of the plan year.~~

~~(e) The legislative authority or the board of directors shall provide the health care authority written notice of its intent to terminate SEBB plan participation no later than thirty days prior to the effective date of termination. If a county, municipality, or political subdivision, including a K-12 school district terminates coverage in SEBB insurance plans, retired and disabled employees who began participating after September 15, 1991, will no longer be eligible to participate in SEBB~~

insurance plans beyond the mandatory extension requirements specified in WAC 182-12-215.

(f) The health care authority administrator approves the entity's application.

### WSR 91-20-147

#### PROPOSED RULES

#### SECRETARY OF STATE

[Filed October 2, 1991, 10:38 a.m.]

#### Original Notice.

Title of Rule: Chapter 434-690 WAC, Archives—Public records access.

Purpose: Prescribes and recodifies rules for access to Archives—Public records in possession of Division of Archives and Records Management in accord with RCW 42.17.250.

Statutory Authority for Adoption: RCW 42.17.250.

Statute Being Implemented: RCW 42.17.250.

Summary: Prescribes procedures for access to public records in the custody of the Division of Archives.

Reasons Supporting Proposal: Recodifies chapter 434-15 WAC in order to consolidate all Division of Archives rules to facilitate reference and research.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Sid McAlpin, 1120 Washington Street, S.E., 753-5485.

Name of Proponent: Secretary of State, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Recodifies rules for access to public records in the custody of the Division of Archives to facilitate reference and research.

Proposal Changes the Following Existing Rules: Recodifies existing chapter 434-15 WAC under new chapter 434-600 WAC and eliminates specific fee schedule to allow Division of Archives to set fees on basis of current costs.

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

Hearing Location: Archives and Records Center Building, 1120 Washington Street, Olympia, WA 98504, on November 8, 1991, at 9:00 a.m.

Submit Written Comments to: Sid McAlpin, Division of Archives, 1120 Washington Street S.E., EA-11, Olympia, WA 98504-0418, by November 1, 1991.

Date of Intended Adoption: November 12, 1991.

October 2, 1991  
Sidney F. McAlpin  
State Archivist

Chapter 434-690 WAC  
ARCHIVES—ACCESS TO PUBLIC RECORDS

#### NEW SECTION

WAC 434-690-010 PURPOSE. The purpose of this chapter shall be to ensure compliance by the office of the secretary of state, division of archives and records management with the provisions of chapter 1, Laws of 1973 (Initiative 276), Disclosure—Campaign finances—Lobbying—Records; and in particular with sections 25-32 of that act, dealing with public records.

#### NEW SECTION

WAC 434-690-020 DESCRIPTION OF CENTRAL AND FIELD ORGANIZATION OF THE DIVISION OF ARCHIVES AND RECORDS MANAGEMENT. Division of archives and records management. The division is an administrative service and regulatory agency. The administrative office of the division and its staff are located at the Archives and Records Center Building, Olympia, Washington.

#### NEW SECTION

WAC 434-690-030 OPERATIONS AND PROCEDURES. The division of archives and records management is the primary archival and records management agency of Washington state government. The division is organized as depicted in Appendix A. Through its several sections, operating units, and regional offices it carries on the functions cited in chapter 434-620 WAC.

#### NEW SECTION

WAC 434-690-040 PUBLIC RECORDS AVAILABLE. All public records of the division as defined in WAC 434-15-610 are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.17.310 and WAC 434-690-100.

#### NEW SECTION

WAC 434-690-050 PUBLIC RECORDS OFFICER. (1) The divisional records shall be in the charge of the public records officer designated by the secretary of state. The person so designated shall be located in the administrative office of the secretary of state. The public records officer shall be responsible for the following: The implementation of the division's rules and regulations regarding release of public records, coordinating the staff of the division in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter 42.17 RCW.

(2) The archival records in the custody of the division shall be in the charge of the state archivist. The state archivist shall be located in the state archives and records center building. The state archivist shall be responsible for the following: The implementation of the division's regulations regarding the release of archival records, coordinating the staff of the division in this regard and generally insuring compliance by the staff with the public records disclosure requirements of chapter 42.17 RCW.

(3) The scheduled records in the custody of the division shall be in the charge of the public records officer designated by the agency of record origin. The public records officer of the agency of records origin shall be responsible for implementation of the agency's rules and regulations regarding the release of public records and coordinating with the staff of the state archives in this regard insofar as records of his agency in the custody of the state archivist are concerned.

#### NEW SECTION

WAC 434-690-060 OFFICE HOURS. Divisional records, archives and scheduled records shall be available for inspection and copying during the customary office hours of the division. For the purposes of this chapter, the customary office hours shall be from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays.

#### NEW SECTION

WAC 434-690-070 REQUESTS FOR PUBLIC RECORDS—ARCHIVES—SCHEDULED RECORDS. In accordance with requirements of chapter 42.17 RCW that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(1) Divisional records. A request shall be made in writing upon the form prescribed in WAC 434-690-150 which shall be available at the division's administrative office or at the secretary of state's administrative office. The form shall be presented to the secretary of state's public records officer at his/her office, or if he/she is not available, to any

member of the division's staff at the administrative office of the division, during customary office hours. 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) The nature of the request;
- (d) If the matter requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in such current index;
- (e) If the requested matter is not identifiable by reference to the division's current index, an appropriate description of the record requested.

(2) Archives. A request shall be made in writing upon a form prescribed by the division which shall be available at the state archives and records center. The form shall be presented to the state archivist, or to a member of the division's staff, designated by the state archivist, at the state archives building, during customary office hours. The requests shall include specific subject and date and/or state archives record group, sub-group, series and date information to facilitate record retrieval.

(3) Scheduled records. Requests for scheduled records in the custody but not under the jurisdiction of the state archives, must be made through the office of record origin in accord with the rules and regulations regarding the release of public records by that agency as published in the Washington Administrative Code in compliance with chapter 42.17 RCW. An approved request form or letter of authorization from an appropriate agency of records origin must then be presented to the state archivist, or a member of the division's staff, thereby granting access, unless the division has other access authority granted by agency of record. The request or letter of authorization shall include the same or nearly the same identifying information as that supplied for public records of the division.

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

#### NEW SECTION

WAC 434-690-080 FEES. (1) No fee shall be charged for the inspection of public records.

(2) No fees shall be charged for records search and retrieval services.

(3) The division may impose a reasonable charge for providing copies of public records, regardless of media, and for the use by any person of division equipment to copy public records. Charges shall not exceed the amount necessary to reimburse the division for its actual costs incident to such copying.

(4) The division may charge a fee for research services prorated on salary benefit and overhead costs with a half-hour minimum.

(5) The division shall charge a fee of five dollars per certificate for issuance of a certificate or certified copies.

#### NEW SECTION

WAC 434-690-090 EXEMPTIONS. (1) The division reserves the right to determine that a public record or archive record requested in accordance with the procedures outlined in WAC 434-690-070 is exempt under the provisions of RCW 42.17.310.

(2) In addition, pursuant to RCW 42.17.310, the division reserves the right to delete identifying details when it makes available or publishes any public record, in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 42.17 RCW. The public records officer or state archivist will fully justify such deletion in writing.

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

#### NEW SECTION

WAC 434-690-100 REVIEW OF DENIALS OF PUBLIC RECORDS REQUESTS. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request

shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the public records officer or other staff member denying the request shall refer it to the secretary of state. The secretary of state shall immediately consider the matter and either affirm or reverse such denial. In any case, the request shall be returned with a final decision, within two business days following the original denial.

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

#### NEW SECTION

WAC 434-690-110 PROTECTION OF PUBLIC RECORDS. Records will be made available to the requestor subject to the following restrictions:

- (1) The records may not be removed from the area designated.
- (2) The quantity of records may be limited in consonance with the requested use.
- (3) All possible care will be taken by the requestor to prevent damage to the records.
- (4) Records may not be marked or altered in any way.
- (5) Use of liquids and fountain pens; also eating, drinking, and smoking while utilizing the records is prohibited.
- (6) Records shall not be defaced in any way including writing on, folding or folding anew if in folded form, tracing or fastening with clips or other fasteners except those that may already exist in the file.
- (7) Records may not be cut or mutilated in any way.
- (8) Records must be kept in the order in which received.
- (9) Records will be returned to the state archivist or his designee by the requestor when no longer required and no later than the end of the customary office hours as set forth in WAC 434-690-060.

#### NEW SECTION

WAC 434-690-120 RECORDS INDEX. (1) Index. The division has available to all persons a current index which provides identifying information as to the following records issued, adopted, or promulgated since its inception:

- "(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;
- "(b) Those statements of policy and interpretations of policy, statute and the constitution which have been adopted by the agency;
- "(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;
- "(f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory, or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or it is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party;
- "(g) Public records accessioned into the archive proper of the state of Washington; and
- "(h) Scheduled records in the custody of the state archives."

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

#### NEW SECTION

WAC 434-690-130 COMMUNICATION WITH DIVISION—ADDRESS. All communications with the division including but not limited to the submission of materials pertaining to its operations and/or the administration or enforcement of chapter 42.17 RCW and these rules; requests for copies of the division's decisions and other matters, shall be addressed as follows: Office of the Secretary of State, c/o Public Records Officer, Legislative Building, Olympia, Washington 98504-0000.

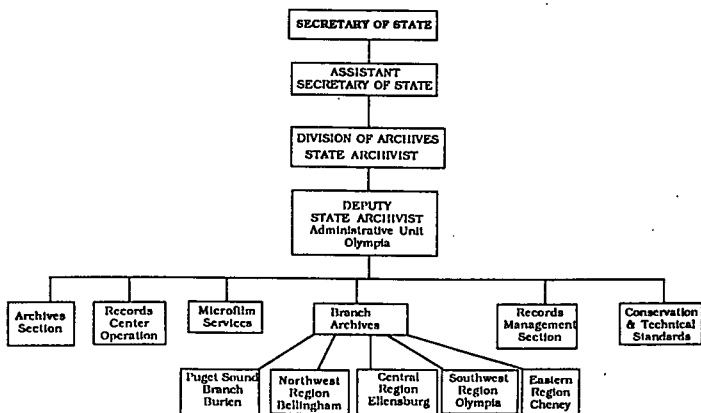
NEW SECTION

WAC 434-690-140 ADOPTION OF FORM. The division hereby adopts for use by all persons requesting inspection and/or copying or copies of its records, the form attached hereto as Appendix B entitled "Request for public record."

NEW SECTION

WAC 434-690-990 APPENDIX A—MANAGEMENT ORGANIZATION CHART OF STATE ARCHIVIST.

APPENDIX A



NEW SECTION

WAC 434-690-99001 APPENDIX B—FORM—REQUEST FOR PUBLIC RECORDS.

APPENDIX B  
REQUEST FOR PUBLIC RECORDS

Name of Requestor: \_\_\_\_\_  
 Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Date of Request: \_\_\_\_\_ Time of Request: \_\_\_\_\_  
 Nature of Request:  
 1. Index Reference .....

.....  
 .....

Signature .....

.....

For Office Use Only:

(1) Request Granted  Record Withheld  Record Withheld In Part

(2) If withheld, name the exemption contained in RCW 42.17.310 which authorizes the withholding of the record or part of record: Subsection (1) ( ).

(3) If withheld, briefly explain how the exemption applies to the record withheld.

(4) If request granted, time ....., day .....

WSR 91-20-148

PREPROPOSAL COMMENTS  
DEPARTMENT OF AGRICULTURE  
[Filed October 2, 1991, 10:41 a.m.]

Subject of Possible Rule Making: Proposed rules relating to the pesticide penalty matrix schedule for enforcement actions.

Persons may comment on this subject by written comments to the department. A copy of the proposed rules may be obtained by contacting Washington State Department of Agriculture, Pesticide Management Division, Attention: Cliff Weed or Rody Flores, 406 General Administration Building, AX-41, Olympia, WA 98504, phone (206) 753-5064. Written comments should be submitted to Washington State Department of Agriculture, Pesticide Management Division at the above listed address no later than November 8, 1991.

October 2, 1991  
Art Losey  
Assistant Director

WSR 91-20-149

PREPROPOSAL COMMENTS  
DEPARTMENT OF AGRICULTURE  
[Filed October 2, 1991, 10:43 a.m.]

Subject of Possible Rule Making: Proposed rules relating to the rights of persons aggrieved by pesticide violations. RCW 17.21.340 provides certain rights for persons aggrieved by pesticide violations. In order to work within the Administrative Procedure Act, chapter 34.05 RCW, the department is proposing rules which will provide for these rights.

Persons may comment on this subject by written comments to the department. A copy of the proposed rules may be obtained by contacting the Washington State Department of Agriculture, Attention: Dannie McQueen, 406 General Administration Building, AX-41, Olympia, WA 98504, or phone (206) 753-5035. Written comments should be submitted to Washington State Department of Agriculture at the above listed address no later than November 8, 1991.

October 2, 1991  
Art Losey  
Assistant Director

WSR 91-20-150

PROPOSED RULES  
STATE BOARD OF EDUCATION  
[Filed October 2, 1991, 10:58 a.m.]

Original Notice.  
Title of Rule: WAC 180-96-055 Eligibility to take GED test; and 180-96-060 Eligibility for award of certificate of educational competence.

Purpose: Adoption of the proposed amendment will make the State Board of Education's rules consistent with statutory language passed during the 1991 session

allowing home-based students to take the GED and receive a certificate of educational competence.

Statutory Authority for Adoption: RCW 28A.305.190.

Statute Being Implemented: RCW 28A.305.190.

Summary: Persons between the ages of fifteen and nineteen who have been instructed at home pursuant to RCW 28A.225.010(4) and chapter 28A.200 RCW will be eligible to take the GED test and be awarded a GED certificate.

Reasons Supporting Proposal: The intent of the proposed rule changes is to make State Board of Education rules relating to the GED consistent with amended statutory language.

Name of Agency Personnel Responsible for Drafting: Richard Wilson, Superintendent of Public Instruction, Old Capitol Building, 753-2298; Implementation: Bridget Cullerton, Superintendent of Public Instruction, Old Capitol Building, 586-6394; and Enforcement: Barbara Mertens, Superintendent of Public Instruction, Old Capitol Building, 753-2562.

Name of Proponent: State Board of Education, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Adoption of the proposed amendment will make the State Board of Education's rules consistent with statutory language passed during the 1991 session allowing home-based students to take the GED and receive a certificate.

Proposal Changes the Following Existing Rules: Amends current rules to add language allowing home-based students to take GED and receive a GED certificate.

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

Hearing Location: Board Room, Spokane School District, North 200 Bernard, Spokane, WA 99201, on November 21, 1991, at 9:00 a.m.

Submit Written Comments to: Dr. Monica Schmidt, Executive Director, State Board of Education, P.O. Box 47200, Olympia, Washington 98504-7200, by November 19, 1991.

Date of Intended Adoption: November 22, 1991.

October 2, 1991  
Monica Schmidt  
Executive Director

**AMENDATORY SECTION** (Amending Order 21-88, filed 12/14/88)

WAC 180-96-055 ELIGIBILITY TO TAKE GED TEST. The following individuals shall be eligible to take the general educational development test in official GED testing centers, provided that they are not enrolled in a public, private, or home-based high school or high school completion program at the time the test is administered:

(1) Any adult, i.e., person age nineteen or over, who has not graduated from a public or private high school.

(2) Any person between the ages of fifteen and nineteen who has not graduated from a public or private high school and who has been adjudged by a school district to have a substantial and warranted reason for leaving the regular high school education program.

(3) Any student in a certified educational clinic upon completion of an individual student program in accordance with the provisions of chapter 392-185 WAC.

(4) Any person between the ages of fifteen and nineteen who has not graduated from a public or private high school, and who has completed a program of home-based instruction in compliance with RCW 28A.225.010(4) and chapter 28A.220 RCW as certified in writing by the parent(s) or legal guardian(s) who provided the home-based instruction.

**AMENDATORY SECTION** (Amending Order 21-88, filed 12/14/88)

WAC 180-96-060 ELIGIBILITY FOR AWARD OF CERTIFICATE OF EDUCATIONAL COMPETENCE. The certificate of educational competence shall be awarded by the superintendent of public instruction to persons who achieve the minimum proficiency level on the general educational developmental test and who meet the following:

(1) Are residents of Washington state; and

(2) Are nineteen years of age or older on the date of issuance; or

(3) Have been adjudged by a district as possessing a substantial and warranted reason for leaving the regular high school education program.

(4) Have completed a program of home-based instruction in compliance with RCW 28A.225.010(4) and chapter 28A.220 RCW as certified in writing by the parent(s) or legal guardian(s) who provided the home-based instruction.

**WSR 91-20-151**

**PERMANENT RULES**

**STATE BOARD OF EDUCATION**

[Filed October 2, 1991, 11:02 a.m.]

Date of Adoption: September 27, 1991.

Purpose: To restrict state funding commitments and priorities to certain school construction projects approved after January 26, 1991.

Citation of Existing Rules Affected by this Order: Amending WAC 180-26-057, 180-29-1075, and 180-29-115.

Statutory Authority for Adoption: RCW 28A.525.020.

Other Authority: Chapter 14, Laws of 1991.

Pursuant to notice filed as WSR on 91-17-073 on August 21, 1991.

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

October 1, 1991  
Monica Schmidt  
Executive Director

**AMENDATORY SECTION** (Amending WSR 90-24-068, filed 12/5/90, effective 1/5/91)

WAC 180-26-057 STATE BOARD OF EDUCATION PROJECT COMMITMENT AT PRELIMINARY FUNDED STATUS. Except as provided at WAC 180-26-058 when preliminary funding status for a project is requested and granted pursuant to WAC 180-26-050, the state board of education commitment is limited to the eligibility of the project for state assistance, the eligible square footage, the maximum area cost allowance and the priority standing of the project as determined pursuant to the state building assistance rules in effect at the time such preliminary funding status is granted. This commitment is effective only for the initial one-year period set forth at WAC 180-26-060. The state board of education otherwise reserves the right to

amend and/or repeal any rule(s) respecting state assistance in school building construction. Such rule changes may be made regardless of the negative and/or positive impact of such changes upon the eligibility of any project and/or the extent of eligibility of any project for state assistance.

#### NEW SECTION

WAC 180-26-058 SUSPENSION OF STATE BUILDING ASSISTANCE COMMITMENTS PENDING ADOPTION OF NEW PRIORITY SYSTEM FOR ALLOCATING STATE ASSISTANCE. Notwithstanding the terms of WAC 180-26-057, there is no commitment whatsoever by the state board of education or the state to any project which has been or is hereafter granted project approval pursuant to WAC 180-25-040 subsequent to January 26, 1991, or to any amount of state assistance therefor. Furthermore, no commitment whatsoever to any such project or the amount of state assistance therefor is or may be made until such time as the state board of education hereafter develops a new priority system for allocating state assistance for school construction and modernization projects and repeals this rule. The eligibility and the extent of eligibility for state assistance, if any, of any project which has been or is hereafter granted project approval pursuant to WAC 180-25-040 subsequent to January 26, 1991, shall be determined in accordance with amendments hereafter made to chapters 180-25 through 180-33 WAC which implement the new priority system for allocating state assistance, regardless of the negative and/or positive impact of such changes.

#### AMENDATORY SECTION (Amending Order 1-86, filed 2/4/86)

WAC 180-29-1075 STATE BOARD OF EDUCATION COMMITMENT WHEN DISTRICT IS AUTHORIZED TO OPEN BIDS. Except as provided at WAC 180-29-1076 when a district is granted approval to open bids pursuant to WAC 180-29-107, the state board of education is committed as provided at WAC 180-29-107 as well as to all other state building assistance determinations including but not limited to, for example, additional state assistance, and professional fees, determined pursuant to state building assistance rules and regulations in effect at the time such approval to open bids is granted. This commitment is subject to the district's compliance with time limitation for requesting an authorization for contract award as set forth in WAC 180-29-108.

#### AMENDATORY SECTION (Amending Order 12-83, filed 10/17/83)

WAC 180-29-115 AUTHORIZATION FOR CONTRACT AWARD. (1) Upon receipt of the items as per WAC 180-29-110, the superintendent of public instruction shall:

- (a) Analyze the bids;
- (b) Determine the amount of state moneys allocable; and

(c) Except as provided at WAC 180-29-116 make an allocation of state moneys for construction and other items as per chapter 180-27 WAC.

(2) Authorization for contract award and allocation of state moneys shall be contingent upon the following:

- (a) The contract price for the construction has been established by competitive bid(s); and
- (b) The school district has available sufficient local funds pursuant to chapter 180-25 WAC.

#### NEW SECTION

WAC 180-29-1076 SUSPENSION OF STATE BUILDING ASSISTANCE COMMITMENTS PENDING ADOPTION OF NEW PRIORITY SYSTEM FOR ALLOCATING STATE ASSISTANCE. Notwithstanding the terms of WAC 180-29-1075, there is no commitment whatsoever by the state board of education or the state to any project which has been or is hereafter granted project approval pursuant to WAC 180-25-040 subsequent to January 26, 1991, or to any amount of state assistance therefor. Furthermore, no commitment whatsoever to any such project or the amount of state assistance therefor is or may be made until such time as the state board of education hereafter develops a new priority system for allocating state assistance for school construction and modernization projects and repeals this rule. The eligibility and the extent of eligibility for state assistance, if any, of any project which has been or is hereafter granted project approval pursuant to WAC 180-25-040 subsequent to January 26, 1991, shall be determined in accordance with amendments hereafter made to chapters 180-25 through 180-33 WAC which implement the new priority system for allocating state assistance, regardless of the negative and/or positive impact of such changes.

#### NEW SECTION

WAC 180-29-116 SUSPENSION OF STATE BUILDING ASSISTANCE COMMITMENTS PENDING ADOPTION OF NEW PRIORITY SYSTEM FOR ALLOCATING STATE ASSISTANCE. Notwithstanding the terms of WAC 180-29-115, there is no commitment whatsoever by the state board of education or the state to any project which has been or is hereafter granted project approval pursuant to WAC 180-25-040 subsequent to January 26, 1991, or to any amount of state assistance therefor. Furthermore, no commitment whatsoever to any such project or the amount of state assistance therefor is or may be made until such time as the state board of education hereafter develops a new priority system for allocating state assistance for school construction and modernization projects and repeals this rule. The eligibility and the extent of eligibility for state assistance, if any, of any project which has been or is hereafter granted project approval pursuant to WAC 180-25-040 subsequent to January 26, 1991, shall be determined in accordance with amendments hereafter made to chapters 180-25 through 180-33 WAC which implement the new priority system for allocating state assistance, regardless of the negative and/or positive impact of such changes.



**WSR 91-20-152**  
**PROPOSED RULES**  
**STATE BOARD OF EDUCATION**  
 [Filed October 2, 1991, 11:04 a.m.]

**Original Notice.**

**Title of Rule:** WAC 180-75-081 Good moral character and personal fitness—Definition; 180-78-047 Annual report by colleges and universities; 180-78-145 Evidence of compliance with professional education advisory board approval standard; 180-78-125 Responsibilities of professional education advisory boards; 180-78-165 Evidence of compliance with candidate knowledge and skills policies program approval standard; 180-78-170 Evidence of compliance with candidate field experience policies program approval standard; 180-78-196 Admission to practice examination—Teacher, and administrator; 180-78-200 Admission to practice examination test specifications; 180-78-201 Program approval—Teachers, collaboration with K-12 schools; 180-78-232 Outcome-based standards: Advisory committee; 180-86-012 Sunset of authority to reprimand; and 180-86-097 Sunset of advisory committee.

**Purpose:** Changes for editorial clarification; additions due to new RCW mandates, and new sections to implement new provisions of certification requirements.

**Statutory Authority for Adoption:** RCW 28A.410.010 and 28A.70.005.

**Statute Being Implemented:** RCW 28A.410.010 and 28A.70.005.

**Summary:** The proposed amendments, new sections and repealers address recent proposed rules by the State Board of Education and new statutes adopted by the 1991 legislature.

**Reasons Supporting Proposal:** Need for clarifying language to assist implementation from the field, and to adopt rules to support new RCW, and new sections implementing new certification requirements.

**Name of Agency Personnel Responsible for Drafting:** Richard Wilson, Superintendent of Public Instruction, Old Capitol Building, 753-2298; **Implementation:** Ted Andrews, Superintendent of Public Instruction, Old Capitol Building, 753-3222; and **Enforcement:** John Brickell, Superintendent of Public Instruction, Old Capitol Building, 753-3222.

**Name of Proponent:** State Board of Education, governmental.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** All of the proposed amendments, new sections and repealers strengthen teacher preparation programs and requirements for certification in the state of Washington.

**Proposal Changes the Following Existing Rules:** Eliminates ambiguous language and combines two previous WACs into a single clarifying WAC.

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

**Hearing Location:** Board Room, Spokane School District, North 200 Bernard, Spokane, WA 99201, on November 21, 1991, at 9:00 a.m.

Submit Written Comments to: Dr. Monica Schmidt, Executive Director, State Board of Education, P.O. Box 47200, Olympia, WA 98504-7200, by November 19, 1991.

Date of Intended Adoption: November 22, 1991.

October 2, 1991  
 Dr. Monica Schmidt  
 Executive Director

**AMENDATORY SECTION** (Amending WSR 90-02-073, filed 1/2/90, effective 2/2/90)

**WAC 180-75-081 GOOD MORAL CHARACTER AND PERSONAL FITNESS—DEFINITION.** As used in this chapter, the terms "good moral character and personal fitness" means character and personal fitness necessary to serve as a certificated employee in schools in the state of Washington, including character and personal fitness to have contact with, to teach character and personal fitness to have contact with, to teach, and to perform supervision of children. Good moral character and personal fitness includes, but is not limited to, the following:

- (1) No conviction of any felony crime involving:
  - (a) The physical neglect of a child under chapter 9A.42 RCW;
  - (b) The physical injury or death of a child under chapter 9A.32 or 9A.36 RCW, excepting motor vehicle violations under chapter 46.61 RCW;
  - (c) The sexual exploitation of a child under chapter 9.68A RCW;
  - (d) Sexual offenses where a child is the victim under chapter 9A.44 RCW;
  - (e) The promotion of prostitution of a child under chapter 9A.88 RCW;
  - (f) The sale or purchase of a child under RCW 9A.64.030;
  - (g) PROVIDED, That the general classes of felony crimes referenced within this subsection shall include equivalent federal and crimes in other states committed against a child;
  - (h) PROVIDED FURTHER, That for the purpose of this subsection "child" means a minor as defined by the applicable state or federal law;
  - (i) PROVIDED FURTHER, That for the purpose of this subsection "conviction" shall include a guilty plea.
- (2) No conviction of any crime within the last ten years, including motor vehicle violations, which would materially and substantially impair the individual's worthiness and ability to serve as a professional within the public and private schools of the state. In determining whether a particular conviction would materially and substantially impair the individual's worthiness and ability to practice, the following and any other relevant considerations shall be weighed:
  - (a) Age and maturity at the time the criminal act was committed;
  - (b) The degree of culpability required for conviction of the crime and any mitigating factors, including motive for commission of the crime;
  - (c) The classification of the criminal act and the seriousness of the actual and potential harm to persons or property;
  - (d) Criminal history and the likelihood that criminal conduct will be repeated;
  - (e) The permissibility of service as a professional educator within the terms of any parole or probation;
  - (f) Proximity or remoteness in time of the criminal conviction;
  - (g) Any evidence offered which would support good moral character and personal fitness;
  - (h) If this subsection is applied to a person certified under the laws of the state of Washington in a suspension or revocation action, the effect on the education profession, including any chilling effect, shall be weighed; and
  - (i) In order to establish good moral character and personal fitness despite the criminal conviction, the applicant or certificate holder has the duty to provide available evidence relative to the above considerations. The superintendent of public instruction has the right to gather and present additional evidence which may corroborate or negate that provided by the applicant or certificate holder.
- (3) No ((serious)) behavioral problem which endangers the educational welfare or personal safety of students, teachers, or other colleagues within the educational setting.
- (4) No ((intentional and knowing)) practice within the state of Washington within the previous five school years with an expired, lapsed, surrendered, or revoked certificate in a professional position for

which certification is required under the rules of the state board of education.

**AMENDATORY SECTION** (Amending Order 26-88, filed 12/14/88)

WAC 180-78-047 ANNUAL REPORT BY COLLEGES AND UNIVERSITIES. Each college or university offering an approved professional preparation program shall submit by July 31 of each year, an annual report covering the period from July 1 of the previous year to June 30 of the current year, containing the following:

- (1) The minutes of each professional education advisory board.
- (2) The number of candidates recommended for initial and continuing certificates by type of certificate and endorsement areas.
- (3) Other material related to the professional preparation programs requested by the superintendent of public instruction.

**AMENDATORY SECTION** (Amending Order 26-88, filed 12/14/88)

WAC 180-78-145 EVIDENCE OF COMPLIANCE WITH PROFESSIONAL EDUCATION ADVISORY BOARD APPROVAL STANDARD. The following evidence shall be evaluated to determine whether each professional preparation program is in compliance with the program approval standard of WAC 180-78-140(1).

(1) The professional education advisory board has been established in accordance with WAC 180-78-075 through 180-78-120.

(2) The professional education advisory board has carried out ~~((its responsibilities under WAC 180-78-125. In determining compliance with this subsection, the following written documentation must be available for review:~~

~~(a) Documentation is available that the professional education advisory board has participated in a review of and made recommendations about:~~

~~(i) The plan to provide all candidates for certification with field experiences with ethnic, racial, and cultural populations and with special education and highly capable students.~~

~~(ii) Proposed revisions in the professional preparation program to reflect local district policies related to changing demographics, curriculum, organization, and federal and state laws, including administrative rules and case law.~~

~~(iii) The policies used to develop agreements between the college/ universities and agencies providing field sites for field experiences.~~

~~(iv) Alternative professional preparation programs, if developed.~~

~~(v) The curriculum materials and media collection.~~

~~(vi) The evaluation data, including course, field, and follow-up data, on the professional preparation program's effectiveness.~~

~~(vii) The extent to which the college or university addresses the state board of education standards:~~

~~(viii)) the following responsibilities:~~

~~(a) Elect a chair of the professional education advisory board.~~

~~(b) Adopt bylaws which are consistent with the provisions of this chapter.~~

~~(c) Meet at the call of the chair of the professional education advisory board or as provided in the bylaws of the professional education advisory board which, in either case, shall be at least four meetings per calendar year.~~

~~(d) Advise the superintendent of public instruction of needed changes in the administrative code affecting the professional preparation programs for which the professional education advisory board has responsibility.~~

~~(e) Advise the quality review team as provided in WAC 180-78-190(3).~~

~~(f) Report alternative professional programs, if developed.~~

(3) In determining compliance with this subsection, written documentation must be available for review indicating that the following have been reviewed annually:

(a) One or more program approval standards of WAC 180-78-140 and, as needed, formally notify the college or university in writing of changes the professional education advisory board believes are necessary or required to bring the college or university into compliance with the program approval standards for the professional preparation program and, based upon such review, provide formal recommendations pursuant to subsection (2)(d) of this section.

(b) The plan to provide all candidates for certification with field experiences with ethnic, racial, and cultural populations and with special education and highly capable students.

(c) The evaluation data, including course, field experience (WAC 180-78-165(2)), and follow-up data (WAC 180-78-175 (4) and (5)).

(4) In determining compliance with this subsection, written documentation must be available indicating that the following have been reviewed at least once every three years:

(a) The policies used to develop agreements between the college/ universities and agencies providing field sites for field experience.

(b) The curriculum materials and media collection.

(c) Proposed revisions in the professional preparation program to reflect local district policies related to changing demographics, curriculum, organization, and federal and state laws, including administrative rules and case law.

(d) Recent professional developments which may impact the design of the professional preparation program.

((fb)) (5) Written minutes are available for each meeting of each professional education advisory board ((including)) which shall include the following items for each meeting listed in the college or university's annual report (WAC 180-78-047): Attendance by individuals and the agencies they represent, agenda items, substantive issues discussed, actions taken, and a list of all recommendations for change.

((tc)) (6) Documentation from the college or university is available showing that each recommendation from each professional education advisory board during each academic year has been considered and acted upon by faculty committees or administrators—depending upon college or university governance—and, if delayed, modified, or not adopted, a rationale provided to the professional education advisory board as to why a recommendation was delayed, modified, or not adopted. All recommendations from professional education advisory boards shall be forwarded to appropriate faculty committees or administrators within two months of formal receipt by the chief administrator of the professional preparation program.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 180-78-125 RESPONSIBILITIES OF PROFESSIONAL EDUCATION ADVISORY BOARDS.

**AMENDATORY SECTION** (Amending Order 26-88, filed 12/14/88)

WAC 180-78-165 EVIDENCE OF COMPLIANCE WITH CANDIDATE KNOWLEDGE AND SKILLS POLICIES PROGRAM APPROVAL STANDARD. The following evidence shall be evaluated to determine whether each professional preparation program is in compliance with the candidate's knowledge and skills policies program approval standard of WAC 180-78-140(5):

(1) The applicable program approval requirements of WAC 180-78-210 through 180-78-300 are incorporated into course and field experience requirements of all candidates in the professional preparation program.

(2) Each course(s) and field experience(s) addressing the state standards ((are)) shall be evaluated at the conclusion of the course or field experience by the students as to the extent to which the required state standards have been covered and by the instructor as to the extent to which the candidates achieve and/or demonstrate mastery of the required standards. Such evaluations are to be shared annually with the appropriate professional education advisory board for its review and recommendation.

(3) Candidates complete the professional preparation program approved by the state board of education, which must include course work on issues of abuse. The content of the course work or in-service program shall discuss the identification of physical, emotional, sexual, and substance abuse, information on the impact of abuse on the behavior and learning abilities of students, discussion of the responsibilities of a teacher to report abuse or provide assistance to students who are the victims of abuse, and methods for teaching students about abuse of all types and their prevention.

(4) The programs of study for each endorsement area include the state's minimum essential areas of study. Any additional requirements for an endorsement are developed by using the national association of state directors of teacher education and certification (or other professional association) standards as guidelines. The recommended course of study, including alternatives, shall be available for students and evaluation pursuant to this section.

(5) Examples of test questions and answers, performance assessments, and other forms of evaluations used in courses, practical and other aspects of the program, verify the demonstration of all minimum state standards, including the respective general and role-specific minimum state standards.

(6) The required programs of study in each professional preparation program are designed to provide for individual differences in learner rate and style. The required course of study, including alternatives, for each professional preparation program—i.e., teacher, educational staff associate, and administrator—shall be available for students and evaluation pursuant to this section.

**AMENDATORY SECTION** (Amending Order 26-88, filed 12/14/88)

**WAC 180-78-170 EVIDENCE OF COMPLIANCE WITH CANDIDATE FIELD EXPERIENCE POLICIES PROGRAM APPROVAL STANDARD.** The following evidence shall be evaluated to determine whether each professional preparation program is in compliance with the candidate field experience policies program approval standard of WAC 180-78-140(6):

(1) Field experiences prior to student teaching, practicum, or internship requirements shall consist of no less than forty hours of structured observation of one or more professionals serving in the role for which the candidate is being prepared.

(2) Agreements exist between the college or university and the agencies providing field sites for field experiences which specify the role of the involved agencies and the responsibilities and contributions each will make to the field program.

(3) Candidates participate in structured experiences with ethnic, racial, and cultural populations and with special education and highly capable students. Such experiences provide opportunities for candidates to understand the unique contributions, similarities, differences, interdependencies, and special needs of students with particular emphasis on those from varying racial, cultural, linguistic, and socio-economic backgrounds.

(4) Field experiences integrate theory and practice and are documented by written records which describe:

(a) Specifications for selecting field sites and field personnel.

(b) Criteria for assigning students to field settings, including provisions for changes in assignments if necessary.

(c) Responsibilities of college and university supervisors and school personnel working with candidates in planning, instruction, observation, evaluation, and/or grading.

(d) Knowledge and skills relevant to the respective roles specified in WAC 180-78-205 through 180-78-325.

(5) School personnel working with candidates for the required eight weeks field experiences must have had three years experience in the role supervised (i.e., as a teacher, administrator, or ESA), have been oriented to their responsibilities, and have been given training by the college or university and/or school district in their role and responsibilities.

(6) Records of observations and conferences are maintained for each candidate in the professional preparation program. Such records shall document at least ~~((eight))~~ a total of twelve hours of observations by, and individual conferences with, a college or university supervisor.

(7) Standards for evaluating the candidate's successful completion of the required student teaching, practicum, or internship shall include the following categories:

(a) The state's minimum criteria, as set forth in chapter 392-191 WAC, for the evaluation of certificated employees, if applicable to the role.

(b) The state's general and role specific skills as set forth in WAC 180-78-205 through 180-78-325.

(c) Current research findings as reported in relevant professional publications.

**NEW SECTION**

**WAC 180-78-196 ADMISSION TO PRACTICE EXAMINATION—TEACHER, AND ADMINISTRATOR.** After August 31, 1993, all candidates who apply for an initial or a first time Washington teacher, or administrator certificate must pass an admission to practice examination based on WAC 180-79-131 General knowledge required of all candidates for certification. In addition, teachers must pass a second examination based on WAC 180-79-136 General knowledge required of all candidates for teacher certificates. Administrators must

also pass an additional examination based on WAC 180-79-140 General knowledge required of all candidates for administrator certificates. Any teacher or administrator who allows his or her certificate to lapse after August 31, 1993, or who converts to guidelines in effect after that time shall be required to pass the admission to practice examination.

**NEW SECTION**

**WAC 180-78-200 ADMISSION TO PRACTICE EXAMINATION TEST SPECIFICATIONS.** The superintendent of public instruction shall distribute to all colleges and universities prior to December 31, 1991, the test specifications for the state-wide admission to practice examination which shall be required of all teachers, administrators, and educational staff associates who apply for initial certificates after August 31, 1993. The test specifications shall be based on the state board of education required knowledge in WAC 180-79-131, 180-79-136, and 180-79-140.

**NEW SECTION**

**WAC 180-78-201 PROGRAM APPROVAL—TEACHERS, COLLABORATION WITH K-12 SCHOOLS.** An approved preparation program shall annually develop and implement a plan to increase the level of collaboration and interaction between the program's faculty and K-12 schools in the state. The plan shall require, to the maximum extent feasible, that each member of the full time teacher preparation faculty annually provide instruction in the K-12 classroom in a public or approved private school setting in the state of Washington, during the regular school year. The instruction that will be provided must be in accordance with RCW 28A.405.010 and applicable state board of education rules.

**NEW SECTION**

**WAC 180-78-232 OUTCOME-BASED STANDARDS: ADVISORY COMMITTEE.** The state board of education acknowledges that it has the primary responsibility for establishing standards for the approval of programs for the preparation of teachers. It also recognizes that developmental efforts are occurring across the United States to establish outcome-based standards which could, when in place, increase the quality of beginning teachers by establishing more effective measures of accountability while reducing the rules and regulations governing colleges and universities that prepare teachers. Therefore, the state board of education requests the superintendent of public instruction to appoint and provide necessary assistance to an advisory committee, described below which shall have the responsibility to present recommendations for outcome-based standards to the state board of education no later than October 1, 1993. In completing this task, the advisory committee shall consider at a minimum such developments as the assessment of authentic teaching tasks, student teacher work samples, and assessment approaches now being developed by the National Board for Professional Teaching Standards, major testing companies, and other states. The committee shall be composed of at least three teachers, three higher education faculty and/or administrators, three principals, one personnel administrator, one superintendent, one school board member, and one parent representative.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

WAC 180-86-012 SUNSET OF AUTHORITY TO REPRIMAND.

WAC 180-86-097 SUNSET OF ADVISORY COMMITTEE.

**WSR 91-20-153**

**EMERGENCY RULES**

**PUBLIC DISCLOSURE COMMISSION**

[Filed October 2, 1991, 11:52 a.m.]

Date of Adoption: October 1, 1991.

Purpose: Amend financial affairs reporting forms and lobbyist expenditure reports.

Citation of Existing Rules Affected by this Order:  
Amending WAC 390-24-010, 390-24-020, and 390-20-020.

Statutory Authority for Adoption: RCW 42.17.370.

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 law that recently took effect requires immediate reporting of gifts by the lobbyist on the November 15 report and by elected and appointed officials during the previous calendar year. Forms must be printed and available to affected individuals in time to meet reporting deadlines.

Effective Date of Rule: Immediately.

October 2, 1991  
Graham E. Johnson  
Executive Director

AMENDATORY SECTION (Amending Order 88-04,  
filed 9/29/88)

**WAC 390-24-010 FORMS FOR STATEMENT OF FINANCIAL AFFAIRS.** *The official form for statements of financial affairs as required by RCW 42.17.240 is designated "F-1", revised ((8/88)) 10/91. Copies of this form are available at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504. Any attachments must be on 8-1/2" x 11" white paper.*



PUBLIC DISCLOSURE COMMISSION

403 EVERGREEN PLAZA, F-42  
OLYMPIA, WASHINGTON 98504-3342  
Telephone (206) 763-1111

PDC FORM  
**F-1**  
8-88

**FINANCIAL AFFAIRS REPORT**  
elected officials, candidates  
and state appointed officials

PDC OFFICE USE

P  
M  
O  
R  
K

Refer to instruction booklet for detailed assistance and examples.

**Deadlines:** Incumbent elected and appointed officials—by April 15.  
Candidates and others—within two weeks of becoming  
a candidate or being newly appointed to a vacancy.

SEND REPORT TO PUBLIC DISCLOSURE COMMISSION.

DOLLAR CODE	AMOUNT
A	\$1 to \$1,999
B	\$2,000 to \$9,999
C	\$10,000 to \$19,999
D	\$20,000 to \$49,999
E	\$50,000 or more

R  
E  
C  
E  
I  
V  
E  
D

LAST NAME	FIRST NAME	MIDDLE INITIAL	NAMES OF SPOUSE AND DEPENDENTS	POLITICAL PARTY If partisan office or pertinent to appointment
ADDRESS				
CITY	COUNTY	ZIP		
CHECK YOUR FILING STATUS (mark only one box)			OFFICE YOU HOLD OR ARE A CANDIDATE FOR:	
<input type="checkbox"/> An elected or state appointed official filing annual report			Office title _____	
<input type="checkbox"/> Final report as an elected official. Term expired _____			County, city, district or agency of the office, name and number: _____	
<input type="checkbox"/> Candidate running in an election: month _____ year _____			Position number _____	
<input type="checkbox"/> Newly appointed to an elective office			Term begins: _____ ends: _____	
<input type="checkbox"/> Newly appointed to a state appointive office				

**1 INCOME:** List each employer, or other source of income (pension, social security, legal judgment) from which you or a family member received \$1,000 or more during the period. (Report interest and dividends in Item 3 on reverse)

NAME AND ADDRESS OF EMPLOYER OR SOURCE OF COMPENSATION	OCCUPATION OR HOW COMPENSATION WAS EARNED	AMOUNT: (USE CODE)
CHECK HERE <input type="checkbox"/> IF CONTINUED ON ATTACHED SHEET		

**2 REAL ESTATE:** List street address, assessor's parcel number, or legal description AND county for each parcel of Washington real estate with value of over \$5,000 in which you or a family member held a personal financial interest during the reporting period. (Show partnership, company, etc. real estate on F-1 supplement.)

PROPERTY SOLD OR INTEREST DIVESTED	ASSESSED VALUE (USE CODE)	NAME AND ADDRESS OF PURCHASER	NATURE AND AMOUNT (USE CODE) OF PAYMENT OR CONSIDERATION RECEIVED
PROPERTY PURCHASED OR INTEREST ACQUIRED		CREDITOR'S NAME/ADDRESS	PAYMENT TERMS
			SECURITY GIVEN
			MORTGAGE AMOUNT—(USE CODE) ORIGINAL CURRENT
ALL OTHER PROPERTY ENTIRELY OR PARTIALLY OWNED			
CHECK HERE <input type="checkbox"/> IF CONTINUED ON ATTACHED SHEET			

**3 ASSETS/INVESTMENTS—INTEREST/DIVIDENDS:** List bank and savings accounts, insurance policies, stock, bonds and other intangible property held during the reporting period.

A. Name and address of each bank or financial institution in which you or a family member had an account over \$10,000 any time during the report period.

TYPE OF ACCOUNT OR DESCRIPTION OF ASSET

ASSET VALUE:  
(USE CODE)

INCOME AMOUNT:  
(USE CODE)

B. Name and address of each insurance company where you or a family member had a policy with a cash or loan value over \$10,000 during the reporting period.

C. Name and address of each company, association, government agency, etc. in which you or a family member owned or had a financial interest worth over \$1,000. Include stocks, bonds, ownership, retirement plan, IRA, notes, and other intangible property.

Check here  if continued on attached sheet

**4 CREDITORS:** List each creditor you or a family member owed \$1,000 or more any time during the period. Don't include retail charge accounts, credit cards, or mortgages or real estate reported in Item 2.

CREDITOR'S NAME AND ADDRESS

TERMS OF PAYMENT

SECURITY GIVEN

AMOUNT  
(USE CODE)

ORIGINAL  
PRESENT

Check here  if continued on attached sheet

**5 ANSWER EACH QUESTION BELOW.** If you answer YES to any of these questions you must also complete the supplement page to this report. The supplement is not required if all answers are NO.

- A. Were you, your spouse or dependents an officer, director, general partner or trustee of any corporation, company, union, association, joint venture or other entity at any time during the reporting period? \_\_\_\_\_ If yes, complete supplement, Part A.
- B. Did you, your spouse or dependents have an ownership of 10% or more in any company, corporation, partnership, joint venture or other business at any time during the reporting period? \_\_\_\_\_ If yes, complete supplement, Part A.
- C. Did you, your spouse or dependents own your own business at any time during the reporting period? \_\_\_\_\_ If yes, complete supplement, Part A.
- D. Did you, your spouse or dependents prepare, promote or oppose state legislation, rules, rates or standards for current or deferred compensation (other than pay for your currently-held public office) at any time during the reporting period? \_\_\_\_\_ If yes, complete supplement, Part B.

DOLLAR CODE	AMOUNT
A	\$1 to \$1,999
B	\$2,000 to \$9,999
C	\$10,000 to \$19,999
D	\$20,000 to \$49,999
E	\$50,000 or more

**HAVE YOU ? ? ? ?**

Answered each item?

Put your name on each attached page?

Kept a copy for your records?

Certification: I hereby certify under penalty of perjury that the information contained in this report is true and correct to the best of my knowledge.

Signature

Telephone

Date

**PUBLIC DISCLOSURE COMMISSION**  
**PDC**  
403 EVERGREEN PLAZA, FJ-42  
OLYMPIA, WASHINGTON 98504-3342  
Telephone (206) 753-1111

PDC FORM <b>F-1</b> SUPPLEMENT (8/88)	<b>STATEMENT OF FINANCIAL AFFAIRS</b> <b>SUPPLEMENT PAGE</b>
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**PROVIDE INFORMATION FOR YOURSELF, SPOUSE, DEPENDENT CHILDREN AND OTHER DEPENDENTS IN YOUR HOUSEHOLD**

LAST NAME	FIRST NAME	M.I.	DATE
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**A OFFICES HELD, BUSINESS INTERESTS:** For each corporation, non-profit organization, association, union, partnership, joint venture or other entity in which you are an officer, director, general partner, trustee, or 10 percent or more owner—provide the following information:

Legal Name: Report name used on legal documents establishing the entity.

Trade or Operating Name: Report name used for business purposes if different from the legal name.

Position or Ownership %: The office, title and/or percent of ownership held.

Brief Description of the Business/Organization: Report the purpose, product(s), and/or the service(s) rendered.

Payments from Business Customers and Other Government Agencies: List each corporation, partnership, joint venture, sole proprietorship, union, association, business or other commercial entity and each government agency (other than the one you seek/hold office) which paid compensation of \$5,000 or more during the period to the entity.

Purpose of Payment: Briefly say what property, goods, services or other consideration was given or performed for the compensation.

**ENTITY NO. 1** Reporting for: Self \_\_\_\_\_ Spouse \_\_\_\_\_ Dependent \_\_\_\_\_

**LEGAL NAME:** POSITION OR OWNERSHIP %:

**TRADE OR OPERATING NAME:**

**ADDRESS:**

**BRIEF DESCRIPTION OF THE BUSINESS/ORGANIZATION:**

**PAYMENTS ENTITY RECEIVED FROM GOVERNMENTAL UNITS IN WHICH YOU SEEK/HOLD OFFICE:**

Purpose of payments	Amount (actual dollars)
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**PAYMENTS ENTITY RECEIVED FROM BUSINESS CUSTOMERS AND OTHER GOVERNMENT AGENCIES OVER \$5,000:**

Customer name:	Purpose of payment (amount not required)
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**WASHINGTON REAL ESTATE IN WHICH ENTITY HELD A DIRECT FINANCIAL INTEREST** (Complete only if ownership in the ENTITY is 10% or more and assessed value of property is over \$10,000. List street address, assessor parcel number, or legal description and county for each parcel):

Check here  if continued on attached sheet

ENTITY NO. 2

Reporting for: Self \_\_\_\_\_ Spouse \_\_\_\_\_ Dependent \_\_\_\_\_  
POSITION OR OWNERSHIP %:

LEGAL NAME:

TRADE OR OPERATING NAME:

ADDRESS:

BRIEF DESCRIPTION OF THE BUSINESS/ORGANIZATION:

PAYMENTS ENTITY RECEIVED FROM GOVERNMENTAL UNIT IN WHICH YOU SEEK/HOLD OFFICE:

Purpose of payments Amount (actual dollars)

PAYMENTS ENTITY RECEIVED FROM BUSINESS CUSTOMERS AND OTHER GOVERNMENT AGENCIES OVER \$5,000:

Customer name: Purpose of payment (amount not required)

WASHINGTON REAL ESTATE IN WHICH ENTITY HELD A DIRECT FINANCIAL INTEREST (Complete only if ownership in the ENTITY is 10% or more and assessed value of property is over \$10,000. List street address, assessor parcel number, or legal description and county for each parcel):

Check here  If continued on attached sheet

**B LOBBYING:** List persons for whom you or any immediate family member lobbied or prepared state legislation or state rules, rates or standards for current or deferred compensation. Do not list pay from government body in which you are an elected or appointed official or professional staff member.

PERSON TO WHOM SERVICES RENDERED	DESCRIPTION OF LEGISLATION, RULES, ETC.	COMPENSATION (SEE CODE)



**DRAFT**

(Major Revision Contained in Item 5)

PDC FORM <b>F-1</b> (10/91)	<b>PERSONAL FINANCIAL AFFAIRS REPORT</b>	P M A O A N S T K  R E C E I V E U	PDC OFFICE USE												
<table border="1"> <thead> <tr> <th>DOLLAR CODE</th> <th>AMOUNT</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>\$1 to \$1,999</td> </tr> <tr> <td>B</td> <td>\$2,000 to \$9,999</td> </tr> <tr> <td>C</td> <td>\$10,000 to \$19,999</td> </tr> <tr> <td>D</td> <td>\$20,000 to \$49,999</td> </tr> <tr> <td>E</td> <td>\$50,000 or more</td> </tr> </tbody> </table>		DOLLAR CODE	AMOUNT	A	\$1 to \$1,999	B	\$2,000 to \$9,999	C	\$10,000 to \$19,999	D	\$20,000 to \$49,999	E	\$50,000 or more		
DOLLAR CODE	AMOUNT														
A	\$1 to \$1,999														
B	\$2,000 to \$9,999														
C	\$10,000 to \$19,999														
D	\$20,000 to \$49,999														
E	\$50,000 or more														

Refer to instruction manual for detailed assistance and examples.

**Deadlines:** Incumbent elected and appointed officials—by April 15.  
 Candidates and others—within two weeks of becoming a candidate or being newly appointed to a position.

**SEND REPORT TO PUBLIC DISCLOSURE COMMISSION.**

Last Name		First	Middle Initial	Names of Spouse and Dependents	Political Party If partisan office or pertinent to appointment
Address					
City	County	Zip + 4			
Filing Status (Check only one box.) <input type="checkbox"/> An elected or state appointed official filing annual report <input type="checkbox"/> Final report as an elected official. Term expired _____ <input type="checkbox"/> Candidate running in an election: month _____ year _____ <input type="checkbox"/> Newly appointed to an elective office <input type="checkbox"/> Newly appointed to a state appointive office				Office Held or Sought Office title _____ County, city, district or agency of the office, name and number: _____ Position number _____ Term begins: _____ ends: _____	

**1 INCOME:** List each employer, or other source of income (Pension, social security, legal judgment), from which you or a family member received \$1,000 or more during the period. (Report interest and dividends in Item 3 on reverse)

Show: Self (S) Spouse (SP) Dependent (D)	Name and Address of Employer or Source of Compensation	Occupation or How Compensation Was Earned	Amount: (Use Code)

Check here  if continued on attached sheet

**2 REAL ESTATE:** List street address, assessor's parcel number, or legal description AND county for each parcel of Washington real estate with value of over \$5,000 in which you or a family member held a personal financial interest during the reporting period. (Show partnership, company, etc. real estate on F-1 supplement.)

Property Sold or Interest Divested	Assessed Value (Use Code)	Name and Address of Purchaser	Nature and Amount (Use Code) of Payment or Consideration Received		
Property Purchased or Interest Acquired		Creditor's Name/Address	Payment Terms	Security Given	Mortgage Amount—(Use Code) Original   Current
If Other Property Entirely or Partially Owned					

Check here  if continued on attached sheet

3 ASSETS/INVESTMENTS—INTEREST/DIVIDENDS:		List bank and savings accounts, insurance policies, stock, bonds and other intangible property held during the reporting period.	
<p>A. Name and address of each bank or financial institution in which you or a family member had an account over \$10,000 any time during the report period.</p> <p>B. Name and address of each insurance company where you or a family member had a policy with a cash or loan value over \$10,000 during the period.</p> <p>C. Name and address of each company, association, government agency, etc. in which you or a family member owned or had a financial interest worth over \$1,000. Include stocks, bonds, ownership, retirement plan, IRA, notes, and other intangible property.</p>	Type of Account or Description of Asset	Asset Value (Use Code)	Income Amount (Use Code)
<p>Check here <input type="checkbox"/> if continued on attached sheet</p>			

4 CREDITORS:			List each creditor you or a family member owed \$1,000 or more any time during the period. Don't include retail charge accounts, credit cards, or mortgages or real estate reported in Item 2.		AMOUNT (USE CODE)	
Creditor's Name and Address	Terms of Payment	Security Given	AMOUNT (USE CODE)			
			Original	Present		
<p>Check here <input type="checkbox"/> if continued on attached sheet</p>						

**5** All filers answer questions A thru D below. If the answer is YES to any of these questions, the F-1 Supplement must also be completed as part of this report. If all answers are NO and you are a non-incumbent candidate or a state executive officer filing your initial report after appointment, no F-1 Supplement is required.

Incumbent elected officials and state executive officers filing annual financial affairs report also answer question E. An F-1 Supplement is required of these officeholders unless all answers to questions A thru E are NO.

- A. Were you, your spouse or dependents an officer, director, general partner or trustee of any corporation, company, union, association, joint venture or other entity at any time during the reporting period? \_\_\_\_\_ If yes, complete supplement, Part A.
- B. Did you, your spouse or dependents have an ownership of 10% or more in any company, corporation, partnership, joint venture or other business at any time during the reporting period? \_\_\_\_\_ If yes, complete supplement, Part A.
- C. Did you, your spouse or dependents own your own business at any time during the reporting period? \_\_\_\_\_ If yes, complete supplement, Part A.
- D. Did you, your spouse or dependents prepare, promote or oppose state legislation, rules, rates or standards for current or deferred compensation (other than pay for your currently-held public office) at any time during the reporting period? \_\_\_\_\_ If yes, complete supplement, Part B.
- E. (Incumbent officeholders only.) Did you, your spouse or dependents receive during the previous calendar year any gift valued at over \$50 from a source other than a family member or a federal, state or local governmental agency? (See F-1 manual for definition and discussion of "gift.") \_\_\_\_\_ If yes, complete Part C.

Dollar Code	Amount
A	\$1 to \$1,999
B	\$2,000 to \$9,999
C	\$10,000 to \$19,999
D	\$20,000 to \$49,999
E	\$50,000 or more

**HAVE YOU ????**

Answered each item? \_\_\_\_\_

Put your name on each attached page? \_\_\_\_\_

Kept a copy for \_\_\_\_\_

**Certification:** I hereby certify under penalty of perjury that the information contained in this report is true and correct to the best of my knowledge.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Daytime Telephone ( ) \_\_\_\_\_

REVISÉ  
NEW

PDC FORM <b>F-1</b> SUPPLEMENT (10/91)	<b>SUPPLEMENT PAGE</b> PERSONAL FINANCIAL AFFAIRS STATEMENT
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PROVIDE INFORMATION FOR YOURSELF, SPOUSE, DEPENDENT CHILDREN AND OTHER DEPENDENTS IN YOUR HOUSEHOLD

LAST NAME	FIRST	MIDDLE INITIAL	DATE
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**A OFFICES HELD, BUSINESS INTERESTS:** For each corporation, non-profit organization, association, union, partnership, joint venture or other entity in which you, your spouse or dependents are an officer, director, general partner, trustee, or 10 percent or more owner—provide the following information:

- Legal Name: Report name used on legal documents establishing the entity.
- Trade or Operating Name: Report name used for business purposes if different from the legal name.
- Position or Percent of Ownership: The office, title and/or percent of ownership held.
- Brief Description of the Business/Organization: Report the purpose, product(s), and/or the service(s) rendered.
- Payments from Governmental Unit: If the governmental unit in which you hold or seek office made payments to the business entity concerning which you're reporting, show the purpose of each payment and the actual amount received.
- Payments from Business Customers and Other Government Agencies: List each corporation, partnership, joint venture, sole proprietorship, union, association, business or other commercial entity and each government agency (other than the one you seek/hold office) which paid compensation of \$5,000 or more during the period to the entity. Briefly say what property, goods, services or other consideration was given or performed for the compensation.
- Washington Real Estate: Identify real estate owned by the business entity if the qualifications referenced below are met.

ENTITY NO. 1 Reporting for: Self \_\_\_\_\_ Spouse \_\_\_\_\_ Dependent \_\_\_\_\_  
 LEGAL NAME: POSITION OR PERCENT OF OWNERSHIP  
 TRADE OR OPERATING NAME:  
 ADDRESS:

BRIEF DESCRIPTION OF THE BUSINESS/ORGANIZATION:

PAYMENTS ENTITY RECEIVED FROM GOVERNMENTAL UNIT IN WHICH YOU SEEK/HOLD OFFICE:

Purpose of payments	Amount (actual dollars)
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PAYMENTS ENTITY RECEIVED FROM BUSINESS CUSTOMERS AND OTHER GOVERNMENT AGENCIES OVER \$5,000:

Customer name:	Purpose of payment (amount not required)
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WASHINGTON REAL ESTATE IN WHICH ENTITY HELD A DIRECT FINANCIAL INTEREST (Complete only if ownership in the ENTITY is 10% or more and assessed value of property is over \$10,000. List street address, assessor parcel number, or legal description and county for each parcel):

Check here  if continued on attached sheet

ENTITY NO. 2  
 LEGAL NAME:  
 TRADE OR OPERATING NAME:  
 ADDRESS:

Reporting for: Self \_\_\_\_\_ Spouse \_\_\_\_\_ Dependent \_\_\_\_\_  
 POSITION OR PERCENT OF OWNERSHIP

BRIEF DESCRIPTION OF THE BUSINESS/ORGANIZATION:

PAYMENTS ENTITY RECEIVED FROM GOVERNMENTAL UNIT IN WHICH YOU SEEK/HOLD OFFICE:  
 Purpose of payments \_\_\_\_\_ Amount (actual dollars) \_\_\_\_\_

PAYMENTS ENTITY RECEIVED FROM BUSINESS CUSTOMERS AND OTHER GOVERNMENT AGENCIES OVER \$5,000:  
 Customer name: \_\_\_\_\_ Purpose of payment (amount not required) \_\_\_\_\_

WASHINGTON REAL ESTATE IN WHICH ENTITY HELD A DIRECT FINANCIAL INTEREST (Complete only if ownership in the ENTITY is 10% or more and assessed value of property is over \$10,000. List street address, assessor parcel number, or legal description and county for each parcel):

Check here  if continued on attached sheet

**B LOBBYING:** List persons for whom you or any immediate family member lobbied or prepared state legislation or state rules, rates or standards for current or deferred compensation. Do not list pay from government body in which you are an elected official or professional staff member.

Person to Whom Services Rendered	Description of Legislation, Rules, Etc.	Compensation (Use Code)

Check here  if continued on attached sheet

**C GIFTS:** List the date, source, brief description, and value of each gift of entertainment, travel, goods, services, economic advantage, etc. valued at more than \$50 (entertainment at receptions where pro-rata share exceeds \$100). Exclude gifts that, without doubt, were clearly not intended to gain or maintain influence with respect to your governmental entity (e.g., most intra-family and private sector business related gifts). See Gift section of F-1 manual for details.

Date Received	Donor's Name, City and State	Brief Description	Value (Actual Dollars)

Check here  if continued on attached sheet

**AMENDATORY SECTION** (Amending Order 86-06, filed 9/12/86)

**WAC 390-24-020 FORMS FOR AMENDING STATEMENT OF FINANCIAL AFFAIRS.** (1) The official form for amending statements of financial affairs as required by RCW 42.17.240 for all persons who have previously filed the Form F-1 is designated Form "F-1A," revised (~~(12/86)~~) 10/91.

(2) No more than three F-1A forms may be filed to amend a previously submitted statement of financial affairs (Form F-1). The form can be used only to update information required on an F-1.

(3) The commission reserves the right to reject amendatory forms and require a new statement of financial

affairs (Form F-1) at any time the amendments are confusing or create misunderstandings. Authority is delegated to the commission's executive director to make this determination.

(4) Copies of Form F-1A are available at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. Any attachments must be on 8 1/2" x 11" white paper.



PDC FORM F-1A STATEMENT OF FINANCIAL AFFAIRS elected officials, candidates and state appointed officials (12/86)

PDC OFFICE USE

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D

INSTRUCTIONS

Please refer to the instruction book when completing this report.

WHO MUST REPORT: All elected officials, persons appointed to elective office, candidates, designated state appointed officials. (Federal officials, precinct committeemen and candidates for those offices are exempt from reporting.)  
WHEN TO REPORT: By April 15, each year you hold office. Officials whose terms expire December 31, or in January are still obligated to report the following year. Candidates or persons appointed to office report within two weeks of becoming a candidate or being appointed.

DOLLAR CODE	
DOLLAR CODE	AMOUNT
A	\$1 to \$1,999
B	\$2,000 to \$9,999
C	\$10,000 to \$19,999
D	\$20,000 to \$49,999
E	\$50,000 or more

SEND REPORT TO: PUBLIC DISCLOSURE COMMISSION

Last name	First name	Middle initial	NAMES OF SPOUSE AND DEPENDENTS	POLITICAL PARTY If partisan office or pertinent to appointment
Address				
City	County	Zip		

CHECK YOUR FILING STATUS (mark only one box)

An elected or state appointed official filing annual report

Final report as an elected official. Term expired \_\_\_\_\_

Candidate running in the election, month \_\_\_\_\_ year \_\_\_\_\_

OFFICE YOU HOLD OR ARE A CANDIDATE FOR

Office title \_\_\_\_\_

County, city, district or agency of the office, name and number: \_\_\_\_\_

Position number \_\_\_\_\_

Term begins: \_\_\_\_\_ ends: \_\_\_\_\_

The F-1A report is designed primarily to simplify reporting by persons who have no changes or only minor changes to an F-1 report previously filed. After filing a complete F-1 report, you may use the F-1A for no more than the next three reports. A complete F-1 must be filed at least every four years. The Commission reserves the right to require that a complete F-1 report be filed if it believes amendments shown on one or more F-1A reports could cause confusion or misunderstanding to persons reviewing the reports. Complete the Statements below, sign your report and send it to the Public Disclosure Commission. Keep a copy for your own records.

**No change report.** I have reviewed my last complete F-1 report dated \_\_\_\_\_ and F-1A reports (if any) dated (1) \_\_\_\_\_ (2) \_\_\_\_\_. There have been no changes to that information during the preceding calendar year.

**Minor change report.** I have reviewed my last complete F-1 report dated \_\_\_\_\_. The changes listed below have occurred during the preceding calendar year.

F-1 Item No. \_\_\_\_\_ Add \_\_\_\_\_ Delete \_\_\_\_\_ Change \_\_\_\_\_ (Provide all information required by F-1 report.)

**PUBLIC OFFICE FUND:** If you have received contributions or used surplus campaign funds to defray non-reimbursed public office related expenses, you must file a report (PDC F-2) or include those expenses in campaign reports (PDC C-4.) Instructions and forms are available from PDC. F-2 is due Jan 31.

<p>CERTIFICATION: I certify under penalty of perjury that the information contained in this report is true and correct to the best of my knowledge.</p>	SIGNATURE _____
	DAYTIME TELEPHONE _____ DATE _____

PDC FORM <b>F-1A</b> (10/91)	<b>PERSONAL FINANCIAL AFFAIRS STATEMENT</b> Short Form	P M A S T R I C K	PDC OFFICE USE
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The F-1A form is designed to simplify reporting for persons who have no changes or only minor changes to an F-1 report previously filed. A complete F-1 form must be filled at least every four years; an F-1A form may be used for no more than three consecutive reports.

**Deadlines:** Incumbent elected and appointed officials—by April 15. Candidates and others—within two weeks of becoming a candidate or being newly appointed to a position.

DOLLAR CODE	AMOUNT
A	\$1 to \$1,999
B	\$2,000 to \$9,999
C	\$10,000 to \$19,999
D	\$20,000 to \$49,999
E	\$50,000 or more

Last Name	First	Middle Initial	Names of Spouse and Dependents	Political Party <small>if partisan office or pertinent to appointment</small>
Address				
City	County	Zip + 4		

Filing Status (Check only one box.) <input type="checkbox"/> An elected or state appointed official filing annual report <input type="checkbox"/> Final report as an elected official. Term expired _____ <input type="checkbox"/> Candidate running in an election. month _____ year _____ <input type="checkbox"/> Newly appointed to an elective office <input type="checkbox"/> Newly appointed to a state appointive office	Office Held or Sought Office title _____ County, city, district or agency of the office, name and number: _____ Position number _____ Term begins: _____ ends: _____
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Select either "No Change Report" or "Minor Change Report," whichever reflects your situation. Supply all the requested information.

**NO CHANGE REPORT.** I have reviewed my last complete F-1 report dated \_\_\_\_\_ and F-1A reports (if any) dated (1) \_\_\_\_\_ and (2) \_\_\_\_\_. The information disclosed on those reports is accurate for the current reporting period.

**MINOR CHANGE REPORT.** I have reviewed my last complete F-1 report dated \_\_\_\_\_. The changes listed below have occurred during the reporting period. Specify F-1 Form Item numbers when describing changes. Provide all information required on F-1 report.

**GIFTS:** (This information required of incumbent elected and appointed officials only.) List the date, source, brief description and value of each gift of entertainment, travel, goods, services, economic advantage, etc. valued at more than \$50 (entertainment receptions where pro-rata share exceeds \$100). Exclude gifts that, without doubt, were clearly not intended to gain or maintain influence with respect to your governmental entity (e.g., most intra-family and private sector business related gifts). See Gift section of F-1 manual for details.

Date Received	Donor's Name, City and State	Brief Description	Value (Actual Dollars)

Check here  if continued on attached sheet.

<b>CERTIFICATION:</b> I certify under penalty of perjury that the information contained in this report is true and correct to the best of my knowledge.	Signature _____ Date _____
Daytime Telephone: (      ) _____	

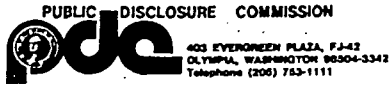
**Report Not Acceptable Without Filer's Signature**

AMENDATORY SECTION (Amending WSR 90-20-028 [90-20-088], filed 9/28/90)

WAC 390-20-020 FORMS FOR LOBBYIST REPORT OF EXPENDITURES. The official form for the

lobbyist report of expenditures is designated "L-2", revised ((9/90)) 10/91. Copies of this form are available at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504.





Form L2 1/91

PDC OFFICE USE

LOBBYIST MONTHLY EXPENSE REPORT

1. Lobbyist Name
Mailing Address
City State Zip

2. This report is for the period (Month) (Year) This report corrects or amends the report for (Month) (Year) Business Telephone ( )

Table with columns: EXPENSE CATEGORY, TOTAL AMOUNT THIS MONTH, Amounts paid from lobbyist's own funds, and Amount attributed to each employer (Columns B, C, D).

(Attach additional page(s) if you lobby for more than three employers.)

10. EMPLOYERS' NAMES
No. (B)
No. (C)
No. (D)

11. Subject matter of proposed legislation or other legislative activity or rulemaking the lobbyist was supporting or opposing.
Subject Matter, Issue or Bill No. Legislative Committee of State Agency Considering Matter Employer Represented

Information continued on attached pages

Estimate the percentage of your time or lobbying effort devoted to: the Legislature % State Agencies %

12. TERMINATION: (COMPLETE THIS ITEM ONLY IF YOU WISH TO TERMINATE YOUR REGISTRATION)
Date registration ends: Employer's name:
I understand that an L-2 report is required for any month or portion thereof in which I am a registered lobbyist. I also understand that once I have terminated my registration, I must file a new registration report prior to lobbying for that employer in the future.

CERTIFICATION

I certify that this report is a true and complete account of all information attributable directly or indirectly to lobbying activities for the period specified. LOBBYIST DATE

CONTINUE ON REVERSE SIDE

13. Expenditures for entertainment (including lobbyist's expense exceeding \$25 per occasion paid by lobbyist or employer) and for gifts, tickets, passes, transportation and travel expenses (including meals, lodging and related expenses) provided to legislators, state officials, state employees and members of their immediate families.

Date	Names of all persons entertained or provided gifts	Place (name and city)	Sponsoring employer	Amount
<del> </del>				

Continued on attached pages.

14. Monetary or in-kind contributions exceeding \$25 to federal, state or local office candidates, committees supporting or opposing these candidates, a legislative caucus fund, an elected official's public office fund, a political party, a political committee supporting or opposing a candidate or ballot measure, or any grass roots lobbying campaign.

Date	Name of individual or committee receiving benefit.	Employer for whom contribution was made	Amount
<del> </del>			

If contributions were made by a political action committee associated, affiliated or sponsored by your employer, show name of the PAC below. (Information reported by PAC on C-4 report need not be again included in this L-2 report.)

Continued on attached pages. PAC name: \_\_\_\_\_

15. Payments by the lobbyist for other lobbying expenses and services, including payments to subcontract lobbyists, expert witnesses and others retained to provide lobbying services or assistance in lobbying and payments for grass roots lobbying campaigns (except advertising/printings costs listed in Item 7).

Recipient's name and address	Employer for whom expense was incurred or lobbying done.	Amount
<del> </del>		

Continued on attached page.

DRAFT

(Major Proposed Revision Contained in Item 13)

Form L2 1001

PDC OFFICE USE

LOBBYIST MONTHLY EXPENSE REPORT

1. Lobbyist Name
Mailing Address
City State Zip + 4

2. This report is for the period (Month) (Year) This report corrects or amends the report for (Month) (Year) Business Telephone ( )

Table with columns: EXPENSE CATEGORY, TOTAL AMOUNT THIS MONTH, Amounts paid from lobbyist's own funds, and Amount attributed to each employer (Columns B, C, D).

(Attach additional page(s) if you lobby for more than three employers.)

10. EMPLOYERS' NAMES
No. (B)
No. (C)
No. (D)

11. Subject matter of proposed legislation or other legislative activity or rulemaking the lobbyist was supporting or opposing.
Subject Matter, Issue or Bill No. Legislative Committee or State Agency Considering Matter Employer Represented

Information continued on attached pages

Estimate the percentage of your time or lobbying effort devoted to: the Legislature % State Agencies %

12. TERMINATION: (COMPLETE THIS ITEM ONLY IF YOU WISH TO TERMINATE YOUR REGISTRATION)
Date registration ends: Employer's name:
I understand that an L-2 report is required for any month or portion thereof in which I am a registered lobbyist...

CERTIFICATION
I certify that this report is a true and complete account of all information attributable directly or indirectly to lobbying activities for the period specified. LOBBYIST DATE

CONTINUE ON REVERSE SIDE

13. Show all of the following expenditures that were incurred by lobbyist or lobbyist employer(s):
- Entertainment expenditures exceeding \$25 per occasion (including lobbyist's expense) for meals, beverages, tickets, passes, transportation and any travel-related expenses or for other forms of entertainment provided to legislators, state officials, state employees and members of their immediate families.
  - Receptions: If a reception cost more than \$100 per participant, show the pro rata cost of the reception as a gift to state elected officials and state executive officers who attended in space below or on memo report.
  - Entertainment Gifts (except receptions): If more than \$50 per occasion was spent on a state elected official (including family) or a state executive officer (including family), itemize the gift, including the amount attributable to the official and family, below or on a memo report.
  - Other expenditures exceeding \$50 for gifts benefiting state elected officials, state executive officers and/or members of their immediate families.

Date	Names of all Persons Entertained or Provided Gifts	Description, Place, Etc.	Sponsoring Employer	Amount
N/A	Total gift expense itemized on attached Memo Reports			

Continued on attached pages.

14. Monetary or in-kind contributions exceeding \$25 to federal, state or local office candidates, committees supporting or opposing these candidates, a legislative caucus fund, an elected official's public office fund, a political party, a political committee supporting or opposing a candidate or ballot measure, or any grass roots lobbying campaign.

Date	Name of Individual or Committee Receiving Benefit	Employer for Whom Contribution was Made	Amount
If contributions were made by a political action committee associated, affiliated or sponsored by your employer, show name of the PAC below. (Information reported by PAC on C-4 report need not be again included in this L-2 report.)			

Continued on attached pages. PAC Name: \_\_\_\_\_

15. Payments by the lobbyist for other lobbying expenses and services, including payments to subcontract lobbyists, expert witnesses and others retained to provide lobbying services or assistance in lobbying and payments for grass roots lobbying campaigns (except advertising/printings costs listed in Item 7).

Recipient's Name and Address	Employer for Whom Expense was Incurred or Lobbying Done	Amount

Continued on attached page.

# DRAFT

(Proposed New Form)

## MEMO REPORT

(for Lobbyists Reporting Gifts to State Elected Officials  
and Officials' Immediate Family Members)

**Instructions:** This Memo Report may be used by a lobbyist to report gifts given to a state elected official or that official's immediate family members instead of itemizing such gifts in Item 13 of the L-2 Report. Complete a Memo Report for each official to whom one or more gifts were given during the reporting period. Include gifts given to an official's family members on the official's Memo Report.

Attach the original of each completed memo Report to the L-2. Provide a copy of the Memo Report to the state elected official who received, or whose family members received, the gift(s).

Do not use this Memo Report to disclose campaign contributions, including the purchase of fund raiser tickets.

TO:

\_\_\_\_\_  
(State Elected Official)

FROM:

\_\_\_\_\_  
(Lobbyist Name)

\_\_\_\_\_  
(Address)

In accordance with RCW 42.17.170(3), please accept this memo as notification that the following gifts were provided to you and/or your immediate family members:

Date	Name of Official/Family Member	Description of Gift	Sponsoring Employer	Value

\_\_\_\_\_  
Lobbyist's Signature

\_\_\_\_\_  
Date

This report is  
for the period

\_\_\_\_\_  
(Month)

\_\_\_\_\_  
(Year)

This report corrects or  
amends the report for

\_\_\_\_\_  
(Month)

\_\_\_\_\_  
(Year)

Business Telephone

( ) \_\_\_\_\_

Distribution of Memo Report:

Original - to PDC with L-2;

Copy - Elected Official

Copy - Your Files

**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 91-20-154**  
**PROPOSED RULES**  
**PUBLIC DISCLOSURE COMMISSION**

[Filed October 2, 1991, 11:54 a.m.]

**Original Notice.**

**Title of Rule:** Amending WAC 390-12-040 Description of central and field organization; 390-24-010 Financial affairs report; and 390-20-020 Lobbyist expenditure report.

**Purpose:** WAC 390-12-040, change mailing address of Public Disclosure Commission; 390-24-010 and 390-20-020, revise forms to add reporting of gifts.

**Statutory Authority for Adoption:** RCW 42.17.370.

**Summary:** WAC 390-12-040 updates the commission's mailing address per consolidated mail services; 390-24-010 updates the F-1 and F-1A to add space for reporting receipt of gifts; and 390-20-020 updates the L-2 report to allow lobbyists to itemize gifts given.

**Reasons Supporting Proposal:** WAC 390-12-040, all state agencies have been assigned new phantom post office addresses; and WAC 390-24-010 and 390-20-020, the law that recently took effect requires changes in reporting forms for the reporting of gifts.

**Name of Agency Personnel Responsible for Drafting, 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 390-12-040 briefly describes the commission and its location, rule updates commission's mailing address; 390-24-010 allows candidates/elected official/appointed officials to report personal financial affairs. This amendment will allow space on the form for reporting receipt of gifts valued over \$50. Candidates not required to report gifts; and 390-20-020 allows lobbyists to report expenditures. This amendment will allow space on the form or a memo attachment to report gifts given to elected or appointed officials.

**Proposal Changes the Following Existing Rules:** WAC 390-12-040, changes the mailing address of the commission; 390-24-010, law requires reporting receipt of gifts by elected and appointed officials, valued over \$50; and 390-20-020, law requires the detailing of gifts given to elected and appointed officials.

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

**Hearing Location:** 2nd Floor Conference Room, Evergreen Plaza Building, 711 Capitol Way, Olympia, Washington, on November 19, 1991, at 9 a.m.

Submit Written Comments to: Public Disclosure Commission, 711 Capitol Way, Room 403, FJ-42, P.O. Box 40908, Olympia, WA 98504-0908, by November 5, 1991.

Date of Intended Adoption: November 19, 1991.

October 2, 1991  
Graham E. Johnson  
Executive Director

AMENDATORY SECTION (Amending Order 85-03, filed 7/9/85)

WAC 390-12-040 PUBLIC DISCLOSURE COMMISSION—DESCRIPTION OF CENTRAL AND FIELD ORGANIZATION.

(1) The public disclosure commission is a five member commission appointed by the governor with the consent of the senate. The commission is assisted by a staff consisting of an executive director and such other employees as are necessary.

(2) The administrative office of the commission is located at Public Disclosure Commission, Room 403, Evergreen Plaza Building, Olympia, Washington.

(3) Mailings to the commission should be addressed as follows: Public Disclosure Commission, 711 Capitol Way, Rm 403, PO Box 40908, Olympia, WA 98504-0908.

**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.

AMENDATORY SECTION (Amending Order 88-04, filed 9/29/88)

WAC 390-24-010 FORMS FOR STATEMENT OF FINANCIAL AFFAIRS. The official form for statements of financial affairs as required by RCW 42.17.240 is designated "F-1", revised ((8/88)) 10/91. Copies of this form are available at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504. Any attachments must be on 8-1/2" x 11" white paper.



PUBLIC DISCLOSURE COMMISSION

403 EVERGREEN PLAZA, FJ-42  
OLYMPIA, WASHINGTON 98504-3342  
Telephone (206) 753-1111

PDC FORM

F-1  
8-88

FINANCIAL AFFAIRS REPORT  
elected officials, candidates  
and state appointed officials

PDC OFFICE USE

P  
M  
O  
A  
R  
S  
T  
R  
K

Refer to instruction booklet for detailed assistance and examples.

**Deadlines:** Incumbent elected and appointed officials—by April 15.  
Candidates and others—within two weeks of becoming  
a candidate or being newly appointed to a vacancy.

SEND REPORT TO PUBLIC DISCLOSURE COMMISSION.

DOLLAR CODE	AMOUNT
A	\$1 to \$1,999
B	\$2,000 to \$9,999
C	\$10,000 to \$19,999
D	\$20,000 to \$49,999
E	\$50,000 or more

R  
E  
C  
E  
I  
V  
E  
D

LAST NAME FIRST NAME MIDDLE INITIAL NAMES OF SPOUSE AND DEPENDENTS POLITICAL PARTY

ADDRESS If partisan office or pertinent to appointment

CITY COUNTY ZIP OFFICE YOU HOLD OR ARE A CANDIDATE FOR:

CHECK YOUR FILING STATUS (mark only one box)

- An elected or state appointed official filing annual report
  - Final report as an elected official. Term expired \_\_\_\_\_
  - Candidate running in an election: month \_\_\_\_\_ year \_\_\_\_\_
  - Newly appointed to an elective office
  - Newly appointed to a state appointive office
- Office title \_\_\_\_\_  
County, city, district or agency of the office, name and number: \_\_\_\_\_  
Position number \_\_\_\_\_  
Term begins: \_\_\_\_\_ ends: \_\_\_\_\_

**1 INCOME:** List each employer, or other source of income (pension, social security, legal judgment) from which you or a family member received \$1,000 or more during the period. (Report interest and dividends in Item 3 on reverse)

NAME AND ADDRESS OF EMPLOYER OR SOURCE OF COMPENSATION	OCCUPATION OR HOW COMPENSATION WAS EARNED	AMOUNT: (USE CODE)
CHECK HERE <input type="checkbox"/> IF CONTINUED ON ATTACHED SHEET		

**2 REAL ESTATE:** List street address, assessor's parcel number, or legal description AND county for each parcel of Washington real estate with value of over \$5,000 in which you or a family member held a personal financial interest during the reporting period. (Show partnership, company, or real estate on F-1 supplement.)

PROPERTY SOLD OR INTEREST DIVESTED	ASSESSED VALUE (USE CODE)	NAME AND ADDRESS OF PURCHASER	SIGNATURE AND AMOUNT (USE CODE) OF PAYMENT OR CONSIDERATION RECEIVED		
PROPERTY PURCHASED OR INTEREST ACQUIRED		CREDITOR'S NAME/ADDRESS	PAYMENT TERMS	SECURITY GIVEN	MORTGAGE AMOUNT—(USE CODE) ORIGINAL CURRENT
ALL OTHER PROPERTY ENTIRELY OR PARTIALLY OWNED					
CHECK HERE <input type="checkbox"/> IF CONTINUED ON ATTACHED SHEET					

**3 ASSETS/INVESTMENTS—INTEREST/DIVIDENDS:** List bank and savings accounts, insurance policies, stock, bonds and other intangible property held during the reporting period.

A. Name and address of each bank or financial institution in which you or a family member had an account over \$10,000 any time during the report period.

TYPE OF ACCOUNT OR DESCRIPTION OF ASSET

ASSET VALUE:  
(USE CODE)

INCOME AMOUNT:  
(USE CODE)

B. Name and address of each insurance company where you or a family member had a policy with a cash or loan value over \$10,000 during the report period.

C. Name and address of each company, association, government agency, etc. in which you or a family member owned or had a financial interest worth over \$1,000. Include stocks, bonds, ownership, retirement plan, IRA, notes, and other intangible property.

Check here  If continued on attached sheet

**4 CREDITORS:** List each creditor you or a family member owed \$1,000 or more any time during the period. Don't include retail charge accounts, credit cards, or mortgages or real estate reported in Item 2.

CREDITOR'S NAME AND ADDRESS

TERMS OF PAYMENT

SECURITY GIVEN

ORIGINAL

PRESENT

Check here  If continued on attached sheet

**5 ANSWER EACH QUESTION BELOW.** If you answer YES to any of these questions you must also complete the supplement page to this report. The supplement is not required if all answers are NO.

- A. Were you, your spouse or dependents an officer, director, general partner or trustee of any corporation, company, union, association, joint venture or other entity at any time during the reporting period? \_\_\_\_\_ If yes, complete supplement, Part A.
- B. Did you, your spouse or dependents have an ownership of 10% or more in any company, corporation, partnership, joint venture or other business at any time during the reporting period? \_\_\_\_\_ If yes, complete supplement, Part A.
- C. Did you, your spouse or dependents own your own business at any time during the reporting period? \_\_\_\_\_ If yes, complete supplement, Part A.
- D. Did you, your spouse or dependents prepare, promote or oppose state legislation, rules, rates or standards for current or deferred compensation (other than pay for your currently-held public office) at any time during the reporting period? \_\_\_\_\_ If yes, complete supplement, Part B.

DOLLAR CODE	AMOUNT
A	\$1 to \$1,999
B	\$2,000 to \$9,999
C	\$10,000 to \$19,999
D	\$20,000 to \$49,999
E	\$50,000 or more

**HAVE YOU ? ? ? ?**

- Answered each item?
- Put your name on each attached page?
- Kept a copy for your records?

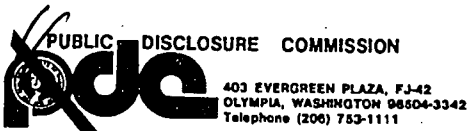
Certification: I hereby certify under penalty of perjury that the information contained in this report is true and correct to the best of my knowledge.

Signature

Telephone

Date





PDC FORM <b>F-1</b> SUPPLEMENT (8/88)	<b>STATEMENT OF FINANCIAL AFFAIRS</b> <b>SUPPLEMENT PAGE</b>
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PROVIDE INFORMATION FOR YOURSELF, SPOUSE, DEPENDENT CHILDREN AND OTHER DEPENDENTS IN YOUR HOUSEHOLD

LAST NAME	FIRST NAME	M.I.	DATE
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**A OFFICES HELD, BUSINESS INTERESTS:** For each corporation, non-profit organization, association, union, partnership, joint venture or other entity in which you are an officer, director, general partner, trustee, or 10 percent or more owner—provide the following information:

Legal Name: Report name used on legal documents establishing the entity.

Trade or Operating Name: Report name used for business purposes if different from the legal name.

Position or Ownership %: The office, title and / or percent of ownership held.

Brief Description of the Business/Organization: Report the purpose, product(s), and / or the service(s) rendered.

Payments from Business Customers and Other Government Agencies: List each corporation, partnership, joint venture, sole proprietorship, union, association, business or other commercial entity and each government agency (other than the one you seek / hold office) which paid compensation of \$5,000 or more during the period to the entity.

Purpose of Payment: Briefly say what property, goods, services or other consideration was given or performed for the compensation.

**ENTITY NO. 1**

Reporting for: Self \_\_\_\_\_ Spouse \_\_\_\_\_ Dependent \_\_\_\_\_  
 POSITION OR OWNERSHIP %:

LEGAL NAME:  
 TRADE OR OPERATING NAME:  
 ADDRESS:

BRIEF DESCRIPTION OF THE BUSINESS/ORGANIZATION:

PAYMENTS ENTITY RECEIVED FROM GOVERNMENTAL UNITS IN WHICH YOU SEEK/HOLD OFFICE:

Purpose of payments	Amount (actual dollars)
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PAYMENTS ENTITY RECEIVED FROM BUSINESS CUSTOMERS AND OTHER GOVERNMENT AGENCIES OVER \$5,000:

Customer name:	Purpose of payment (amount not required)
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WASHINGTON REAL ESTATE IN WHICH ENTITY HELD A DIRECT FINANCIAL INTEREST (Complete only if ownership in the ENTITY is 10% or more and assessed value of property is over \$10,000. List street address, assessor parcel number, or legal description and county for each parcel):

Check here  If continued on attached sheet

**ENTITY NO. 2** Reporting for: Self \_\_\_\_\_ Spouse \_\_\_\_\_ Dependent \_\_\_\_\_  
 POSITION OR OWNERSHIP %:

LEGAL NAME:  
 TRADE OR OPERATING NAME:  
 ADDRESS:

BRIEF DESCRIPTION OF THE BUSINESS/ORGANIZATION:

PAYMENTS ENTITY RECEIVED FROM GOVERNMENTAL UNIT IN WHICH YOU SEEK/HOLD OFFICE:  
 Purpose of payments Amount (actual dollars)

PAYMENTS ENTITY RECEIVED FROM BUSINESS CUSTOMERS AND OTHER GOVERNMENT AGENCIES OVER \$5,000:  
 Customer name: Purpose of payment (amount not required)

WASHINGTON REAL ESTATE IN WHICH ENTITY HELD A DIRECT FINANCIAL INTEREST (Complete only if ownership in the ENTITY is 10% or more and assessed value of property is over \$10,000. List street address, assessor parcel number, or legal description and county for each parcel):

Check here  If continued on attached sheet

**B LOBBYING:** List persons for whom you or any immediate family member lobbied or prepared state legislation or state rules, rates or standards for current or deferred compensation. Do not list pay from government body in which you are an elected or appointed official or professional staff member.

PERSON TO WHOM SERVICES RENDERED	DESCRIPTION OF LEGISLATION, RULES, ETC.	COMPENSATION (SEE CODE)

**DRAFT**

(Major Revision Contained in Item 5)

PDC FORM <b>F-1</b> (10/91)	<b>PERSONAL FINANCIAL AFFAIRS REPORT</b>	P M O A R K  R E C E I V E D	PDC OFFICE USE
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Refer to instruction manual for detailed assistance and examples.

**Deadlines:** Incumbent elected and appointed officials—by April 15.  
Candidates and others—within two weeks of becoming a candidate or being newly appointed to a position.

**SEND REPORT TO PUBLIC DISCLOSURE COMMISSION.**

DOLLAR CODE	AMOUNT
A	\$1 to \$1,999
B	\$2,000 to \$9,999
C	\$10,000 to \$19,999
D	\$20,000 to \$49,999
E	\$50,000 or more

Last Name	First	Middle Initial	Names of Spouse and Dependents	Political Party If partisan office or pertinent to appointment
Address				
City	County	Zip + 4		

Filing Status (Check only one box.)

An elected or state appointed official filing annual report

Final report as an elected official. Term expired \_\_\_\_\_

Candidate running in an election: month \_\_\_\_\_ year \_\_\_\_\_

Newly appointed to an elective office

Newly appointed to a state appointive office

Office Held or Sought

Office title \_\_\_\_\_

County, city, district or agency of the office, name and number: \_\_\_\_\_

Position number \_\_\_\_\_

Term begins: \_\_\_\_\_ ends: \_\_\_\_\_

**1 INCOME:** List each employer, or other source of income (Pension, social security, legal judgment) from which you or a family member received \$1,000 or more during the period. (Report interest and dividends in Item 3 on reverse)

<small>Show Self as Spouse (SP), Dependent (D)</small>	Name and Address of Employer or Source of Compensation	Occupation or How Compensation Was Earned	Amount: (Use Code)

Check here  if continued on attached sheet

**2 REAL ESTATE:** List street address, assessor's parcel number, or legal description AND county for each parcel of Washington real estate with value of over \$5,000 in which you or a family member held a personal financial interest during the reporting period. (Show partnership, company, etc. real estate on F-1 supplement.)

Property Sold or Interest Divested	Assessed Value (Use Code)	Name and Address of Purchaser		Nature and Amount (Use Code) of Payment or Consideration Received		
		Creditor's Name/Address	Payment Terms	Security Given	Mortgage Amount—(Use Code) Original Current	
Property Purchased or Interest Acquired						
Other Property Entirely or Partially Owned						

Check here  if continued on attached sheet

<b>3</b>	<b>ASSETS / INVESTMENTS—INTEREST / DIVIDENDS:</b>	List bank and savings accounts, insurance policies, stock, bonds and other intangible property held during the reporting period.		
A.	Name and address of each bank or financial institution in which you or a family member had an account over \$10,000 any time during the report period.	Type of Account or Description of Asset	Asset Value (Use Code)	Income Amount: (Use Code)
B.	Name and address of each insurance company where you or a family member had a policy with a cash or loan value over \$10,000 during the period.			
C.	Name and address of each company, association, government agency, etc. in which you or a family member owned or had a financial interest worth over \$1,000. Include stocks, bonds; ownership, retirement plan, IRA, notes, and other intangible property.			
Check here <input type="checkbox"/> if continued on attached sheet				

<b>4</b>	<b>CREDITORS:</b>	List each creditor you or a family member owed \$1,000 or more any time during the period. Don't include retail charge accounts, credit cards, or mortgages or real estate reported in Item 2.			AMOUNT (USE CODE)
	Creditor's Name and Address	Terms of Payment	Security Given	Original	Present
Check here <input type="checkbox"/> if continued on attached sheet					

**5** All filers answer questions A thru D below. If the answer is YES to any of these questions, the F-1 Supplement must also be completed as part of this report. If all answers are NO and you are a non-incumbent candidate or a state executive officer filling your initial report after appointment, no F-1 Supplement is required.

Incumbent elected officials and state executive officers filling annual financial affairs report also answer question E. An F-1 Supplement is required of these officeholders unless all answers to questions A thru E are NO.

- A. Were you, your spouse or dependents an officer, director, general partner or trustee of any corporation, company, union, association, joint venture or other entity at any time during the reporting period? \_\_\_\_\_ If yes, complete supplement, Part A.
- B. Did you, your spouse or dependents have an ownership of 10% or more in any company, corporation, partnership, joint venture or other business at any time during the reporting period? \_\_\_\_\_ If yes, complete supplement, Part A.
- C. Did you, your spouse or dependents own your own business at any time during the reporting period? \_\_\_\_\_ If yes, complete supplement, Part A.
- D. Did you, your spouse or dependents prepare, promote or oppose state legislation, rules, rates or standards for current or deferred compensation (other than pay for your currently-held public office) at any time during the reporting period? \_\_\_\_\_ If yes, complete supplement, Part B.
- E. (Incumbent officeholders only.) Did you, your spouse or dependents receive during the previous calendar year any gift valued at over \$50 from a source other than a family member or a federal, state or local governmental agency? (See F-1 manual for definition and discussion of "gift.") \_\_\_\_\_ If yes, complete Part C.

<table style="width:100%; border-collapse: collapse;"> <tr> <th style="text-align: left; font-size: small;">Dollar Code</th> <th style="text-align: left; font-size: small;">Amount</th> </tr> <tr> <td style="font-size: small;">A</td> <td style="font-size: small;">\$1 to \$1,999</td> </tr> <tr> <td style="font-size: small;">B</td> <td style="font-size: small;">\$2,000 to \$9,999</td> </tr> <tr> <td style="font-size: small;">C</td> <td style="font-size: small;">\$10,000 to \$19,999</td> </tr> <tr> <td style="font-size: small;">D</td> <td style="font-size: small;">\$20,000 to \$49,999</td> </tr> <tr> <td style="font-size: small;">E</td> <td style="font-size: small;">\$50,000 or more</td> </tr> </table>	Dollar Code	Amount	A	\$1 to \$1,999	B	\$2,000 to \$9,999	C	\$10,000 to \$19,999	D	\$20,000 to \$49,999	E	\$50,000 or more	<p style="font-size: large; margin: 0;"><b>HAVE YOU ? ? ? ?</b></p> <p>Answered each item? _____</p> <p>Put your name on each attached page? _____</p> <p>Kept a copy for _____</p>	<p><b>Certification:</b> I hereby certify under penalty of perjury that the information contained in this report is true and correct to the best of my knowledge.</p> <hr/> <p>Signature _____ Date _____</p> <p>Daytime Telephone ( ) _____</p>
Dollar Code	Amount													
A	\$1 to \$1,999													
B	\$2,000 to \$9,999													
C	\$10,000 to \$19,999													
D	\$20,000 to \$49,999													
E	\$50,000 or more													

REVISÉ

PDC FORM <b>F-1</b> SUPPLEMENT (10/91)	<b>SUPPLEMENT PAGE</b> PERSONAL FINANCIAL AFFAIRS STATEMENT
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PROVIDE INFORMATION FOR YOURSELF, SPOUSE, DEPENDENT CHILDREN AND OTHER DEPENDENTS IN YOUR HOUSEHOLD

LAST NAME	FIRST	MIDDLE INITIAL	DATE
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- A OFFICES HELD, BUSINESS INTERESTS:** For each corporation, non-profit organization, association, union, partnership, joint venture or other entity in which you, your spouse or dependents are an officer, director, general partner, trustee, or 10 percent or more owner—provide the following information:
- Legal Name: Report name used on legal documents establishing the entity.
  - Trade or Operating Name: Report name used for business purposes if different from the legal name.
  - Position or Percent of Ownership: The office, title and/or percent of ownership held.
  - Brief Description of the Business/Organization: Report the purpose, product(s), and/or the service(s) rendered.
  - Payments from Governmental Unit: If the governmental unit in which you hold or seek office made payments to the business entity concerning which you're reporting, show the purpose of each payment and the actual amount received.
  - Payments from Business Customers and Other Government Agencies: List each corporation, partnership, joint venture, sole proprietorship, union, association, business or other commercial entity and each government agency (other than the one you seek/hold office) which paid compensation of \$5,000 or more during the period to the entity. Briefly say what property, goods, services or other consideration was given or performed for the compensation.
  - Washington Real Estate: Identify real estate owned by the business entity if the qualifications referenced below are met.

ENTITY NO. 1 Reporting for: Self \_\_\_\_\_ Spouse \_\_\_\_\_ Dependent \_\_\_\_\_

LEGAL NAME: POSITION OR PERCENT OF OWNERSHIP

TRADE OR OPERATING NAME:

ADDRESS:

BRIEF DESCRIPTION OF THE BUSINESS/ORGANIZATION:

PAYMENTS ENTITY RECEIVED FROM GOVERNMENTAL UNIT IN WHICH YOU SEEK/HOLD OFFICE:

Purpose of payments	Amount (actual dollars)
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PAYMENTS ENTITY RECEIVED FROM BUSINESS CUSTOMERS AND OTHER GOVERNMENT AGENCIES OVER \$5,000:

Customer name:	Purpose of payment (amount not required)
----------------	--

WASHINGTON REAL ESTATE IN WHICH ENTITY HELD A DIRECT FINANCIAL INTEREST (Complete only if ownership in the ENTITY is 10% or more and assessed value of property is over \$10,000. List street address, assessor parcel number, or legal description and county for each parcel):

Check here  if continued on attached sheet

ENTITY NO. 2

Reporting for: Self \_\_\_\_\_ Spouse \_\_\_\_\_ Dependent \_\_\_\_\_

LEGAL NAME:

POSITION OR PERCENT OF OWNERSHIP

TRADE OR OPERATING NAME:

ADDRESS:

BRIEF DESCRIPTION OF THE BUSINESS/ORGANIZATION:

PAYMENTS ENTITY RECEIVED FROM GOVERNMENTAL UNIT IN WHICH YOU SEEK/HOLD OFFICE:

Purpose of payments

Amount (actual dollars)

PAYMENTS ENTITY RECEIVED FROM BUSINESS CUSTOMERS AND OTHER GOVERNMENT AGENCIES OVER \$5,000:

Customer name:

Purpose of payment (amount not required)

WASHINGTON REAL ESTATE IN WHICH ENTITY HELD A DIRECT FINANCIAL INTEREST (Complete only if ownership in the ENTITY is 10% or more and assessed value of property is over \$10,000. List street address, assessor parcel number, or legal description and county for each parcel):

Check here  if continued on attached sheet

**B LOBBYING:** List persons for whom you or any immediate family member lobbied or prepared state legislation or state rules, rates or standards for current or deferred compensation. Do not list pay from government body in which you are an elected official or professional staff member.

Person to Whom Services Rendered

Description of Legislation, Rules, Etc.

Compensation (Use Code)

Check here  if continued on attached sheet

**C GIFTS:** List the date, source, brief description, and value of each gift of entertainment, travel, goods, services economic advantage, etc. valued at more than \$50 (entertainment at receptions where pro-rata share exceeds \$100). Exclude gifts that, without doubt, were clearly not intended to gain or maintain influence with respect to your governmental entity (e.g., most intra-family and private sector business related gifts). See Gift section of F-1 manual for details.

Date Received

Donor's Name, City and State

Brief Description

Value (Actual Dollars)

Check here  if continued on attached sheet

AMENDATORY SECTION (Amending Order 86-08, filed 9/12/86)

WAC 390-24-020 FORMS FOR AMENDING STATEMENT OF FINANCIAL AFFAIRS. (1) The official form for amending statements of financial affairs as required by RCW 42.17.240 for all persons who have previously filed the Form F-1 is designated Form "F-1A," revised ((12/86)) 10/91.

(2) No more than three F-1A forms may be filed to amend a previously submitted statement of financial affairs (Form F-1). The form can be used only to update information required on an F-1.

(3) The commission reserves the right to reject amendatory forms and require a new statement of financial affairs (Form F-1) at any time the amendments are confusing or create misunderstandings. Authority is delegated to the commission's executive director to make this determination.

(4) Copies of Form F-1A are available at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. Any attachments must be on 8 1/2" x 11" white paper.



PUBLIC DISCLOSURE COMMISSION  
403 EVERGREEN PLAZA, FJ-42  
OLYMPIA, WASHINGTON 98504-3343  
Telephone (206) 763-1111

PDC FORM  
**F-1A**  
(12/86)

**STATEMENT OF FINANCIAL AFFAIRS**  
elected officials, candidates  
and state appointed officials

PDC OFFICE USE

P  
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**INSTRUCTIONS**

Please refer to the instruction book when completing this report.

**WHO MUST REPORT:** All elected officials, persons appointed to elective office, candidates, designated state appointed officials. (Federal officials, precinct committeemen and candidates for those offices are exempt from reporting.)

**WHEN TO REPORT:** By April 15, each year you hold office. Officials whose terms expire December 31, or in January are still obligated to report the following year. Candidates or persons appointed to office report within two weeks of becoming a candidate or being appointed.

SEND REPORT TO: PUBLIC DISCLOSURE COMMISSION

DOLLAR CODE	
DOLLAR CODE	AMOUNT
A	\$1 to \$1,999
B	\$2,000 to \$9,999
C	\$10,000 to \$19,999
D	\$20,000 to \$49,999
E	\$50,000 or more

Last name	First name	Middle initial	NAMES OF SPOUSE AND DEPENDENTS	POLITICAL PARTY If partisan office or pertinent to appointment
Address				
City	County	Zip		

CHECK YOUR FILING STATUS (mark only one box)

An elected or state appointed official filing annual report

Final report as an elected official. Term expired \_\_\_\_\_

Candidate running in the election. month \_\_\_\_\_ year \_\_\_\_\_

OFFICE YOU HOLD OR ARE A CANDIDATE FOR

Office title \_\_\_\_\_

County, city, district or agency of the office,  
name and number: \_\_\_\_\_

Position number \_\_\_\_\_

Term begins: \_\_\_\_\_ ends: \_\_\_\_\_

The F-1A report is designed primarily to simplify reporting by persons who have no changes or only minor changes to an F-1 report previously filed.

After filing a complete F-1 report, you may use the F-1A for no more than the next three reports. A complete F-1 must be filed at least every four years.

The Commission reserves the right to require that a complete F-1 report be filed if it believes amendments shown on one or more F-1A reports could cause confusion or misunderstanding to persons reviewing the reports.

Complete the Statements below, sign your report and send it to the Public Disclosure Commission.

Keep a copy for your own records.

**No change report.** I have reviewed my last complete F-1 report dated \_\_\_\_\_ and F-1A reports (if any) dated (1) \_\_\_\_\_ (2) \_\_\_\_\_. There have been no changes to that information during the preceding calendar year.

**Minor change report.** I have reviewed my last complete F-1 report dated \_\_\_\_\_ The changes listed below have occurred during the preceding calendar year.

F-1 Item No. \_\_\_\_\_ Add \_\_\_\_\_ Delete \_\_\_\_\_ Change \_\_\_\_\_ (Provide all information required by F-1 report.)

**PUBLIC OFFICE FUND:** If you have received contributions or used surplus campaign funds to defray non-reimbursed public office related expenses, you must file a report (PDC F-2) or include those expenses in campaign reports (PDC C-4.) Instructions and forms are available from PDC. F-2 is due Jan 31.

<b>CERTIFICATION:</b> I certify under penalty of perjury that the information contained in this report is true and correct to the best of my knowledge.	SIGNATURE _____
	DAYTIME TELEPHONE _____ DATE _____



PDC FORM <b>F-1A</b> (10/91)	<b>PERSONAL FINANCIAL                  AFFAIRS STATEMENT</b> Short Form	P M O A S R T K  R E C E I V E D	PDC OFFICE USE
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The F-1A form is designed to simplify reporting for persons who have no changes or only minor changes to an F-1 report previously filed. A complete F-1 form must be filed at least every four years; an F-1A form may be used for no more than three consecutive reports. Deadlines: Incumbent elected and appointed officials—by April 15. Candidates and others—within two weeks of becoming a candidate or being newly appointed to a position.

DOLLAR CODE	AMOUNT
A	\$1 to \$1,999
B	\$2,000 to \$9,999
C	\$10,000 to \$19,999
D	\$20,000 to \$49,999
E	\$50,000 or more

Last Name		First	Middle Initial	Names of Spouse and Dependents	Political Party If partisan office or pertinent to appointment
Address					
City	County	Zip + 4			

Filing Status (Check only one box.) <input type="checkbox"/> An elected or state appointed official filing annual report <input type="checkbox"/> Final report as an elected official. Term expired _____ <input type="checkbox"/> Candidate running in an election: month _____ year _____ <input type="checkbox"/> Newly appointed to an elective office <input type="checkbox"/> Newly appointed to a state appointive office	Office Held or Sought Office title _____ County, city, district or agency of the office, name and number: _____ Position number _____ Term begins: _____ ends: _____
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Select either "No Change Report" or "Minor Change Report," whichever reflects your situation. Supply all the requested information.

**NO CHANGE REPORT.** I have reviewed my last complete F-1 report dated \_\_\_\_\_ and F-1A reports (if any) dated (1) \_\_\_\_\_ and (2) \_\_\_\_\_. The information disclosed on those reports is accurate for the current reporting period.

**MINOR CHANGE REPORT.** I have reviewed my last complete F-1 report dated \_\_\_\_\_. The changes listed below have occurred during the reporting period. Specify F-1 Form Item numbers when describing changes. Provide all information required on F-1 report.

**GIFTS:** (This information required of incumbent elected and appointed officials only.) List the date, source, brief description and value of each gift of entertainment, travel, goods, services, economic advantage, etc. valued at more than \$50 (entertainment receptions where pro-rata share exceeds \$100). Exclude gifts that, without doubt, were clearly not intended to gain or maintain influence with respect to your governmental entity (e.g., most intra-family and private sector business related gifts). See Gift section of F-1 manual for details.

Date Received	Donor's Name, City and State	Brief Description	Value (Actual Dollars)

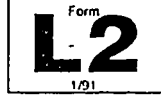
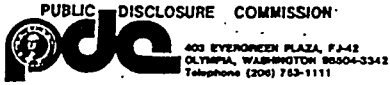
Check here  if continued on attached sheet.

<b>CERTIFICATION:</b> I certify under penalty of perjury that the information contained in this report is true and correct to the best of my knowledge.	Signature	Date
	Daytime Telephone: (     )	

Report Not Acceptable Without Filer's Signature

AMENDATORY SECTION (Amending WSR 90-20-028 [90-20-088], filed 9/28/90)

WAC 390-20-020 FORMS FOR LOBBYIST REPORT OF EXPENDITURES. The official form for the lobbyist report of expenditures is designated "L-2", revised ((9/90)) 10/91. Copies of this form are available at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504.



PDC OFFICE USE

LOBBYIST MONTHLY EXPENSE REPORT

1. Lobbyist Name
Mailing Address
City State Zip

2. This report is for the period (Month) (Year) This report corrects or amends the report for (Month) (Year) Business Telephone ( )

Table with columns: EXPENSE CATEGORY, TOTAL AMOUNT THIS MONTH, Amounts paid from lobbyist's own funds, and three Employer No. columns (B, C, D).

(Attach additional page(s) if you lobby for more than three employers.)

10. EMPLOYERS' NAMES
No. (B)
No. (C)
No. (D)

11. Subject matter of proposed legislation or other legislative activity or rulemaking the lobbyist was supporting or opposing.
Subject Matter, Issue or Bill No.
Legislative Committee of State Agency Considering Matter
Employer Represented

Information continued on attached pages

Estimate the percentage of your time or lobbying effort devoted to: the Legislature % State Agencies %.

12. TERMINATION: (COMPLETE THIS ITEM ONLY IF YOU WISH TO TERMINATE YOUR REGISTRATION)
Date registration ends:
Employer's name:
I understand that an L-2 report is required for any month or portion thereof in which I am a registered lobbyist. I also understand that once I have terminated my registration, I must file a new registration report prior to lobbying for that employer in the future. All registrations terminate automatically on the second Monday in January of each odd numbered year.

CERTIFICATION
I certify that this report is a true and complete account of all information attributable directly or indirectly to lobbying activities for the period specified.
LOBBYIST
DATE

13. Expenditures for entertainment (including lobbyist's expense exceeding \$25 per occasion paid by lobbyist or employer) and for gifts, tickets, passes, transportation and travel expenses (including meals, lodging and related expenses) provided to legislators, state officials, state employees and members of their immediate families.

Date	Names of all persons entertained or provided gifts	Place (name and city)	Sponsoring employer	Amount
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Continued on attached pages.

14. Monetary or in-kind contributions exceeding \$25 to federal, state or local office candidates, committees supporting or opposing these candidates, a legislative caucus fund, an elected official's public office fund, a political party, a political committee supporting or opposing a candidate or ballot measure, or any grass roots lobbying campaign.

Date	Name of individual or committee receiving benefit.	Employer for whom contribution was made	Amount
------	--	---	--------

If contributions were made by a political action committee associated, affiliated or sponsored by your employer, show name of the PAC below. (Information reported by PAC on C-4 report need not be again included in this L-2 report.)

Continued on attached pages. PAC name: \_\_\_\_\_

15. Payments by the lobbyist for other lobbying expenses and services, including payments to subcontract lobbyists, expert witnesses and others retained to provide lobbying services or assistance in lobbying and payments for grass roots lobbying campaigns (except advertising/printings costs listed in Item 7).

Recipient's name and address	Employer for whom expense was incurred or lobbying done.	Amount
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Continued on attached page.

DRAFT

(Major Proposed Revision Contained in Item 13)



PDC OFFICE USE

LOBBYIST MONTHLY EXPENSE REPORT

1. Lobbyist Name
Mailing Address
City State Zip + 4

2. This report is for the period (Month) (Year) This report corrects or amends the report for (Month) (Year) Business Telephone ( )

Table with columns: EXPENSE CATEGORY, TOTAL AMOUNT THIS MONTH, Amounts paid from lobbyist's own funds, and three Employer No. columns (D, C, D).

(Attach additional page(s) if you lobby for more than three employers.)

10. EMPLOYERS' NAMES No. (B) No. (C) No. (D)

11. Subject matter of proposed legislation or other legislative activity or rulemaking the lobbyist was supporting or opposing. Subject Matter, Issue or Bill No. Legislative Committee or State Agency Considering Matter Employer Represented

Information continued on attached pages

Estimate the percentage of your time or lobbying effort devoted to: the Legislature % State Agencies %.

12. TERMINATION: (COMPLETE THIS ITEM ONLY IF YOU WISH TO TERMINATE YOUR REGISTRATION) Date registration ends: Employer's name:

I understand that an L-2 report is required for any month or portion thereof in which I am a registered lobbyist. I also understand that once I have terminated my registration, I must file a new registration report prior to lobbying for that employer in the future. All registrations terminate automatically on the second Monday in January of each odd numbered year.

CERTIFICATION I certify that this report is a true and complete account of all information attributable directly or indirectly to lobbying activities for the period specified. LOBBYIST DATE

13. Show all of the following expenditures that were incurred by lobbyist or lobbyist employer(s):

- Entertainment expenditures exceeding \$25 per occasion (including lobbyist's expense) for meals, beverages, tickets, passes, transportation and any travel-related expenses or for other forms of entertainment provided to legislators, state officials, state employees and members of their immediate families.
- Receptions: If a reception cost more than \$100 per participant, show the pro rata cost of the reception as a gift to state elected officials and state executive officers who attended in space below or on memo report.
- Entertainment Gifts (except receptions): If more than \$50 per occasion was spent on a state elected official (including family) or a state executive officer (including family), itemize the gift, including the amount attributable to the official and family, below or on a memo report.
- Other expenditures exceeding \$50 for gifts benefiting state elected officials, state executive officers and/or members of their immediate families.

Date	Names of all Persons Entertained or Provided Gifts	Description, Place, Etc.	Sponsoring Employer	Amount
N/A	Total gift expense itemized on attached Memo Reports			

Continued on attached pages.

14. Monetary or in-kind contributions exceeding \$25 to federal, state or local office candidates, committees supporting or opposing these candidates, a legislative caucus fund, an elected official's public office fund, a political party, a political committee supporting or opposing a candidate or ballot measure, or any grass roots lobbying campaign.

Date	Name of Individual or Committee Receiving Benefit	Employer for Whom Contribution was Made	Amount

If contributions were made by a political action committee associated, affiliated or sponsored by your employer, show name of the PAC below. (Information reported by PAC on C-4 report need not be again included in this L-2 report.)

Continued on attached pages.

PAC Name: \_\_\_\_\_

15. Payments by the lobbyist for other lobbying expenses and services, including payments to subcontract lobbyists, expert witnesses and others retained to provide lobbying services or assistance in lobbying and payments for grass roots lobbying campaigns (except advertising/printings costs listed in Item 7).

Recipient's Name and Address	Employer for Whom Expense was Incurred or Lobbying Done	Amount

Continued on attached page.

# DRAFT

(Proposed New Form)

## MEMO REPORT

(for Lobbyists Reporting Gifts to State Elected Officials  
and Officials' Immediate Family Members)

**Instructions:** This Memo Report may be used by a lobbyist to report gifts given to a state elected official or that official's immediate family members instead of itemizing such gifts in Item 13 of the L-2 Report. Complete a Memo Report for each official to whom one or more gifts were given during the reporting period. Include gifts given to an official's family members on the official's Memo Report.

Attach the original of each completed memo Report to the L-2. Provide a copy of the Memo Report to the state elected official who receives, or whose family members received, the gift(s).

Do not use this Memo Report to disclose campaign contributions, including the purchase of fund raiser tickets.

**TO:** \_\_\_\_\_  
(State Elected Official)

**FROM:** \_\_\_\_\_  
(Lobbyist Name)

\_\_\_\_\_  
(Address)

In accordance with RCW 42.17.170(3), please accept this memo as notification that the following gifts were provided to you and/or your immediate family members:

Date	Name of Official/Family Member	Description of Gift	Sponsoring Employer	Value

\_\_\_\_\_  
Lobbyist's Signature Date

This report is for the period \_\_\_\_\_ (Month) \_\_\_\_\_ (Year) This report corrects or amends the report for \_\_\_\_\_ (Month) \_\_\_\_\_ (Year) Business Telephone ( ) \_\_\_\_\_

Distribution of Memo Report: Original - to PDC with L-2; Copy - Elected Official Copy - Your Files

**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 91-20-155**  
**PROPOSED RULES**  
**LOTTERY COMMISSION**  
[Filed October 2, 1991, 1:05 p.m.]

**Original Notice.**

**Title of Rule:** WAC 315-11-700 Definitions for Instant Game No. 70 ("Tic-Tac-Toe Money Match"); 315-11-701 Criteria for Instant Game No. 70; and 315-11-702 Ticket validation requirements for Instant Game No. 70.

**Purpose:** To repeal rules for Instant Ticket Game No. 70, "Tic-Tac-Toe Money Match."

**Statutory Authority for Adoption:** RCW 67.70.040.

**Statute Being Implemented:** RCW 67.70.040.

**Summary:** See Purpose above.

**Reasons Supporting Proposal:** Instant Ticket Game No. 70, originally adopted as "Tic-Tac-Toe Money Match," is being replaced with an Olympic-oriented game, "Winning Spirit."

**Name of Agency Personnel Responsible for Drafting:** Jeff Burkhardt, Contracts Specialist, Olympia, 586-6583; **Implementation and Enforcement:** Evelyn Y. Sun, Director, Olympia, 753-3330.

**Name of Proponent:** Washington State Lottery Commission, governmental.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** The proposal is intended to repeal the rules cited. "Tic-Tac-Toe Money Match" was originally planned as Instant Ticket Game No. 70 however it is being replaced by an Olympic-oriented game, "Winning Spirit."

**Proposal Changes the Following Existing Rules:** Proposal repeals rules cited.

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

The lottery has considered whether this rule is subject to the Regulatory Fairness Act, chapter 19.85 RCW, and has determined that it is not for the following reasons: The rules have no economic impact on business' cost of equipment, supplies, labor or administrative costs. The rules are designed to establish rules and procedures for the playing of instant lottery games; and the rules will have a negligible impact, if any, on business because they are interpretive. They have been promulgated for the purpose of stating policy, procedure and practice and do not include requirements for forms, fees, appearances or other actions by business.

**Hearing Location:** Washington State Lottery, 5963 Corson Avenue, #106, Seattle, WA 98108, on November 8, 1991, at 10:00 a.m.

Submit Written Comments to: Judith Giniger, Lottery, P.O. Box 9770, Olympia, WA 98504, by November 7, 1991.

Date of Intended Adoption: November 8, 1991.

September 26, 1991

Evelyn Y. Sun  
Director

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

WAC 315-11-700 DEFINITIONS FOR INSTANT GAME NO. 70 ("TIC TAC TOE MONEY MATCH")  
WAC 315-11-701 CRITERIA FOR INSTANT GAME NO. 70  
WAC 315-11-702 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NO. 70.

**WSR 91-20-156**  
**PROPOSED RULES**  
**LOTTERY COMMISSION**  
[Filed October 2, 1991, 1:07 p.m.]

**Original Notice.**

**Title of Rule:** WAC 315-11-703, 315-11-704 and 315-11-705, Definitions, criteria and ticket validation requirements for Instant Game No. 70, "Winning Spirit."

**Purpose:** To establish the game play rules and criteria for determining winners of Instant Game No. 70, "Winning Spirit."

**Statutory Authority for Adoption:** RCW 67.70.040.

**Statute Being Implemented:** RCW 67.70.040.

**Summary:** See Purpose above.

**Reasons Supporting Proposal:** See Explanation of Rule, its Purpose, and Anticipated Effects below.

**Name of Agency Personnel Responsible for Drafting:** Jeff Burkhardt, Contracts Specialist, Olympia, 586-6583; **Implementation and Enforcement:** Evelyn Y. Sun, Director, Olympia, 753-3330.

**Name of Proponent:** Washington State Lottery Commission, governmental.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** WAC 315-11-703, 315-11-704 and 315-11-705, for each game certain terms must be defined in order to provide consistency in the game play rules. The play criteria will explain how the game functions to licensed retailers and players. Rigid validation requirements are set forth which will prevent the lottery from paying out prize money on invalid tickets.

Proposal does not change existing rules.

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

The lottery has considered whether this rule is subject to the Regulatory Fairness Act, chapter 19.85 RCW, and has determined that it is not for the following reasons: The rules have no economic impact on business' cost of equipment, supplies, labor or administrative costs. The rules are designed to establish rules and procedures for the playing of instant lottery games; and the



rules will have a negligible impact, if any, on business because they are interpretive. They have been promulgated for the purpose of stating policy, procedure and practice and do not include requirements for forms, fees, appearances or other actions by business.

Hearing Location: Washington State Lottery, 5963 Corson Avenue, #106, Seattle, WA 98108, on November 8, 1991, at 10:00 a.m.

Submit Written Comments to: Judith Giniger, Lottery, P.O. Box 9770, Olympia, WA 98504, by November 7, 1991.

Date of Intended Adoption: November 8, 1991.

September 26, 1991

Evelyn Y. Sun  
Director

**NEW SECTION**

WAC 315-11-703 DEFINITIONS FOR INSTANT GAME NUMBER 70 ("WINNING SPIRIT"). (1) Play symbols: The following are the "play symbols": "\$1.00"; "\$2.00"; "\$4.00"; "\$8.00"; "\$18.00"; "\$40.00"; "\$80.00"; "\$5,000." One of these play symbols appears in each of the six play spots under the latex covering on the front of the ticket.

(2) Play symbol captions: The small printed characters appearing below each play symbol which verify and correspond with that play symbol. The caption is a spelling out, in full or abbreviated form of the play symbol. One and only one of these captions appears under each play symbol. For Instant Game Number 70, the captions which correspond with and verify the play symbols are:

PLAY SYMBOL	CAPTION
\$1.00	ONE DOL
\$2.00	TWO DOL
\$4.00	FOR DOL
\$8.00	EGT DOL
\$18.00	EIGHTEEN
\$40.00	\$FORTYS
\$80.00	\$EIGHTY
\$5,000	FIVTHOU

(3) Validation number: The unique nine-digit number on the front of the ticket. The number is covered by latex covering.

(4) Pack-ticket number: The eleven-digit number of the form 07000001-000 printed on the front of the ticket. The first three digits are the game identifier. The first eight digits of the pack-ticket number for Instant Game Number 70 constitute the "pack number" which starts at 07000001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(5) Retailer verification codes: Codes consisting of small letters found under the removable latex covering on the front of the ticket which the lottery retailer uses to verify instant winners of \$25 or less. For Instant Game Number 70, the retailer verification codes are three-letter codes, with each letter appearing in a varying three of six locations among the play symbols on the front of the ticket. The retailer verification codes are:

VERIFICATION CODE	PRIZE
ONE	\$1.00
TWO	\$2.00
FOR	\$4.00
EGT	\$8.00
EGN	\$18.00

(6) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in plastic shrinkwrapping.

**NEW SECTION**

WAC 315-11-704 CRITERIA FOR INSTANT GAME NUMBER 70. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(a) The bearer of a ticket having the following play symbols in any three of the six spots beneath the removable covering on the front of the ticket shall win the following prize:

Three	\$1.00 play symbols	- Win	\$1.00
Three	\$2.00 play symbols	- Win	\$2.00
Three	\$4.00 play symbols	- Win	\$4.00
Three	\$8.00 play symbols	- Win	\$8.00
Three	\$18.00 play symbols	- Win	\$18.00
Three	\$40.00 play symbols	- Win	\$40.00
Three	\$80.00 play symbols	- Win	\$80.00
Three	\$5,000 play symbols	- Win	\$5,000.00

(b) In any event, only the highest instant prize amount meeting the standards of (a) of this subsection will be paid on a given ticket.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 70 set forth in WAC 315-11-705, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) Notwithstanding any other provisions of these rules, the director may:

(a) Vary the length of Instant Game Number 70; and/or

(b) Vary the number of tickets sold in Instant Game Number 70 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

**NEW SECTION**

WAC 315-11-705 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 70. (1) A valid instant game ticket for Instant Game Number 70 shall meet all of the following validation requirements as well as all other requirements in these rules and regulations.

(a) Exactly one play symbol must appear in each of the six play spots under the removable latex covering on the front of the ticket.

(b) Each of the six play symbols must have a caption below it, and each must agree with its caption.

(c) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the artwork on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbols	Play Symbol Font
Captions	Caption Font
Pack-Ticket Number	Validation Font
Validation Number	Validation Font
Retail Verification Code	Validation Font

(d) Each of the play symbols and its caption, the validation number, pack-ticket number and retailer verification code must be printed in black ink.

(e) Each of the play symbols MUST be exactly one of those described in WAC 315-11-703(1) and each of the captions must be exactly one of those described in WAC 315-11-703(2).

(2) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

**WSR 91-20-157**  
**NOTICE OF PUBLIC MEETINGS**  
**LOTTERY COMMISSION**  
 [Memorandum—September 20, 1991]

1992 COMMISSION MEETING SCHEDULE

Type of Meeting	Month/Day	Location
Regular	January 10	Seattle
Regular	March 6	Olympia
Regular	May 15	Seattle
Regular	July 10	Seattle
Regular	September 11	Spokane
Regular	November 6	Seattle

**WSR 91-20-158**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
 [Filed October 2, 1991, 1:12 p.m.]

Original Notice.

Title of Rule: Manual of rules, classifications, rates and rating system for Washington worker's compensation insurance.

Purpose: Revise base rates, experience rating, and retrospective rating tables applicable to worker's compensation insurance underwritten by the Washington state fund, Department of Labor and Industries.

Statutory Authority for Adoption: RCW 51.04.020(1).

Statute Being Implemented: RCW 51.16.035.

Summary: Agency proposes to adjust base rates for all existing risk classifications including a general rate increase of 6.0 percent and adjust the experience rating and retrospective rating tables.

Reasons Supporting Proposal: RCW 51.16.035 requires the department to maintain actuarial solvency of the industrial insurance funds. The rate adjustment is proposed to offset increases in medical costs, higher utilization of benefits by claimants, and cost of living adjustments.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Douglas Connell and William White, 905 Plum Street S.E., Olympia, 586-8401.

Name of Proponent: Department of Labor and Industries, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Revision to base rates is intended to recognize recent loss (claims) experience and reporting exposure (hours worked) over which those losses can be spread. A general rate increase of 6.0 percent is proposed to maintain fund solvency required by RCW 51.16.035. Amendments to the experience rating tables reflect the updating of the experience period to include more current information. The overall effect of these changes will

produce a net premium increase of 6.0 percent. Revision to the retrospective rating plan table is intended to reflect the general rate increase. Enrolled employers will notice little or no change to their current plan size or group.

Proposal Changes the Following Existing Rules: WAC 296-17-850 through 296-17-920. Amends base rates table to reflect rate adjustments of 5.5 percent in the accident fund and 6.5 percent in the medical aid fund and 6.6 to the supplemental pension fund. The net change will equal an increase of 6.0 percent. The experience rating tables are updated to reflect the more current experience period losses and exposures.

Small Business Economic Impact Statement: This statement pertains to revisions in chapter 296-17 WAC, proposed by the Department of Labor and Industries to become effective January 1, 1992, and is prepared to conform with section 3(2) and section 4 of the Regulatory Fairness Act (chapter 6, Laws of 1982).

Existing rules: Base rates are established separately for accident fund and medical aid fund coverage in each risk classification within chapter 296-17 WAC, and an assessment rate for all risk classifications is prescribed for the supplemental pension. An "experience rating plan" is also established, which provides adjustment of the base industrial insurance rate by class up or down to a "merit rate" based upon past reporting experience of each individual employer.

Chapter 296-17 WAC also provides optional rating plans referred to as retrospective rating. These optional rating plans are available on an elective basis to employers and industry groups and provide them with additional opportunities to reduce their workers' compensation insurance costs through accident prevention and active claims management.

Treatment of small business under existing rules: Risk classification definitions are keyed to the nature of an employer's business and/or employment, and are independent of business size. Once applicable classifications are determined, base rates are identical for all employers within each classification.

Experience rating increases or decreases individual employer's accident fund rates, providing rate reductions for favorable past experience and rate increases for unfavorable past experience. Within the experience rating plan, small employers with loss-free records in the rating experience period are allowed rate credits in excess of those initially computed by the rating plan based on risk size, by a maximum modification for loss-free firms of various sizes in WAC 296-17-890. During 1989 medical aid premiums became subject to experience rating under a three-year phase-in plan. Experience rating of medical aid premiums is achieved in much the same fashion as the accident fund.

Employers and industry groups (associations) wishing to further reduce their workers' compensation insurance costs can participate in optional retrospective rating plans. Dependent on the plan selected and the employer's actual losses, adjustments are made to premiums paid in; if actual losses are below expected losses for the

plan selected, dividends are paid to the employer. Employers with losses which are greater than expected losses pay additional premiums within the limits as determined by their selected plans.

Effect of proposed revisions: Overall premium will increase an average of 6.0 percent from the 1991 level. This increase is based on a 5.5 percent increase in the accident fund, 6.5 percent increase in the medical aid fund, and a 6.6 percent increase in the supplemental pension fund. In addition to the general rate increase, adjustments are being made to each risk classification to reflect more current loss experience associated with each industry.

A 32.5 percent cap has been applied to one classification. The rates for fiberglass goods should have been increased 56.2 percent.

The overall effect of the rate increase and adjustments will be the same for small and large employers and their employees.

There is no increase in administrative costs for employers to comply with these changes, since no new records or forms are required for compliance and all other requirements are unchanged.

In addition to the rate changes which are at the industry level, employers individually will be affected by their losses through the department's experience rating plan. Employers with favorable past experience will pay reduced rates, while those employers with above-average loss experience will generally pay higher rates. For employers in the same risk classification having experience records producing the same experience factor, the premium cost per hour of labor with [will] be independent of the size of the employer.

Adjustments are also being made to the retrospective rating plan size group table. This change is the result of the 6.0 percent increase in rates in the accident and medical aid funds. The revision will result in employers and associations generally staying in the same size group ranges in 1992 as in 1991. Also, the definition of "retrospective premium adjustment" is being amended to specify that adjustments will be made entirely within the accident fund. This does not alter the current practice of basing the amount of the adjustment on combined accident and medical aid fund experience.

Hearing Location: Spokane Falls Community College, Student Union Building 17, 3410 West Fort George Wright Drive, Spokane, WA, on November 5, 1991, at 10:00 a.m.; and at Holiday Inn, 9 North 9th Street, Yakima, WA, on November 6, 1991, at 10:00 a.m., and at Office Building #2 (OB2), First Floor Auditorium, 14th and Jefferson, Olympia, Washington, on November 8, 1991, at 10:00 a.m.

Submit Written Comments to: Douglas Connell, Assistant Director Employee Services, 905 Plum Street S.E., Olympia, WA 98504, by November 6, 1991.

Date of Intended Adoption: November 27, 1991.

October 2, 1991  
Joseph A. Dear  
Director

**AMENDATORY SECTION** (Amending WSR 90-24-042, filed 11/30/90, effective 1/1/91)

**WAC 296-17-855 EXPERIENCE MODIFICATION.** The basis of the experience modification shall be a comparison of the actual losses charged to an employer during the experience period with the losses which would be expected for an average employer reporting the same exposures in each classification. The comparison shall contain actuarial refinements designed to mitigate the effects of losses which may be considered catastrophic or of doubtful statistical significance, due consideration being given to the volume of the employer's experience. Except for those employers who qualify for an adjusted experience modification as specified in WAC 296-17-860 or 296-17-865, the experience modification shall be calculated from the formula:

$$\text{MODIFICATION} = \frac{\text{Ap} + \text{WAe} + (1-\text{W}) \text{Ee} + \text{B}}{\text{E} + \text{B}}$$

The components Ap, WAe, and (1-W) Ee are values which shall be charged against an employer's experience record. The component, E, shall be the expected value of these charges for an average employer reporting the same exposures in each classification. The meaning and function of each symbol in the formula is specified below.

"Ap" signifies "primary actual losses." For each claim the primary actual loss is defined as that portion of the claim which is considered completely rateable for all employers and which is to enter the experience modification calculation at its full value. For each claim in excess of ~~((\$7,536))~~ \$7,548 the primary actual loss shall be determined from the formula:

$$\text{Primary loss} = \frac{((\del{+8,840})) \text{ } 18,870}{\text{Total loss} + ((\del{+1,304})) \text{ } 11,322} \times \text{total loss}$$

Primary actual losses for selected claim values are shown in Table I. For each claim less than ~~((\$7,536))~~ \$7,548 the full value of the claim shall be considered a primary loss.

"Ae" signifies "excess actual losses." For each claim the excess actual loss is defined as that portion of the claim which is not considered completely rateable for all employers. The excess actual loss for each claim shall be determined by subtracting the primary loss from the total loss.

"W" signifies "W value." For each employer, the W value determines the portion of the actual excess losses which shall be included in the calculation of his experience modification, due consideration being given to the volume of his experience. This amount is represented by the symbol "WAe" in the experience modification formula. W values are set forth in Table II.

"E" signifies "expected losses." An employer's expected losses shall be determined by multiplying his reported exposure in each classification during the experience period by the classification expected loss rate. Expected loss rates are set forth in Table III.

"Ee" signifies "expected excess losses." Expected losses in each classification shall be multiplied by the classification "D-Ratio" to obtain "expected primary losses." Expected excess losses shall then be calculated by subtracting expected primary losses from expected total losses. Each employer shall have a statistical charge included in the calculation of his experience modification, said charge to be actuarially equivalent to the amount forgiven an average employer because of the exclusion of a portion of his excess actual losses. This charge is represented by "(1-W) Ee" in the experience modification formula. D-Ratios are set forth in Table III.

"B" signifies "B value" or "ballast." In order to limit the effect of a single severe accident on the modification of a small employer, a stabilizing element (B value) shall be added to both actual and expected losses. B values are set forth in Table II.

**AMENDATORY SECTION** (Amending WSR 90-24-042, filed 11/30/90, effective 1/1/91)

**WAC 296-17-875 TABLE I.**

Primary Losses for Selected Claim Values

CLAIM VALUE	PRIMARY LOSS
<del>(7,536)</del>	7,536
<del>18,342</del>	8,000
<del>10,399</del>	9,000
<del>12,787</del>	10,000

CLAIM VALUE	PRIMARY LOSS
15,860	11,000
19,832	12,000
32,698	14,000
63,685	16,000
114,195*	17,143
188,400**	17,774))
7,548	7,548
8,333	8,000
10,324	9,000
12,764	10,000
15,825	11,000
19,776	12,000
25,074	13,000
32,548	14,000
63,119	16,000
125,854*	17,313
188,700**	17,802

\* Average death value  
 \*\* Maximum claim value

**AMENDATORY SECTION** (Amending WSR 90-24-042, filed 11/30/90, effective 1/1/91)

WAC 296-17-880 TABLE II.  
 "B" and "W" Values

((Maximum Claim Value = \$188,400  
 Average Death Value = \$114,195

Expected Losses	B	W
4,081 & Under	35,548	0.00
4,082 - 8,224	35,193	0.01
8,225 - 12,428	34,837	0.02
12,429 - 16,697	34,482	0.03
16,698 - 21,031	34,126	0.04
21,032 - 25,432	33,771	0.05
25,433 - 29,900	33,415	0.06
29,901 - 34,440	33,060	0.07
34,441 - 39,052	32,704	0.08
39,053 - 43,738	32,349	0.09
43,739 - 48,499	31,993	0.10
48,500 - 53,339	31,638	0.11
53,340 - 58,258	31,282	0.12
58,259 - 63,261	30,927	0.13
63,262 - 68,346	30,571	0.14
68,347 - 73,520	30,216	0.15
73,521 - 78,782	29,860	0.16
78,783 - 84,137	29,505	0.17
84,138 - 89,585	29,149	0.18
89,586 - 95,131	28,794	0.19
95,132 - 100,775	28,438	0.20
100,776 - 106,524	28,083	0.21
106,525 - 112,377	27,727	0.22
112,378 - 118,340	27,372	0.23
118,341 - 124,414	27,016	0.24
124,415 - 130,604	26,661	0.25
130,605 - 136,914	26,306	0.26
136,915 - 143,345	25,950	0.27
143,346 - 149,905	25,595	0.28
149,906 - 156,593	25,239	0.29
156,594 - 163,418	24,884	0.30
163,419 - 170,381	24,528	0.31
170,382 - 177,488	24,173	0.32
177,489 - 184,743	23,817	0.33
184,744 - 192,152	23,462	0.34
192,153 - 199,718	23,106	0.35
199,719 - 207,450	22,751	0.36
207,451 - 215,349	22,395	0.37
215,350 - 223,426	22,040	0.38
223,427 - 231,683	21,684	0.39
231,684 - 240,129	21,329	0.40
240,130 - 248,769	20,973	0.41
248,770 - 257,613	20,618	0.42
257,614 - 266,664	20,262	0.43
266,665 - 275,935	19,907	0.44

Expected Losses	B	W
275,936 - 285,429	19,551	0.45
285,430 - 295,160	19,196	0.46
295,161 - 305,132	18,840	0.47
305,133 - 315,359	18,485	0.48
315,360 - 325,848	18,129	0.49
325,849 - 336,611	17,774	0.50
336,612 - 347,660	17,419	0.51
347,661 - 359,006	17,063	0.52
359,007 - 370,661	16,708	0.53
370,662 - 382,639	16,352	0.54
382,640 - 394,954	15,997	0.55
394,955 - 407,620	15,641	0.56
407,621 - 420,655	15,286	0.57
420,656 - 434,073	14,930	0.58
434,074 - 447,894	14,575	0.59
447,895 - 462,134	14,219	0.60
462,135 - 476,817	13,864	0.61
476,818 - 491,960	13,508	0.62
491,961 - 507,590	13,153	0.63
507,591 - 523,727	12,797	0.64
523,728 - 540,401	12,442	0.65
540,402 - 557,636	12,086	0.66
557,637 - 575,465	11,731	0.67
575,466 - 593,916	11,375	0.68
593,917 - 613,027	11,020	0.69
613,028 - 632,831	10,664	0.70
632,832 - 653,370	10,309	0.71
653,371 - 674,685	9,953	0.72
674,686 - 696,822	9,598	0.73
696,823 - 719,830	9,242	0.74
719,831 - 743,762	8,887	0.75
743,763 - 768,677	8,532	0.76
768,678 - 794,637	8,176	0.77
794,638 - 821,711	7,821	0.78
821,712 - 849,971	7,465	0.79
849,972 - 879,501	7,110	0.80
879,502 - 910,387	6,754	0.81
910,388 - 942,727	6,399	0.82
942,728 - 976,627	6,043	0.83
976,628 - 1,012,205	5,688	0.84
1,012,206 - 1,049,588	5,332	0.85
1,049,589 - 1,088,922	4,977	0.86
1,088,923 - 1,130,361	4,621	0.87
1,130,362 - 1,174,083	4,266	0.88
1,174,084 - 1,220,283	3,910	0.89
1,220,284 - 1,269,180	3,555	0.90
1,269,181 - 1,321,018	3,199	0.91
1,321,019 - 1,376,075	2,844	0.92
1,376,076 - 1,434,660	2,488	0.93
1,434,661 - 1,497,128	2,133	0.94
1,497,129 - 1,563,878	1,777	0.95
1,563,879 - 1,635,372	1,422	0.96
1,635,373 - 1,712,135	1,066	0.97
1,712,136 - 1,794,776	711	0.98
1,794,777 - 1,883,999	355	0.99
1,884,000 & Over	0	1.00))

Maximum Claim Value = \$188,700  
 Average Death Value = \$125,854

Expected Losses	B	W
4,088 & Under	35,604	0.00
4,089 - 8,237	35,248	0.01
8,238 - 12,449	34,892	0.02
12,450 - 16,724	34,536	0.03
16,725 - 21,065	34,180	0.04
21,066 - 25,472	33,824	0.05
25,473 - 29,948	33,468	0.06
29,949 - 34,495	33,112	0.07
34,496 - 39,114	32,756	0.08
39,115 - 43,807	32,400	0.09
43,808 - 48,576	32,044	0.10
48,577 - 53,424	31,688	0.11
53,425 - 58,351	31,332	0.12
58,352 - 63,361	30,975	0.13

Expected Losses	B	W
63,362 - 68,455	30,619	0.14
68,456 - 73,637	30,263	0.15
73,638 - 78,908	29,907	0.16
78,909 - 84,270	29,551	0.17
84,271 - 89,727	29,195	0.18
89,728 - 95,282	28,839	0.19
95,283 - 100,936	28,483	0.20
100,937 - 106,693	28,127	0.21
106,694 - 112,556	27,771	0.22
112,557 - 118,528	27,415	0.23
118,529 - 124,612	27,059	0.24
124,613 - 130,812	26,703	0.25
130,813 - 137,132	26,347	0.26
137,133 - 143,574	25,991	0.27
143,575 - 150,143	25,635	0.28
150,144 - 156,843	25,279	0.29
156,844 - 163,678	24,923	0.30
163,679 - 170,652	24,567	0.31
170,653 - 177,770	24,211	0.32
177,771 - 185,037	23,855	0.33
185,038 - 192,457	23,499	0.34
192,458 - 200,036	23,143	0.35
200,037 - 207,779	22,787	0.36
207,780 - 215,692	22,431	0.37
215,693 - 223,781	22,074	0.38
223,782 - 232,052	21,718	0.39
232,053 - 240,511	21,362	0.40
240,512 - 249,165	21,006	0.41
249,166 - 258,022	20,650	0.42
258,023 - 267,089	20,294	0.43
267,090 - 276,373	19,938	0.44
276,374 - 285,884	19,582	0.45
285,885 - 295,629	19,226	0.46
295,630 - 305,618	18,870	0.47
305,619 - 315,861	18,514	0.48
315,862 - 326,367	18,158	0.49
326,368 - 337,148	17,802	0.50
337,149 - 348,214	17,446	0.51
348,215 - 359,577	17,090	0.52
359,578 - 371,251	16,734	0.53
371,252 - 383,248	16,378	0.54
383,249 - 395,583	16,022	0.55
395,584 - 408,270	15,666	0.56
408,271 - 421,325	15,310	0.57
421,326 - 434,764	14,954	0.58
434,765 - 448,607	14,598	0.59
448,608 - 462,870	14,242	0.60
462,871 - 477,576	13,886	0.61
477,577 - 492,744	13,530	0.62
492,745 - 508,398	13,173	0.63
508,399 - 524,561	12,817	0.64
524,562 - 541,261	12,461	0.65
541,262 - 558,524	12,105	0.66
558,525 - 576,380	11,749	0.67
576,381 - 594,862	11,393	0.68
594,863 - 614,002	11,037	0.69
614,003 - 633,839	10,681	0.70
633,840 - 654,410	10,325	0.71
654,411 - 675,759	9,969	0.72
675,760 - 697,931	9,613	0.73
697,932 - 720,976	9,257	0.74
720,977 - 744,946	8,901	0.75
744,947 - 769,901	8,545	0.76
769,902 - 795,903	8,189	0.77
795,904 - 823,019	7,833	0.78
823,020 - 851,325	7,477	0.79
851,326 - 880,901	7,121	0.80
880,902 - 911,837	6,765	0.81
911,838 - 944,228	6,409	0.82
944,229 - 978,182	6,053	0.83
978,183 - 1,013,817	5,697	0.84
1,013,818 - 1,051,260	5,341	0.85
1,051,261 - 1,090,655	4,985	0.86
1,090,656 - 1,132,161	4,629	0.87
1,132,162 - 1,175,952	4,272	0.88

Expected Losses	B	W
1,175,953 - 1,222,226	3,916	0.89
1,222,227 - 1,271,200	3,560	0.90
1,271,201 - 1,323,122	3,204	0.91
1,323,123 - 1,378,266	2,848	0.92
1,378,267 - 1,436,944	2,492	0.93
1,436,945 - 1,499,511	2,136	0.94
1,499,512 - 1,566,369	1,780	0.95
1,566,370 - 1,637,976	1,424	0.96
1,637,977 - 1,714,861	1,068	0.97
1,714,862 - 1,797,634	712	0.98
1,797,635 - 1,886,999	356	0.99
1,887,000 & Over	0	1.00

AMENDATORY SECTION (Amending WSR 91-12-014, filed 5/31/91, effective 7/1/91)

WAC 296-17-885 TABLE III.

Expected Loss Rates and D-Ratios  
Expected Loss Rates in Dollars Per Worker Hour  
for Indicated Fiscal Year

((Class	1987	1988	1989	D-Ratio
0101	0.9854	0.9200	0.9247	0.430
0102	1.1626	1.0849	1.0701	0.459
0103	1.1025	1.0310	1.0014	0.434
0104	1.1649	1.0905	1.1056	0.346
0105	0.9242	0.8624	0.8026	0.473
0106	2.4817	2.3181	2.2322	0.499
0107	0.8388	0.7834	0.8066	0.422
0108	0.8580	0.8021	0.8193	0.407
0109	2.6293	2.4566	2.4862	0.417
0201	1.5522	1.4503	1.4618	0.398
0202	1.9823	1.8609	1.8575	0.377
0206	1.4090	1.3148	1.3492	0.417
0301	0.5217	0.4861	0.4563	0.545
0302	1.4422	1.3461	1.3641	0.403
0306	0.7457	0.6960	0.6883	0.455
0307	0.6295	0.5873	0.5726	0.477
0403	0.8883	0.8301	0.8109	0.474
0502	0.8752	0.8161	0.8355	0.463
0504	1.1895	1.1107	1.0897	0.442
0506	2.9692	2.7718	2.7210	0.479
0507	2.5657	2.3908	2.2512	0.487
0508	2.9021	2.7155	2.7526	0.368
0509	1.6401	1.5357	1.5396	0.400
0510	1.1120	1.0363	0.9905	0.486
0511	0.9337	0.8695	0.8435	0.508
0512	1.2120	1.1309	1.1309	0.464
0513	0.6834	0.6367	0.5953	0.518
0514	1.0723	1.0015	0.9894	0.458
0515	1.8601	1.7359	1.7411	0.430
0516	1.5107	1.4096	1.3886	0.472
0517	1.5056	1.4068	1.4174	0.453
0518	1.2066	1.1254	1.1432	0.432
0519	1.4273	1.3308	1.3382	0.488
0601	0.4880	0.4559	0.4530	0.478
0602	0.3148	0.2936	0.2930	0.511
0603	0.6767	0.6319	0.6027	0.443
0604	0.9631	0.8996	0.8486	0.405
0606	0.2201	0.2057	0.1978	0.528
0607	0.2445	0.2285	0.2110	0.505
0608	0.2226	0.2078	0.1990	0.523
0701	1.5198	1.4186	1.4530	0.387
0803	0.2975	0.2779	0.2603	0.465
0804	0.7024	0.6562	0.6317	0.440
0901	1.5960	1.4940	1.4571	0.357
1002	0.8104	0.7555	0.7035	0.511
1003	0.4737	0.4423	0.4244	0.475
1004	0.4737	0.4423	0.4244	0.475
1005	3.4890	3.2458	2.9655	0.478
1007	0.2051	0.1915	0.1870	0.506
1101	0.4395	0.4101	0.3865	0.530
1102	0.9331	0.8699	0.8451	0.459
1103	0.3631	0.3389	0.3167	0.510
1104	0.5173	0.4834	0.4460	0.498

((Class	1987	1988	1989	D-Ratio	((Class	1987	1988	1989	D-Ratio
1106	0.1916	0.1790	0.1636	0.577	3802	0.1419	0.1325	0.1251	0.577
1108	0.4096	0.3828	0.3634	0.507	3808	0.2345	0.2187	0.2028	0.543
1109	0.6684	0.6238	0.5650	0.524	3901	0.1351	0.1262	0.1151	0.530
1301	0.2108	0.1973	0.2013	0.444	3902	0.4460	0.4160	0.3826	0.536
1303	0.1744	0.1628	0.1591	0.479	3903	0.9575	0.8970	0.8308	0.474
1304	0.0174	0.0163	0.0160	0.548	3905	0.1208	0.1132	0.1059	0.563
1305	0.2523	0.2352	0.2198	0.546	3906	0.3589	0.3354	0.3223	0.496
1401	0.7402	0.6938	0.6585	0.470	3909	0.2581	0.2416	0.2210	0.502
1404	0.5108	0.4762	0.4305	0.520	4002	0.5567	0.5197	0.4940	0.485
1405	0.4534	0.4232	0.3971	0.502	4101	0.1772	0.1658	0.1530	0.527
1501	0.3164	0.2956	0.2762	0.512	4103	0.2065	0.1931	0.1906	0.517
1507	0.2198	0.2054	0.1961	0.515	4107	0.0943	0.0884	0.0857	0.507
1701	1.3268	1.2410	1.2587	0.360	4108	0.1772	0.1658	0.1530	0.527
1702	1.3268	1.2410	1.2587	0.360	4109	0.1772	0.1658	0.1530	0.527
1703	0.3874	0.3617	0.3498	0.437	4201	0.2016	0.1881	0.1858	0.500
1704	0.7753	0.7249	0.6983	0.426	4301	0.7024	0.6553	0.6084	0.517
1801	0.8594	0.8027	0.8010	0.438	4302	0.5708	0.5319	0.4932	0.505
1802	0.5023	0.4689	0.4343	0.504	4303	0.2315	0.2161	0.2003	0.519
2002	0.5617	0.5254	0.4896	0.485	4304	0.5277	0.4928	0.4570	0.534
2003	0.3532	0.3300	0.3138	0.519	4305	0.9111	0.8500	0.8568	0.484
2004	0.6708	0.6256	0.5812	0.506	4401	0.4407	0.4102	0.3824	0.557
2005	0.3037	0.2843	0.2625	0.499	4402	0.6093	0.5685	0.5301	0.517
2007	0.3362	0.3149	0.2930	0.496	4404	0.5063	0.4713	0.4361	0.529
2008	0.2225	0.2079	0.1941	0.460	4501	0.1156	0.1082	0.1037	0.446
2101	0.4944	0.4610	0.4256	0.501	4502	0.0344	0.0323	0.0311	0.430
2102	0.3532	0.3300	0.3138	0.519	4504	0.0692	0.0648	0.0593	0.555
2104	0.3015	0.2810	0.2417	0.555	4601	0.5453	0.5119	0.4853	0.437
2105	0.4161	0.3889	0.3801	0.483	4802	0.3258	0.3042	0.2684	0.503
2106	0.3718	0.3475	0.3235	0.494	4803	0.3265	0.3039	0.2288	0.540
2201	0.1997	0.1863	0.1742	0.534	4804	0.4659	0.4349	0.4041	0.537
2202	0.4154	0.3885	0.3605	0.511	4805	0.3193	0.2978	0.2684	0.538
2203	0.2636	0.2457	0.2253	0.527	4806	0.0858	0.0800	0.0652	0.527
2401	0.4395	0.4103	0.3846	0.504	4808	0.4272	0.3992	0.3659	0.467
2903	0.6357	0.5930	0.5506	0.531	4809	0.2004	0.1871	0.1739	0.561
2904	0.5803	0.5420	0.5040	0.503	4810	0.1597	0.1491	0.1276	0.517
2905	0.4117	0.3841	0.3453	0.539	4811	0.2594	0.2421	0.2068	0.499
2906	0.4286	0.3998	0.3852	0.491	4812	0.4129	0.3849	0.3598	0.530
2907	0.4047	0.3772	0.3500	0.532	4813	0.3258	0.3042	0.2684	0.503
2908	0.7848	0.7323	0.6926	0.501	4901	0.0404	0.0377	0.0372	0.531
2909	0.5626	0.5251	0.4850	0.497	4902	0.0311	0.0291	0.0277	0.529
3101	0.5921	0.5531	0.5358	0.444	4903	0.0404	0.0377	0.0372	0.531
3102	0.3907	0.3654	0.3506	0.440	4904	0.0123	0.0115	0.0109	0.534
3103	0.3907	0.3654	0.3506	0.440	4905	0.2584	0.2413	0.2192	0.575
3104	0.4505	0.4224	0.4153	0.474	4906	0.0459	0.0430	0.0407	0.521
3105	0.7527	0.7013	0.6470	0.514	4907	0.0678	0.0635	0.0589	0.487
3303	0.2124	0.1986	0.1827	0.479	4908	0.1062	0.1001	0.0933	0.492
3304	0.6096	0.5674	0.5124	0.561	4909	0.1062	0.1001	0.0933	0.492
3309	0.3276	0.3071	0.2842	0.490	4910	0.2932	0.2737	0.2491	0.526
3401	0.3198	0.2987	0.2866	0.496	5001	3.3722	3.1496	3.2021	0.410
3402	0.3471	0.3239	0.3040	0.524	5002	0.4378	0.4078	0.3965	0.540
3403	0.1216	0.1138	0.1100	0.505	5003	1.1065	1.0336	1.0137	0.417
3404	0.3335	0.3111	0.2899	0.543	5004	2.7005	2.5148	2.2824	0.488
3405	0.2217	0.2070	0.1938	0.522	5101	0.5708	0.5325	0.4935	0.507
3406	0.1593	0.1491	0.1384	0.537	5103	0.7285	0.6793	0.6186	0.531
3407	0.2575	0.2411	0.2364	0.435	5106	0.5002	0.4689	0.4418	0.455
3408	0.0811	0.0758	0.0750	0.485	5108	0.5979	0.5583	0.5384	0.492
3409	0.1140	0.1065	0.0991	0.500	5109	0.3559	0.3330	0.3143	0.443
3501	0.6014	0.5620	0.5284	0.462	5201	0.2567	0.2400	0.2299	0.484
3503	0.1874	0.1749	0.1542	0.539	5204	0.9684	0.8998	0.8601	0.510
3506	0.6310	0.5896	0.5906	0.447	5206	0.3002	0.2806	0.2772	0.449
3508	0.3445	0.3215	0.3013	0.531	5207	0.1311	0.1224	0.1114	0.573
3509	0.3535	0.3287	0.3052	0.621	5208	0.7466	0.6960	0.6686	0.503
3510	0.3445	0.3215	0.3013	0.531	5209	0.5148	0.4804	0.4455	0.532
3511	0.3445	0.3215	0.3013	0.531	5301	0.0201	0.0188	0.0180	0.508
3512	0.3445	0.3215	0.3013	0.531	5305	0.0277	0.0260	0.0249	0.464
3602	0.0871	0.0815	0.0748	0.565	5306	0.0329	0.0309	0.0294	0.463
3603	0.4680	0.4375	0.4137	0.508	5307	0.2967	0.2770	0.2682	0.517
3604	1.0475	0.9786	0.9099	0.461	6103	0.0391	0.0366	0.0347	0.554
3605	0.3866	0.3605	0.3335	0.520	6104	0.2552	0.2383	0.2199	0.519
3606	0.7110	0.6647	0.6170	0.492	6105	0.1385	0.1294	0.1197	0.530
3701	0.2262	0.2111	0.2003	0.519	6107	0.0959	0.0897	0.0853	0.535
3702	0.3714	0.3471	0.3331	0.447	6108	0.4402	0.4103	0.3824	0.585
3707	0.3427	0.3193	0.2963	0.531	6109	0.0312	0.0292	0.0270	0.567
3708	0.2399	0.2240	0.2061	0.526	6110	0.3230	0.3013	0.2779	0.597
3801	0.1796	0.1675	0.1588	0.515	6201	0.1227	0.1149	0.1099	0.509

((Class	1987	1988	1989	D-Ratio
6202	0.5097	0.4771	0.4447	0.448
6203	0.0723	0.0677	0.0630	0.489
6204	0.1420	0.1328	0.1223	0.562
6205	0.1420	0.1328	0.1223	0.562
6206	0.1420	0.1328	0.1223	0.562
6207	0.8227	0.7701	0.7157	0.525
6208	0.2302	0.2151	0.1979	0.513
6209	0.1919	0.1798	0.1667	0.523
6301	0.0945	0.0885	0.0914	0.446
6302	0.1416	0.1327	0.1236	0.427
6303	0.0540	0.0506	0.0482	0.462
6304	0.1190	0.1115	0.1005	0.521
6305	0.0575	0.0538	0.0478	0.528
6306	0.2001	0.1870	0.1709	0.499
6308	0.0327	0.0306	0.0285	0.480
6309	0.1108	0.1036	0.0941	0.539
6402	0.2076	0.1937	0.1741	0.515
6403	0.1553	0.1451	0.1333	0.574
6404	0.1402	0.1309	0.1166	0.569
6405	0.4438	0.4143	0.3969	0.512
6406	0.0710	0.0665	0.0617	0.543
6407	0.1595	0.1491	0.1324	0.549
6408	0.2767	0.2591	0.2465	0.459
6409	0.4196	0.3938	0.3821	0.440
6501	0.0624	0.0581	0.0537	0.577
6502	0.0154	0.0144	0.0137	0.501
6503	0.0686	0.0644	0.0651	0.348
6504	0.3010	0.2817	0.2582	0.580
6505	0.1187	0.1109	0.1034	0.526
6506	0.0687	0.0644	0.0594	0.538
6508	0.3419	0.3195	0.2999	0.521
6509	0.1827	0.1710	0.1586	0.495
6601	0.1618	0.1514	0.1391	0.527
6602	0.4133	0.3857	0.3565	0.556
6603	0.2188	0.2045	0.1935	0.516
6604	0.0531	0.0496	0.0479	0.470
6605	0.2118	0.1977	0.1941	0.547
6607	0.1311	0.1224	0.1114	0.573
6608	0.1913	0.1784	0.1736	0.486
6704	0.1449	0.1355	0.1264	0.508
6705	0.7012	0.6555	0.5816	0.552
6706	0.3193	0.2990	0.2920	0.507
6707	1.6261	1.5183	1.4239	0.598
6708	3.7000	3.4899	3.3134	0.442
6709	0.1524	0.1427	0.1304	0.582
6801	0.2893	0.2705	0.2704	0.421
6802	0.2695	0.2521	0.2378	0.501
6803	1.1117	1.0404	1.0764	0.291
6804	0.1663	0.1556	0.1517	0.460
6809	2.3852	2.2431	2.1201	0.527
6901	0.0285	0.0272	0.0255	0.684
6902	0.3950	0.3689	0.3551	0.436
6903	5.4323	5.1028	5.1944	0.287
6904	0.1524	0.1425	0.1439	0.488
6905	0.2000	0.1873	0.1813	0.438
6906	0.0896	0.0855	0.0801	0.684
6907	1.2058	1.1245	1.0618	0.492
6908	0.3224	0.3003	0.2757	0.544
6909	0.0540	0.0506	0.0483	0.503
7101	0.0217	0.0203	0.0203	0.451
7102	2.9552	2.7846	2.6911	0.529
7103	0.1736	0.1621	0.1561	0.499
7104	0.0391	0.0366	0.0184	0.462
7105	0.2676	0.2495	0.0310	0.456
7106	0.5457	0.5086	0.1750	0.487
7107	1.2513	1.1725	0.1745	0.484
7108	2.1153	1.9707	0.1757	0.492
7109	5.2383	4.8932	0.2335	0.537
7110	0.2749	0.2563	0.2368	0.516
7111	0.3122	0.2907	0.2723	0.553
7112	0.5283	0.4925	0.4680	0.472
7113	0.5568	0.5195	0.4827	0.455
7114	0.5296	0.4938	0.4570	0.494
7115	0.5260	0.4903	0.4545	0.472
7116	0.5550	0.5174	0.4795	0.480

((Class	1987	1988	1989	D-Ratio
7117	1.2579	1.1769	1.0909	0.506
7118	2.2115	2.0627	1.9117	0.481
7119	1.9722	1.8380	1.7022	0.484
7120	5.1854	4.8437	4.4972	0.467
7121	5.1846	4.8429	4.4965	0.467
7201	0.6532	0.6068	0.5666	0.536
7202	0.0290	0.0271	0.0258	0.484
7203	0.1091	0.1023	0.0945	0.480
7204	0.0000	0.0000	0.0000	0.684
7301	0.5485	0.5113	0.4652	0.525
7302	0.5898	0.5522	0.5226	0.552
7307	0.8565	0.7959	0.6761	0.573
7308	0.2039	0.1910	0.1743	0.490
7309	0.1524	0.1427	0.1304	0.582
*Daily expected loss rate))				
Class	1988	1989	1990	D-Ratio
0101	1.0196	1.0481	0.9768	0.403
0102	0.9991	1.0132	0.9471	0.424
0103	1.0499	1.0465	0.9802	0.460
0104	1.2743	1.3074	1.2084	0.312
0105	0.9019	0.8686	0.8149	0.472
0106	2.7720	2.7614	2.5894	0.426
0107	0.8765	0.9190	0.8550	0.397
0108	0.8660	0.9009	0.8397	0.419
0109	2.6769	2.7646	2.5712	0.415
0201	1.6995	1.7470	1.6156	0.354
0202	1.9174	1.9546	1.8289	0.406
0206	1.3973	1.4567	1.3520	0.393
0301	0.5054	0.4936	0.4649	0.522
0302	1.3910	1.4311	1.3334	0.400
0306	0.7564	0.7689	0.7188	0.448
0307	0.5805	0.5838	0.5472	0.483
0403	0.8722	0.8766	0.8241	0.490
0502	0.8127	0.8497	0.7929	0.443
0504	1.1226	1.1321	1.0565	0.417
0506	2.7791	2.8117	2.6271	0.428
0507	2.4532	2.3932	2.2364	0.422
0508	2.9853	3.0704	2.8499	0.358
0509	1.5073	1.5428	1.4370	0.378
0510	1.1138	1.1007	1.0312	0.456
0511	0.9342	0.9359	0.8770	0.496
0512	1.2711	1.3068	1.2196	0.415
0513	0.6126	0.5949	0.5583	0.480
0514	1.0631	1.0781	1.0073	0.425
0515	1.6737	1.7187	1.5989	0.400
0516	1.4925	1.5122	1.4117	0.422
0517	1.4769	1.5219	1.4249	0.448
0518	1.2227	1.2683	1.1798	0.397
0519	1.3199	1.3637	1.2742	0.447
0601	0.4698	0.4813	0.4518	0.480
0602	0.2906	0.2990	0.2808	0.514
0603	0.6165	0.6052	0.5660	0.447
0604	0.9002	0.8719	0.8176	0.441
0606	0.2069	0.2061	0.1952	0.571
0607	0.2457	0.2357	0.2227	0.528
0608	0.1964	0.1949	0.1840	0.554
0701	1.5668	1.6261	1.5021	0.348
0803	0.3029	0.2930	0.2754	0.484
0804	0.6323	0.6253	0.5850	0.453
0901	1.5336	1.5213	1.4119	0.342
1002	0.8166	0.7902	0.7421	0.488
1003	0.4685	0.4637	0.4348	0.465
1004	0.4685	0.4637	0.4348	0.465
1005	3.3758	3.2027	2.9841	0.413
1007	0.2110	0.2124	0.2002	0.504
1101	0.4425	0.4333	0.4085	0.519
1102	0.9289	0.9291	0.8672	0.424
1103	0.3632	0.3524	0.3320	0.510
1104	0.4787	0.4584	0.4322	0.510
1106	0.1829	0.1747	0.1663	0.593
1108	0.3774	0.3710	0.3503	0.522
1109	0.6285	0.5939	0.5615	0.536
1301	0.2239	0.2334	0.2194	0.493
1303	0.1653	0.1662	0.1561	0.503

Class	1988	1989	1990	D-Ratio	Class	1988	1989	1990	D-Ratio
1304	0.0176	0.0179	0.0169	0.559	3906	0.3399	0.3373	0.3181	0.501
1305	0.2497	0.2429	0.2298	0.568	3909	0.2473	0.2351	0.2224	0.521
1401	0.6494	0.6369	0.6011	0.498	4002	0.5274	0.5178	0.4875	0.520
1404	0.4754	0.4473	0.4204	0.510	4101	0.1672	0.1605	0.1520	0.561
1405	0.4342	0.4222	0.3976	0.499	4103	0.1906	0.1939	0.1838	0.578
1501	0.3018	0.2926	0.2756	0.534	4107	0.0981	0.0983	0.0931	0.524
1507	0.2432	0.2404	0.2272	0.543	4108	0.1672	0.1605	0.1520	0.561
1701	1.2281	1.2601	1.1665	0.340	4109	0.1672	0.1605	0.1520	0.561
1702	1.2281	1.2601	1.1665	0.340	4201	0.1867	0.1900	0.1786	0.512
1703	0.3643	0.3614	0.3378	0.451	4301	0.6739	0.6501	0.6130	0.539
1704	0.7212	0.7130	0.6661	0.418	4302	0.5331	0.5130	0.4816	0.507
1801	0.7823	0.7985	0.7453	0.446	4303	0.2133	0.2054	0.1937	0.528
1802	0.5609	0.5397	0.5092	0.518	4304	0.4819	0.4651	0.4402	0.544
2002	0.4841	0.4672	0.4405	0.509	4305	0.8705	0.9016	0.8445	0.476
2003	0.3459	0.3409	0.3221	0.547	4401	0.4478	0.4352	0.4102	0.550
2004	0.6548	0.6313	0.5936	0.495	4402	0.5725	0.5544	0.5230	0.535
2005	0.2842	0.2725	0.2585	0.556	4404	0.4868	0.4687	0.4410	0.544
2007	0.3192	0.3080	0.2914	0.510	4501	0.1078	0.1063	0.1000	0.465
2008	0.2102	0.2028	0.1903	0.459	4502	0.0336	0.0333	0.0312	0.443
2101	0.4975	0.4771	0.4489	0.492	4504	0.0704	0.0673	0.0641	0.598
2102	0.3459	0.3409	0.3221	0.547	4601	0.5256	0.5137	0.4851	0.473
2104	0.2898	0.2620	0.2481	0.555	4802	0.2938	0.2704	0.2551	0.530
2105	0.4567	0.4606	0.4319	0.472	4803	0.2982	0.2406	0.2280	0.548
2106	0.3458	0.3337	0.3142	0.501	4804	0.4225	0.4085	0.3864	0.551
2201	0.1875	0.1822	0.1720	0.517	4805	0.2787	0.2629	0.2489	0.559
2202	0.4092	0.3941	0.3729	0.554	4806	0.0809	0.0697	0.0659	0.531
2203	0.2533	0.2419	0.2277	0.520	4808	0.4334	0.4120	0.3880	0.472
2401	0.3903	0.3793	0.3583	0.561	4809	0.1877	0.1818	0.1727	0.607
2903	0.5893	0.5698	0.5386	0.534	4810	0.1540	0.1376	0.1300	0.538
2904	0.5551	0.5358	0.5052	0.497	4811	0.2323	0.2085	0.1972	0.526
2905	0.3924	0.3683	0.3488	0.578	4812	0.3980	0.3868	0.3644	0.528
2906	0.3725	0.3704	0.3476	0.490	4813	0.2537	0.2329	0.2192	0.518
2907	0.3909	0.3775	0.3571	0.589	4901	0.0380	0.0388	0.0366	0.556
2908	0.7422	0.7267	0.6845	0.534	4902	0.0318	0.0314	0.0296	0.548
2909	0.5226	0.5011	0.4721	0.506	4903	0.0380	0.0388	0.0366	0.556
3101	0.5895	0.5867	0.5483	0.455	4904	0.0134	0.0131	0.0125	0.577
3102	0.4107	0.4052	0.3795	0.440	4905	0.2371	0.2252	0.2143	0.604
3103	0.4107	0.4052	0.3795	0.440	4906	0.0464	0.0456	0.0430	0.541
3104	0.4205	0.4275	0.4021	0.478	4907	0.0608	0.0586	0.0552	0.504
3105	0.7397	0.7094	0.6654	0.478	4908	0.0982	0.0949	0.0908	0.546
3303	0.1950	0.1861	0.1754	0.490	4909	0.0982	0.0949	0.0908	0.546
3304	0.5354	0.5062	0.4787	0.578	4910	0.2783	0.2640	0.2501	0.563
3309	0.2952	0.2834	0.2687	0.513	5001	3.3414	3.4642	3.2196	0.369
3401	0.3103	0.3080	0.2901	0.494	5002	0.4098	0.4128	0.3888	0.545
3402	0.3293	0.3213	0.3035	0.535	5003	1.1380	1.1459	1.0644	0.385
3403	0.1244	0.1243	0.1174	0.509	5004	3.0811	2.9056	2.7117	0.416
3404	0.3343	0.3243	0.3067	0.553	5101	0.5670	0.5459	0.5152	0.544
3405	0.2353	0.2286	0.2156	0.531	5103	0.7259	0.6894	0.6501	0.515
3406	0.1519	0.1465	0.1392	0.573	5106	0.4474	0.4352	0.4106	0.472
3407	0.2652	0.2668	0.2503	0.472	5108	0.5818	0.5796	0.5444	0.495
3408	0.0726	0.0739	0.0696	0.496	5109	0.4069	0.3956	0.3715	0.487
3409	0.0951	0.0918	0.0867	0.513	5201	0.2588	0.2560	0.2410	0.496
3501	0.6250	0.6067	0.5682	0.433	5204	0.8019	0.7925	0.7420	0.502
3503	0.1913	0.1774	0.1684	0.554	5206	0.3186	0.3231	0.3026	0.474
3506	0.5940	0.6090	0.5699	0.462	5207	0.1133	0.1078	0.1027	0.597
3509	0.3592	0.3499	0.3320	0.639	5208	0.7585	0.7528	0.7071	0.492
3510	0.3684	0.3589	0.3402	0.589	5209	0.5303	0.5120	0.4838	0.523
3511	0.4174	0.4066	0.3846	0.573	5301	0.0177	0.0176	0.0166	0.536
3512	0.3122	0.3042	0.2877	0.552	5305	0.0290	0.0286	0.0270	0.491
3602	0.0747	0.0714	0.0679	0.588	5306	0.0311	0.0306	0.0289	0.515
3603	0.3173	0.3109	0.2939	0.536	5307	0.3255	0.3271	0.3074	0.488
3604	1.0491	1.0084	0.9460	0.468	6103	0.0408	0.0402	0.0383	0.596
3605	0.3666	0.3525	0.3322	0.525	6104	0.2301	0.2210	0.2084	0.494
3606	0.6606	0.6356	0.5988	0.499	6105	0.1416	0.1363	0.1290	0.554
3701	0.2089	0.2054	0.1937	0.528	6107	0.0963	0.0949	0.0900	0.561
3702	0.3710	0.3659	0.3440	0.512	6108	0.3765	0.3667	0.3487	0.620
3707	0.3286	0.3172	0.2989	0.547	6109	0.0328	0.0316	0.0300	0.581
3708	0.2357	0.2257	0.2135	0.562	6110	0.3426	0.3305	0.3131	0.559
3801	0.1743	0.1713	0.1615	0.531	6201	0.1255	0.1244	0.1176	0.524
3802	0.1295	0.1275	0.1208	0.562	6202	0.4516	0.4347	0.4088	0.463
3808	0.2252	0.2177	0.2052	0.516	6203	0.0665	0.0642	0.0609	0.539
3901	0.1293	0.1229	0.1166	0.590	6204	0.1384	0.1331	0.1265	0.568
3902	0.4080	0.3909	0.3698	0.566	6205	0.1384	0.1331	0.1265	0.568
3903	0.9198	0.8825	0.8337	0.487	6206	0.1384	0.1331	0.1265	0.568
3905	0.1210	0.1179	0.1126	0.618	6207	0.7927	0.7659	0.7276	0.559



Class	1988	1989	1990	D-Ratio
6208	0.2197	0.2101	0.1989	0.550
6209	0.1821	0.1754	0.1670	0.594
6301	0.0944	0.0999	0.0934	0.414
6302	0.1354	0.1301	0.1223	0.434
6303	0.0501	0.0492	0.0465	0.506
6304	0.1253	0.1179	0.1126	0.599
6305	0.0515	0.0475	0.0451	0.545
6306	0.1930	0.1835	0.1737	0.556
6308	0.0323	0.0312	0.0294	0.509
6309	0.1026	0.0969	0.0920	0.564
6402	0.1933	0.1811	0.1713	0.562
6403	0.1474	0.1413	0.1345	0.598
6404	0.1233	0.1152	0.1097	0.592
6405	0.4311	0.4274	0.4026	0.520
6406	0.0608	0.0587	0.0557	0.560
6407	0.1485	0.1376	0.1307	0.575
6408	0.2636	0.2586	0.2442	0.521
6409	0.3655	0.3656	0.3443	0.507
6410	0.1148	0.1130	0.1069	0.518
6501	0.0587	0.0566	0.0537	0.598
6502	0.1058	0.0155	0.0147	0.551
6503	0.0610	0.0625	0.0583	0.361
6504	0.3057	0.2926	0.2791	0.597
6505	0.0997	0.0966	0.0916	0.566
6506	0.0629	0.0603	0.0572	0.551
6508	0.3245	0.3162	0.2989	0.538
6509	0.1633	0.1572	0.1494	0.596
6601	0.1513	0.1446	0.1373	0.566
6602	0.3731	0.3595	0.3401	0.544
6603	0.2184	0.2142	0.2029	0.549
6604	0.0514	0.0510	0.0480	0.492
6605	0.2455	0.2493	0.2362	0.597
6607	0.1133	0.1078	0.1027	0.597
6608	0.1863	0.1870	0.1750	0.480
6704	0.1241	0.1202	0.1137	0.534
6705	0.6828	0.6326	0.6014	0.600
6706	0.3152	0.3180	0.3008	0.522
6707	1.4986	1.4678	1.3974	0.625
6708	3.5858	3.5234	3.3418	0.467
6709	0.1467	0.1400	0.1338	0.614
6801	0.2323	0.2366	0.2217	0.458
6802	0.2460	0.2404	0.2279	0.573
6803	1.0617	1.1000	1.0049	0.250
6804	0.1594	0.1596	0.1507	0.546
6809	2.4970	2.4474	2.3463	0.606
6901	0.0238	0.0232	0.0227	0.572
6902	0.4269	0.4221	0.3938	0.423
6903	5.0533	5.1941	4.7930	0.274
6904	0.1475	0.1531	0.1443	0.546
6905	0.2127	0.2114	0.1991	0.497
6906	0.0951	0.0926	0.0908	0.614
6907	1.0581	1.0348	0.9681	0.428
6908	0.3238	0.3101	0.2929	0.560
6909	0.0528	0.0521	0.0494	0.571
7101	0.0221	0.0227	0.0213	0.470
7102	2.8085	2.8126	2.6960	0.574
7103	0.1858	0.1849	0.1737	0.521
7104	0.0380	0.0192	0.0181	0.477
7105	0.2571	0.0316	0.0297	0.457
7106	0.5278	0.1733	0.1630	0.474
7107	1.1975	0.1826	0.1717	0.473
7108	2.0400	0.1922	0.1816	0.528
7109	5.0589	0.2242	0.2118	0.539
7110	0.2739	0.2634	0.2481	0.509
7111	0.3641	0.3556	0.3355	0.561
7112	0.4923	0.4833	0.4524	0.451
7113	0.5726	0.5501	0.5157	0.471
7114	0.5089	0.4896	0.4631	0.546
7115	0.5002	0.4806	0.4503	0.459
7116	0.5378	0.5169	0.4846	0.453
7117	1.2507	1.2047	1.1414	0.522
7118	2.1976	2.1128	1.9865	0.483
7119	1.7484	1.6801	1.5760	0.468
7120	5.0083	4.8165	4.5247	0.452
7121	4.9807	4.7899	4.4997	0.452

Class	1988	1989	1990	D-Ratio
7201	0.6043	0.5877	0.5525	0.533
7202	0.0293	0.0288	0.0273	0.554
7203	0.1074	0.1029	0.0977	0.520
7204	0.0000	0.0000	0.0000	0.678
7301	0.5220	0.4957	0.4667	0.473
7302	0.5205	0.5127	0.4863	0.561
7307	0.8211	0.7372	0.6956	0.532
7308	0.1823	0.1730	0.1640	0.531
7309	0.1467	0.1400	0.1338	0.614

AMENDATORY SECTION (Amending WSR 90-24-042, filed 11/30/90, effective 1/1/91)

WAC 296-17-890 TABLE IV.

Maximum experience modifications for firms with no compensable accidents:

Expected Loss Range	Maximum Experience Modification
(1,783 & Under	0.90
1,784 - 1,908	0.89
1,909 - 2,043	0.88
2,044 - 2,189	0.87
2,190 - 2,347	0.86
2,348 - 2,519	0.85
2,520 - 2,706	0.84
2,707 - 2,909	0.83
2,910 - 3,130	0.82
3,131 - 3,371	0.81
3,372 - 3,634	0.80
3,635 - 3,922	0.79
3,923 - 4,236	0.78
4,237 - 4,580	0.77
4,581 - 4,957	0.76
4,958 - 5,370	0.75
5,371 - 5,824	0.74
5,825 - 6,324	0.73
6,325 - 6,875	0.72
6,876 - 7,482	0.71
7,483 - 8,153	0.70
8,154 - 8,895	0.69
8,896 - 9,717	0.68
9,718 - 10,628	0.67
10,629 - 11,642	0.66
11,643 - 12,769	0.65
12,770 - 14,027	0.64
14,028 - 15,431	0.63
15,432 - 17,001	0.62
17,002 - 18,762	0.61
18,763 & Over	0.60))
1,786 & Under	0.90
1,787 - 1,911	0.89
1,912 - 2,046	0.88
2,047 - 2,192	0.87
2,193 - 2,351	0.86
2,352 - 2,523	0.85
2,524 - 2,710	0.84
2,711 - 2,914	0.83
2,915 - 3,135	0.82
3,136 - 3,377	0.81
3,378 - 3,640	0.80
3,641 - 3,928	0.79
3,929 - 4,243	0.78
4,244 - 4,587	0.77
4,588 - 4,964	0.76
4,965 - 5,379	0.75
5,380 - 5,834	0.74
5,835 - 6,334	0.73
6,335 - 6,886	0.72
6,887 - 7,494	0.71
7,495 - 8,166	0.70
8,167 - 8,909	0.69
8,910 - 9,732	0.68

Expected Loss Range	Maximum Experience Modification
9,733 - 10,645	0.67
10,646 - 11,660	0.66
11,661 - 12,790	0.65
12,791 - 14,049	0.64
14,050 - 15,455	0.63
15,456 - 17,028	0.62
17,029 - 18,792	0.61
18,793 & Over	0.60

((Base Rates Effective January 1, 1991

Class	Accident Fund	Medical Aid Fund
1101	0.4145	0.3893
1102	1.0760	0.6496
1103	0.3480	0.3081
1104	0.4751	0.4476
1106	0.1496	0.1946
1108	0.3850	0.3681
1109	0.5967	0.5773
1301	0.2295	0.1824
1303	0.1918	0.1344
1304	0.0158	0.0176
1305	0.2424	0.2151
1401	0.6355	0.7278
1404	0.4811	0.4104
1405	0.4429	0.3773
1501	0.2909	0.2821
1507	0.2029	0.2043
1701	1.7413	0.7666
1702	1.7413	0.7666
1703	0.4417	0.2689
1704	0.8479	0.5716
1801	1.0244	0.6016
1802	0.4644	0.4363
2002	0.5053	0.5075
2003	0.3270	0.3249
2004	0.6657	0.5342
2005	0.2515	0.2943
2007	0.2752	0.3341
2008	0.2207	0.1776
2101	0.4958	0.3812
2102	0.3270	0.3249
2104	0.2446	0.2605
2105	0.4336	0.3486
2106	0.3414	0.3279
2201	0.1873	0.1748
2202	0.3576	0.3919
2203	0.2559	0.2107
2401	0.4251	0.3701
2903	0.5850	0.5617
2904	0.5449	0.4980
2905	0.3545	0.3651
2906	0.4642	0.3273
2907	0.3955	0.3306
2908	0.7941	0.6345
2909	0.5429	0.4580
3101	0.6623	0.4288
3102	0.4098	0.3060
3103	0.4098	0.3060
3104	0.4132	0.4460
3105	0.7658	0.5697
3303	0.1941	0.1830
3304	0.5642	0.5054
3309	0.2600	0.3311
3401	0.3144	0.2786
3402	0.3262	0.3060
3403	0.1122	0.1161
3404	0.3048	0.2997
3405	0.2034	0.1991
3406	0.1199	0.1703
3407	0.2703	0.2128
3408	0.0834	0.0711
3409	0.1046	0.1006
3501	0.6005	0.4834
3503	0.1568	0.1649
3506	0.7268	0.4767
3508	0.3257	0.3008
3509	0.3307	0.3126
3510	0.3257	0.3008
3511	0.3257	0.3008
3512	0.3257	0.3008
3602	0.0641	0.0932
3603	0.4251	0.4334

AMENDATORY SECTION (Amending WSR 91-12-014, filed 5/31/91, effective 7/1/91)

WAC 296-17-895 INDUSTRIAL INSURANCE ACCIDENT FUND BASE RATES AND MEDICAL AID BASE RATES BY CLASS OF INDUSTRY. Industrial insurance accident fund and medical aid fund base rates by class of industry shall be as set forth below.

((Base Rates Effective January 1, 1991

Class	Accident Fund	Medical Aid Fund
0101	1.1963	0.6806
0102	1.3225	0.8664
0103	1.1948	0.8453
0104	1.5032	0.6980
0105	0.9554	0.6901
0106	2.4857	2.1245
0107	1.0657	0.5652
0108	1.0529	0.6031
0109	3.2607	1.7599
0201	1.9767	0.9592
0202	2.0413	1.7329
0206	1.8773	0.8357
0301	0.5109	0.4379
0302	1.8681	0.8778
0306	0.8553	0.5514
0307	0.6859	0.4906
0403	0.9276	0.7385
0502	1.1020	0.5976
0504	1.3447	0.8784
0506	3.2648	2.3160
0507	2.7437	1.8854
0508	3.6487	1.8670
0509	1.8730	1.2442
0510	1.2157	0.8201
0511	1.0639	0.6698
0512	1.4133	0.9005
0513	0.7060	0.5235
0514	1.2089	0.8115
0515	2.2891	1.2416
0516	1.7296	1.1097
0517	1.7376	1.1542
0518	1.5331	0.7829
0519	1.6910	1.0500
0601	0.5200	0.4131
0602	0.3498	0.2542
0603	0.7414	0.4872
0604	1.1097	0.6011
0606	0.2062	0.2052
0607	0.2196	0.2180
0608	0.2213	0.1914
0701	2.1000	0.7979
0803	0.2966	0.2375
0804	0.7743	0.5117
0901	1.9242	0.9889
1002	0.8025	0.6541
1003	0.4962	0.3749
1004	0.4962	0.3749
1005	3.8685	2.1981
1007	0.2070	0.1794

((Base Rates Effective  
January 1, 1991((Base Rates Effective  
January 1, 1991

Class	Accident Fund	Medical Aid Fund
3604	1.0512	0.8141
3605	0.3728	0.3177
3606	0.6462	0.6302
3701	0.2171	0.1983
3702	0.3951	0.2853
3707	0.3401	0.2741
3708	0.2118	0.2172
3801	0.1785	0.1502
3802	0.1253	0.1371
3808	0.2199	0.2022
3901	0.1128	0.1274
3902	0.4066	0.3896
3903	0.8077	0.9127
3905	0.0875	0.1357
3906	0.3480	0.3181
3909	0.2109	0.2489
4002	0.5686	0.4478
4101	0.1442	0.1752
4103	0.1970	0.1988
4107	0.0852	0.0929
4108	0.1442	0.1752
4109	0.1442	0.1752
4201	0.2206	0.1622
4301	0.6767	0.5833
4302	0.5868	0.4293
4303	0.2171	0.1983
4304	0.4661	0.4862
4305	1.0580	0.6998
4401	0.4399	0.3558
4402	0.5863	0.5118
4404	0.5191	0.3829
4501	0.1154	0.0973
4502	0.0348	0.0288
4504	0.0514	0.0732
4601	0.4527	0.5496
4802	0.2842	0.2716
4803	0.2201	0.2588
4804	0.4213	0.4204
4805	0.2855	0.2732
4806	0.0649	0.0708
4808	0.4000	0.3536
4809	0.1707	0.1933
4810	0.1238	0.1417
4811	0.2129	0.2158
4812	0.4067	0.3395
4813	0.2842	0.2716
4901	0.0400	0.0373
4902	0.0312	0.0263
4903	0.0400	0.0373
4904	0.0107	0.0121
4905	0.2021	0.2587
4906	0.0418	0.0428
4907	0.0631	0.0586
4908	0.0635	0.1324
4909	0.0635	0.1324
4910	0.2505	0.2690
5001	4.2256	2.2446
5002	0.4678	0.3543
5003	1.2838	0.7727
5004	2.8593	1.8177
5101	0.5569	0.4629
5103	0.6738	0.6111
5106	0.4359	0.4759
5108	0.6175	0.4917
5109	0.3537	0.2897
5201	0.2527	0.2214
5204	1.1664	0.5955
5206	0.3302	0.2361
5207	0.1043	0.1296
5208	0.8053	0.5711
5209	0.4760	0.4504

Class	Accident Fund	Medical Aid Fund
5301	0.0175	0.0199
5305	0.0248	0.0265
5306	0.0299	0.0310
5307	0.2931	0.2638
6103	0.0304	0.0425
6104	0.2369	0.2192
6105	0.1238	0.1252
6107	0.0818	0.0963
6108	0.3876	0.4162
6109	0.0263	0.0304
6110	0.2650	0.3204
6201	0.1080	0.1205
6202	0.4747	0.4389
6203	0.0611	0.0698
6204	0.1135	0.1431
6205	0.1135	0.1431
6206	0.1135	0.1431
6207	0.6636	0.8310
6208	0.1967	0.2148
6209	0.1437	0.2049
6301	0.1053	0.0818
6302	0.1283	0.1253
6303	0.0489	0.0508
6304	0.0850	0.1254
6305	0.0379	0.0623
6306	0.1812	0.1725
6308	0.0318	0.0268
6309	0.0829	0.1141
6402	0.1828	0.1790
6403	0.1186	0.1618
6404	0.1082	0.1366
6405	0.4452	0.3758
6406	0.0543	0.0749
6407	0.1169	0.1607
6408	0.2522	0.2560
6409	0.3754	0.4121
6410	0.1040	0.1169
6501	0.0558	0.0567
6502	0.0134	0.0149
6503	0.0786	0.0523
6504	0.2105	0.3345
6505	0.1017	0.1137
6506	0.0531	0.0712
6508	0.3067	0.3169
6509	0.1585	0.1705
6601	0.1269	0.1639
6602	0.3608	0.3844
6603	0.1974	0.2046
6604	0.0540	0.0443
6605	0.2129	0.1914
6607	0.1043	0.1296
6608	0.2149	0.1411
6614	147.1050**	171.9950**
6615	109.7640**	128.3360**
6616	14.3370**	16.7630**
6617	10.6490**	12.4510**
6618	68.7350**	80.3650**
6704	0.1223	0.1408
6705	0.5183	0.7021
6706	0.2880	0.3189
6707	10.64*	13.37*
6708	2.7390	4.2020
6709	0.1010	0.1748
6801	0.3366	0.2120
6802	0.2442	0.2488
6803	1.6859	0.4081
6804	0.1687	0.1429
6809	1.5013	2.9637
6901		0.0552
6902	0.4453	0.2763
6903	6.6776	3.6229

((Base Rates Effective  
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Class	Accident Fund	Medical Aid Fund
6904	0.1616	0.1350
6905	0.1981	0.1733
6906		0.1733
6907	1.2560	0.9301
6908	0.3101	0.2628
6909	0.0475	0.0529
7101	0.0240	0.0175
7102	13.74*	31.73*
7103	0.1788	0.1429
7104	0.0164	0.0216
7105	0.0351	0.0286
7106	0.1955	0.1657
7107	0.1960	0.1641
7108	0.1927	0.1707
7109	0.2564	0.2297
7110	0.2629	0.2283
7111	0.3091	0.2584
7112	0.5797	0.3793
7113	0.5804	0.4077
7114	0.5308	0.4124
7115	0.5546	0.3777
7116	0.5702	0.4160
7117	1.0412	1.2323
7118	2.2324	1.7034
7119	2.0456	1.4557
7120	5.0268	4.2330
7121	5.0262	4.2322
7201	0.7208	0.4515
7202	0.0251	0.0282
7203	0.0835	0.1131
7204		
7301	0.5188	0.4458
7302	0.4670	0.6296
7307	0.7465	0.6666
7308	0.1663	0.1956
7309	0.1010	0.1748))

Base Rates Effective  
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Class	Accident Fund	Medical Aid Fund
0101	1.3190	0.7651
0102	1.2215	0.8090
0103	1.2284	0.8799
0104	1.7381	0.8103
0105	0.9897	0.7673
0106	3.0679	2.5177
0107	1.1760	0.6439
0108	1.1378	0.6540
0109	3.6118	1.8546
0201	2.4035	1.0023
0202	2.1882	1.7453
0206	1.9394	0.9263
0301	0.5486	0.4588
0302	1.8116	1.0323
0306	0.9399	0.6007
0307	0.6970	0.4798
0403	0.9679	0.8147
0502	1.0677	0.6266
0504	1.4024	0.8567
0506	3.3736	2.2567
0507	2.8959	1.8965
0508	3.9611	2.0861
0509	1.8711	1.1961
0510	1.3026	0.9150
0511	1.1291	0.7560
0512	1.6093	0.9985
0513	0.6800	0.5242
0514	1.2788	0.8804
0515	2.2348	1.1658

Class	Accident Fund	Medical Aid Fund
0516	1.8390	1.1825
0517	1.7787	1.2844
0518	1.6426	0.8669
0519	1.6683	1.0607
0601	0.5555	0.4187
0602	0.3486	0.2571
0603	0.7289	0.4852
0604	0.9713	0.7918
0606	0.2081	0.2183
0607	0.2385	0.2470
0608	0.2097	0.1904
0701	2.2750	0.8853
0803	0.3204	0.2753
0804	0.7451	0.5106
0901	1.9153	1.0821
1002	0.9082	0.6935
1003	0.5310	0.4059
1004	0.5310	0.4059
1005	4.0743	2.2893
1007	0.2233	0.2115
1101	0.4688	0.4181
1102	1.1580	0.6959
1103	0.3787	0.3418
1104	0.4807	0.4585
1106	0.1567	0.2094
1108	0.3716	0.3917
1109	0.6023	0.6225
1301	0.2591	0.2153
1303	0.1903	0.1468
1304	0.0173	0.0197
1305	0.2540	0.2470
1401	0.6377	0.6716
1404	0.5101	0.3982
1405	0.4471	0.4155
1501	0.3233	0.2742
1507	0.2440	0.2515
1701	1.6716	0.7933
1702	1.6716	0.7933
1703	0.4396	0.2843
1704	0.8498	0.5779
1801	0.9905	0.6033
1802	0.5746	0.5321
2002	0.4873	0.4703
2003	0.3507	0.3513
2004	0.6981	0.5861
2005	0.2538	0.3132
2007	0.2920	0.3453
2008	0.2260	0.1847
2101	0.5193	0.4529
2102	0.3507	0.3513
2104	0.2617	0.2803
2105	0.5301	0.4002
2106	0.3580	0.3235
2201	0.1882	0.1861
2202	0.3970	0.4170
2203	0.2683	0.2250
2401	0.4015	0.3786
2903	0.5880	0.5863
2904	0.5555	0.5426
2905	0.3738	0.3884
2906	0.4270	0.3226
2907	0.4042	0.3741
2908	0.8097	0.6737
2909	0.5305	0.4942
3101	0.7187	0.4559
3102	0.4639	0.3526
3103	0.4639	0.3526
3104	0.4585	0.4125
3105	0.8180	0.6161
3303	0.1919	0.1891
3304	0.5443	0.4989

Base Rates Effective  
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Class	Accident Fund	Medical Aid Fund
3309	0.2524	0.3374
3401	0.3292	0.3003
3402	0.3355	0.3253
3403	0.1249	0.1307
3404	0.3340	0.3348
3405	0.2443	0.2239
3406	0.1331	0.1728
3407	0.3026	0.2369
3408	0.0797	0.0711
3409	0.0930	0.0959
3501	0.6880	0.5349
3503	0.1631	0.2068
3506	0.7299	0.4935
3509	0.3698	0.3566
3510	0.3623	0.3818
3511	0.4266	0.4122
3512	0.3076	0.3201
3602	0.0642	0.0854
3603	0.3091	0.3324
3604	1.1452	0.8945
3605	0.3851	0.3353
3606	0.6686	0.6314
3701	0.2180	0.2029
3702	0.4143	0.3293
3707	0.3564	0.2917
3708	0.2307	0.2353
3801	0.1862	0.1643
3802	0.1280	0.1359
3808	0.2305	0.2153
3901	0.1181	0.1377
3902	0.4027	0.4040
3903	0.8472	0.9719
3905	0.0980	0.1515
3906	0.3496	0.3418
3909	0.2272	0.2588
4002	0.5751	0.4812
4101	0.1595	0.1728
4103	0.1906	0.2115
4107	0.0898	0.1143
4108	0.1595	0.1728
4109	0.1595	0.1728
4201	0.2157	0.1704
4301	0.7064	0.6246
4302	0.6020	0.4365
4303	0.2180	0.2029
4304	0.4542	0.5081
4305	1.0810	0.7339
4401	0.4857	0.4041
4402	0.5918	0.5446
4404	0.5431	0.4106
4501	0.1129	0.1036
4502	0.0359	0.0315
4504	0.0580	0.0835
4601	0.4916	0.5665
4802	0.2867	0.2680
4803	0.2321	0.2674
4804	0.4129	0.4306
4805	0.2597	0.2847
4806	0.0683	0.0757
4808	0.4348	0.4074
4809	0.1765	0.2024
4810	0.1393	0.1444
4811	0.2046	0.2259
4812	0.4285	0.3614
4813	0.2578	0.2169
4901	0.0402	0.0397
4902	0.0337	0.0308
4903	0.0402	0.0397
4904	0.0121	0.0152
4905	0.2061	0.2656
4906	0.0485	0.0451

Base Rates Effective  
January 1, 1992

Class	Accident Fund	Medical Aid Fund
4907	0.0618	0.0580
4908	0.0615	0.1409
4909	0.0615	0.1409
4910	0.2640	0.2831
5001	4.4630	2.3801
5002	0.4682	0.3738
5003	1.5172	0.7417
5004	3.5458	2.2554
5101	0.5836	0.5368
5103	0.7228	0.6901
5106	0.4205	0.4744
5108	0.6588	0.5168
5109	0.4451	0.3570
5201	0.2736	0.2488
5204	0.9875	0.6044
5206	0.3827	0.2679
5207	0.0952	0.1311
5208	0.8512	0.6758
5209	0.5116	0.5436
5301	0.0172	0.0191
5305	0.0280	0.0309
5306	0.0313	0.0316
5307	0.3692	0.2950
6103	0.0353	0.0490
6104	0.2244	0.2288
6105	0.1359	0.1460
6107	0.0888	0.1087
6108	0.3586	0.4074
6109	0.0305	0.0353
6110	0.3294	0.3553
6201	0.1211	0.1359
6202	0.4590	0.4266
6203	0.0600	0.0734
6204	0.1189	0.1593
6205	0.1189	0.1593
6206	0.1189	0.1593
6207	0.6834	0.9167
6208	0.2061	0.2286
6209	0.1505	0.2179
6301	0.1137	0.0871
6302	0.1337	0.1313
6303	0.0486	0.0529
6304	0.0937	0.1556
6305	0.0411	0.0583
6306	0.1823	0.1972
6308	0.0334	0.0304
6309	0.0903	0.1114
6402	0.1891	0.1845
6403	0.1256	0.1709
6404	0.1016	0.1401
6405	0.4648	0.4082
6406	0.0530	0.0695
6407	0.1256	0.1616
6408	0.2621	0.2695
6409	0.3920	0.3544
6410	0.1090	0.1245
6501	0.0576	0.0598
6502	0.0146	0.0175
6503	0.0725	0.0522
6504	0.2410	0.3767
6505	0.0907	0.1102
6506	0.0556	0.0700
6508	0.3230	0.3289
6509	0.1464	0.1820
6601	0.1329	0.1687
6602	0.3617	0.3808
6603	0.2069	0.2370
6604	0.0557	0.0482
6605	0.2580	0.2580
6607	0.0952	0.1311
6608	0.2275	0.1482

Base Rates Effective  
January 1, 1992

Class	Accident Fund	Medical Aid Fund
6614	171.0000**	205.0400**
6615	127.8000**	153.2400**
6616	16.8400**	20.2000**
6617	12.3000**	14.7400**
6618	68.7000**	80.3400**
6704	0.1166	0.1320
6705	0.5882	0.7342
6706	0.3064	0.3510
6707	10.86*	13.76*
6708	2.8740	4.4760
6709	0.1108	0.1859
6801	0.2735	0.2036
6802	0.2319	0.2671
6803	1.7040	0.3729
6804	0.1641	0.1642
6809	1.6250	3.6112
6901	0.0000	0.0527
6902	0.5216	0.3202
6903	6.8179	3.2732
6904	0.1694	0.1436
6905	0.2215	0.2105
6906	0.0000	0.2105
6907	1.2148	0.8646
6908	0.3290	0.3087
6909	0.0498	0.0583
7101	0.0252	0.0207
7102	14.40*	33.76*
7103	0.2135	0.1616
7104	0.0170	0.0228
7105	0.0346	0.0296
7106	0.1893	0.1636
7107	0.1994	0.1722
7108	0.1972	0.1985
7109	0.2359	0.2253
7110	0.2894	0.2484
7111	0.4010	0.3274
7112	0.5782	0.3933
7113	0.6497	0.4600
7114	0.5013	0.5090
7115	0.5669	0.4016
7116	0.5960	0.4481
7117	1.1368	1.3629
7118	2.3412	1.9553
7119	1.9477	1.4482
7120	5.2732	4.5081
7121	5.2452	4.4817
7201	0.7029	0.4898
7202	0.0293	0.0302
7203	0.0861	0.1291
7204	0.0000	0.0000
7301	0.5162	0.4967
7302	0.4883	0.5781
7307	0.7823	0.7301
7308	0.1569	0.2028
7309	0.1108	0.1859

\*Daily rate. The daily rate shall be paid in full on any person for any calendar day in which any duties are performed that are incidental to the profession of the worker.

\*\*These rates are calculated on a per license basis for parimutuel race tracks and are base rated.

AMENDATORY SECTION (Amending Order 88-26, filed 12/1/88, effective 1/1/89)

WAC 296-17-904 DEFINITIONS. The definitions in this section shall apply throughout WAC 296-17-905 through 296-17-91902.

(1) "Coverage period" means a one-year period beginning the first day of either January, April, July, or October.

(2) "Group" means those members of an association who have elected to have a group dividend and/or retrospective premium calculated based on the combined premium and incurred loss data of the

participants, and have satisfactorily complied with eligibility requirements for doing so.

(3) "Premium" means only that portion of the money collected from an employer for worker's compensation (not to include any money paid in penalties or security deposits), which is deposited in the accident fund and the medical aid fund.

(4) "Standard premium" for a particular coverage period means premium collected or due for insurance coverage provided during the period, prior to any adjustments under a dividend or retrospective rating plan.

(5) "Incurred losses" for a coverage period means the estimated ultimate cost to the accident fund and medical aid fund of claims arising from incidents occurring during the coverage period, subject to the special evaluation methods prescribed in WAC 296-17-915.

(6) "Loss development factor" means an actuarially determined factor which is multiplied times individual case basis estimates of claim costs to produce incurred losses for a firm or group of firms during a coverage period. Loss development factors allow for reopenings, aggravations, and any other individually unpredictable contingencies which may affect claim costs based on past experience of the accident fund and medical aid fund as a whole.

(7) "Loss ratio" means incurred losses divided by standard premium.

(8) "Dividend" is a partial refund of standard premium based on a firm's standard premium and loss ratio.

(9) "Retrospective premium" is a premium determined after a coverage period has ended, based on a firm's standard premium, incurred losses, and other preselected parameters for the coverage period.

(10) "Retrospective premium adjustment" is an additional assessment or refund of premium owing to an employer's retrospective premium as of a given evaluation date being more or less than the premium previously paid for the coverage period. Additional assessments of premium will be deposited entirely in the accident fund and refunds will be paid entirely from the accident fund.

(11) "Performance adjustment factor" means an actuarially determined factor which is multiplied times incurred losses prior to application of the retrospective rating formula, to produce "adjusted incurred losses." This adjustment will produce net retrospective premium credits for employers and employer groups participating in the retrospective rating program when they have combined experience which is more favorable than other state fund experience. Conversely, this adjustment will produce net retrospective premium penalties for employers and employer groups participating in the retrospective rating program when their combined experience is more adverse than other state fund experience. The purpose of the performance adjustment factor is to retain a consistent economic incentive for those employers to improve their accident cost experience while participating in these plans.

AMENDATORY SECTION (Amending WSR 90-24-042, filed 11/30/90, effective 1/1/91)

WAC 296-17-919 TABLE I.

((RETROSPECTIVE RATING PLANS A, A1, A2, A3, AND B  
STANDARD PREMIUM SIZE RANGES  
Effective January 1, 1991

Size Group Number	Standard Premium Range
84	\$ 3,701 - \$ 4,269
83	4,270 - 4,901
82	4,902 - 5,602
81	5,603 - 6,379
80	6,380 - 7,237
79	7,238 - 8,183
78	8,184 - 9,224
77	9,225 - 10,369
76	10,370 - 11,624
75	11,625 - 12,999
74	13,000 - 14,502
73	14,503 - 16,143
72	16,144 - 17,933
71	17,934 - 19,883
70	19,884 - 22,004
69	22,005 - 24,309

Size \_\_\_\_\_ Standard  
Group \_\_\_\_\_ Premium  
Number \_\_\_\_\_ Range

RETROSPECTIVE RATING PLANS A, A1, A2, A3, AND B  
STANDARD PREMIUM SIZE RANGES  
Effective January 1, 1992

Size Group Number	Standard Premium Range
68	24,310 - 24,978
67	24,979 - 26,382
66	26,383 - 27,887
65	27,888 - 29,504
64	29,505 - 31,243
63	31,244 - 33,112
62	33,113 - 35,128
61	35,129 - 37,302
60	37,303 - 39,651
59	39,652 - 42,191
58	42,192 - 44,942
57	44,943 - 47,925
56	47,926 - 51,165
55	51,166 - 54,689
54	54,690 - 58,528
53	58,529 - 62,717
52	62,718 - 67,294
51	67,295 - 72,306
50	72,307 - 77,802
49	77,803 - 83,842
48	83,843 - 90,491
47	90,492 - 97,827
46	97,828 - 105,936
45	105,937 - 114,921
44	114,922 - 121,416
43	121,417 - 129,402
42	129,403 - 138,123
41	138,124 - 147,666
40	147,667 - 158,132
39	158,133 - 169,637
38	169,638 - 182,317
37	182,318 - 196,325
36	196,326 - 211,847
35	211,848 - 229,091
34	229,092 - 248,313
33	248,314 - 269,803
32	269,804 - 293,915
31	293,916 - 321,068
30	321,069 - 351,764
29	351,765 - 386,610
28	386,611 - 426,344
27	426,345 - 471,869
26	471,870 - 524,298
25	524,299 - 585,012
24	585,013 - 655,746
23	655,747 - 738,689
22	738,690 - 836,643
21	836,644 - 953,223
20	953,224 - 1,093,158
19	1,093,159 - 1,262,708
18	1,262,709 - 1,470,295
17	1,470,296 - 1,727,412
16	1,727,413 - 1,922,553
15	1,922,554 - 2,145,202
14	2,145,203 - 2,394,029
13	2,394,030 - 2,792,208
12	2,792,209 - 3,283,248
11	3,283,249 - 4,307,490
10	4,307,491 - 5,878,710
9	5,878,711 - 7,656,047
8	7,656,048 - 10,342,995
7	10,342,996 - 14,573,882
6	14,573,883 - 21,836,160
5	21,836,161 & Over))

Size \_\_\_\_\_ Standard  
Group \_\_\_\_\_ Premium  
Number \_\_\_\_\_ Range

Size Group Number	Standard Premium Range
84	\$ 3,921 - \$ 4,523
83	4,524 - 5,193
82	5,194 - 5,936
81	5,937 - 6,759
80	6,760 - 7,668
79	7,669 - 8,670
78	8,671 - 9,773
77	9,774 - 10,987
76	10,988 - 12,316
75	12,317 - 13,773
74	13,774 - 15,366
73	15,367 - 17,104
72	17,105 - 19,001
71	19,002 - 21,067
70	21,068 - 23,314
69	23,315 - 25,757
68	25,758 - 26,466
67	26,467 - 27,953
66	27,954 - 29,548
65	29,549 - 31,261
64	31,262 - 33,104
63	33,105 - 35,084
62	35,085 - 37,220
61	37,221 - 39,523
60	39,524 - 42,012
59	42,013 - 44,704
58	44,705 - 47,618
57	47,619 - 50,779
56	50,780 - 54,212
55	54,213 - 57,946
54	57,947 - 62,013
53	62,014 - 66,452
52	66,453 - 71,301
51	71,302 - 76,612
50	76,613 - 82,435
49	82,436 - 88,835
48	88,836 - 95,880
47	95,881 - 103,653
46	103,654 - 112,245
45	112,246 - 121,765
44	121,766 - 128,646
43	128,647 - 137,108
42	137,109 - 146,348
41	146,349 - 156,460
40	156,461 - 167,549
39	167,550 - 179,739
38	179,740 - 193,174
37	193,175 - 208,016
36	208,017 - 224,463
35	224,464 - 242,734
34	242,735 - 263,100
33	263,101 - 285,870
32	285,871 - 311,418
31	311,419 - 340,188
30	340,189 - 372,712
29	372,713 - 409,633
28	409,634 - 451,733
27	451,734 - 499,969
26	499,970 - 555,520
25	555,521 - 619,850
24	619,851 - 694,796
23	694,797 - 782,679
22	782,680 - 886,466
21	886,467 - 1,009,988
20	1,009,989 - 1,158,257
19	1,158,258 - 1,337,903
18	1,337,904 - 1,557,852
17	1,557,853 - 1,830,281

Size Group Number	Standard Premium Range
16	1,830,282 - 2,037,043
15	2,037,044 - 2,272,951
14	2,272,952 - 2,536,596
13	2,536,597 - 2,958,486
12	2,958,487 - 3,478,768
11	3,478,769 - 4,564,005
10	4,564,006 - 6,228,792
9	6,228,793 - 8,111,971
8	8,111,972 - 10,958,929
7	10,958,930 - 15,441,769
6	15,441,770 - 23,136,522
5	23,136,523 & Over

**AMENDATORY SECTION** (Amending Order 89-22, filed 12/1/89, effective 1/1/90)

WAC 296-17-920 ASSESSMENT FOR SUPPLEMENTAL PENSION FUND. The amount of (~~(+6.7)~~) 17.8 mills (~~\$(~~-0.167~~)~~ .0178) shall be retained by each employer from the earnings of each worker for each hour or fraction thereof the worker is employed. Provided that in classifications 6707 and 7102, the employer shall retain (~~(thirteen)~~) fourteen cents per day from each worker and in classification 6708 the employer shall retain (~~(+6.7)~~) 1.75 mills (~~\$(~~-0.0167~~)~~ .00175) per hour to be reported for premium calculation under WAC 296-17-350(8) from each worker. The amount of money so retained from the employee shall be matched in an equal amount by each employer, except as otherwise provided in these rules, all such moneys shall be remitted to the department on or before the last day of January, April, July and October of each year for the preceding calendar quarter, provided self-insured employers shall remit to the department as provided under WAC 296-15-060. All such moneys shall be deposited in the supplemental pension fund.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 296-17-86501 BUILDING INDUSTRY EXPERIENCE MODIFICATION LIMITATIONS.

**WSR 91-20-159**  
**PREPROPOSAL COMMENTS**  
**BUILDING CODE COUNCIL**  
 [Filed October 2, 1991, 1:38 p.m.]

Subject of Possible Rule Making: Water conservation standards: 1. Amendment and adoption of more stringent water conservation standards for plumbing fixtures. Establish methods and procedures for testing and identifying fixtures which meet the standards in item 1. Drafting and adoption of rules for marking and labeling fixtures.

Persons may comment on this subject in writing to State Building Code Council, Ninth and Columbia Building, Mailstop GH-51, Olympia, WA 98504-4151, September 20, 1991, through January 31, 1991.

Other Information or Comments by Agency at this Time, if any:

I. Persons interested in either serving on a technical advisory group to draft required standards and rules or receiving draft regulations should notify staff by October 31, 1991.

Donna Voss  
 State Building Code Council

Ninth and Columbia Building  
 Mailstop GH-51  
 Olympia, WA 98504-4151  
 (206) 586-8999

II. Provide comments on potential regulatory language for testing, identifying, marking and labeling of plumbing fixtures.

III. Formal rule making is anticipated in June 1992, with public hearings scheduled in fall 1992. Adoption will occur by November 30, 1992.

September 20, 1991  
 G. J. Colin  
 Chair

**WSR 91-20-160**  
**PROPOSED RULES**  
**BUILDING CODE COUNCIL**  
 [Filed October 2, 1991, 1:42 p.m.]

Original Notice.

Title of Rule: Chapter 51-18 WAC, Washington state water conservation performance standards.

Purpose: Repeal chapter 51-18 WAC, Washington state water conservation performance standards.

Statutory Authority for Adoption: RCW 19.27.170.

Statute Being Implemented: Chapter 19.27 RCW.

Summary: The Washington State Building Code chapter 51-18 WAC is to be repealed. The provisions of the water conservation standards are proposed to be adopted into chapter 51-26 WAC, Uniform Plumbing Code.

Reasons Supporting Proposal: To include all amendments on plumbing within one chapter. Amendments to the Uniform Plumbing Code, including water conservation, are proposed for chapter 51-26 WAC.

Name of Agency Personnel Responsible for Drafting and Implementation: Donna Voss, Ninth and Columbia Building, GH-51, Olympia, WA 98504-4151, (206) 586-8999; and Enforcement: Local governments.

Name of Proponent: State Building Code Council, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Repeal of chapter 51-18 WAC for the purpose of including the water conservation performance standards as amendments to the Uniform Plumbing Code. The Uniform Plumbing Code with amendments are proposed to be adopted in chapter 51-26 WAC. The effective date of the repeal of chapter 51-18 WAC will be simultaneous with the effective date for chapter 51-26 WAC. No effect should occur with the repeal of this chapter.

Proposal does not change existing rules.

Proposal relocates existing rules into chapter 51-26 WAC.

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

The council has considered whether this rule is subject to the Regulatory Fairness Act and has determined that it is not, since the repeal of chapter 51-28 WAC will



have no economic impact. The water conservation performance standards will be adopted as amendments to the Uniform Plumbing Code in chapter 51-26 WAC. The effective date of the repeal will be simultaneous with the effective date of chapter 51-26 WAC.

Hearing Location: City of SeaTac Fire Department, Angle Lake Fire Hall, 2929 200th Street South, SeaTac, Washington, on Thursday, November 7, 1991, at 9:00 a.m.

Submit Written Comments to: State Building Code Council, Ninth and Columbia Building, Mailstop GH-51, Olympia, Washington 98504-4151, by November 7, 1991.

Date of Intended Adoption: November 8, 1991.

September 20, 1991

G. J. Colin  
Chair

**REPEALER**

The following chapter of the Washington Administrative Code is repealed:

- WAC 51-18-010 DECLARATION OF PURPOSE.
- WAC 51-18-020 APPLICATION.
- WAC 51-18-030 WATER EFFICIENCY STANDARDS.
- WAC 51-18-040 EXCEPTIONS.
- WAC 51-18-050 IMPLEMENTATION.

**WSR 91-20-161**

**WITHDRAWAL OF PROPOSED RULES  
PARKS AND RECREATION  
COMMISSION**

[Filed October 2, 1991, 1:53 p.m.]

On September 18, 1991, State Parks filed two WACs with the Code Reviser for modification under WSR 91-19-095. After the filing it was determined that the changes proposed for WAC 352-32-25002 were in error, and that it was too late to change them prior to publication. Accordingly, State Parks does hereby request that that portion of WSR 91-19-095 which proposes modifications to WAC 352-32-25002 be deleted from the register and rescinded, leaving the WAC as it was before. It is our intention to refile this WAC with the proper changes later in October, for proposed adoption by the Washington State Parks and Recreation Commission on December 6, 1991. Should you have any questions concerning this deletion, please contact Wayne McLaughlin at 753-2029.

Nina Carter  
Executive Assistant

**WSR 91-20-162**

**PERMANENT RULES  
UTILITIES AND TRANSPORTATION  
COMMISSION**

[Order R-348, Docket No. UT-910828—Filed October 2, 1991, 2:36 p.m.]

In the matter of amending WAC 480-120-141 (10)(b) relating to alternate operator services.

The Washington Utilities and Transportation Commission takes this action under Notice No. WSR 91-17-091, filed with the code reviser on August 21, 1991. The commission brings this proceeding pursuant to RCW 80.01.040 and chapter 80.36 RCW to implement those statutes.

This proceeding complies 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).

The commission scheduled this matter for consideration under Notice No. WSR 91-17-091, at 9:00 a.m., Wednesday, September 25, 1991, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, Washington.

The notice provided interested persons the opportunity to submit data, views, or arguments to the commission in writing until September 16, 1991, and orally at the time and place set for consideration. The commission received no written comments. The commission considered the rule change proposal at its September 25, 1991, meeting as scheduled in the notice, before Chairman Sharon L. Nelson and Commissioners Richard D. Casad and A. J. Pardini. No person made oral comments to the commission.

The rule change affects no economic values.

In reviewing the entire record, the commission determines that it should amend WAC 480-120-141 to read as set forth in Appendix A, shown below. WAC 480-120-141 as amended, will clarify that the commission may review all elements of charges by alternate operator service companies at the time of registration as a telecommunications company. The rule change shall take effect pursuant to RCW 34.05.380(2).

**ORDER**

**THE COMMISSION ORDERS** The following WAC 480-120-141, as set forth in Appendix A, is amended as a rule of the Washington Utilities and Transportation Commission to take effect pursuant to RCW 34.05.380(2); and this order and the attached rule shall be recorded in the order register of the Washington Utilities and Transportation Commission and forwarded to the code reviser for filing pursuant to chapter 34.05 RCW and chapter 1-21 WAC.

DATED at Olympia, Washington, this 1st day of October, 1991.

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

**APPENDIX "A"**

**AMENDATORY SECTION** (Amending Order R-345, Docket No. UT-900726, filed 6/18/91, effective 7/19/91)

**WAC 480-120-141 ALTERNATE OPERATOR SERVICES.** All telecommunications companies providing alternate operator services (AOS), as defined in

WAC 480-120-021, shall comply with this and all other rules relating to telecommunications companies not specifically waived by order of the commission.

(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, "consumer" means the party initiating and/or paying for an interexchange or local call. "Customer" means the call aggregator, i.e., the hotel, motel, hospital, prison, campus, pay telephone, etc., contracting with an AOS for service.

(4) An alternate operator services company shall require, as a part of 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 **Stymie 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 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 without charge to receive specific rate information; and

(iii) Directions to allow the consumer to 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.

(5) The alternate operator services company shall:

(a) Identify the AOS company providing the service audibly and distinctly at the beginning of every call, and again before the call is connected, including 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 (~~heavy~~ ~~heavy~~) heavy traffic, such as national emergency, local disaster, holidays, etc.

(6) The alternate operator services company shall assure that 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.

(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 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 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.

(8) Complaints and disputes shall be treated in accordance with WAC 480-120-101, Complaints and disputes.

(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 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~~) 950-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:** The spelling 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 91-20-163**  
**PERMANENT RULES**  
**HEALTH CARE AUTHORITY**  
[Filed October 2, 1991, 2:59 p.m.]

Date of Adoption: July 1, 1991.

Purpose: To clarify the health care authority's contract oversight responsibilities and to provide greater flexibility in the promotion of SEBB-sponsored plans, and repeal WAC 182-08-111.

Citation of Existing Rules Affected by this Order: Repealing WAC 182-08-111.

Statutory Authority for Adoption: Chapter 41.05 RCW.

Pursuant to notice filed as WSR 91-11-093 and 91-11-094 on May 21, 1991.

Effective Date of Rule: Thirty-one days after filing.  
October 2, 1991  
Kristen West  
Rules Coordinator

**AMENDATORY SECTION** (Amending Resolution No. 86-3, filed 8/5/86)

WAC 182-08-220 **ADVERTISING OR PROMOTION OF ((SEHB)) SEBB SPONSORED BENEFIT PLANS.** In order to assure equal and unbiased representation of ((SEHB)) SEBB sponsored or approved benefit plans, any promotion of these plans ((by insurance representatives)) shall comply with the following:

(1) All materials describing plan benefits are to be prepared by or approved by the ((SEHB)) health care authority.

(2) Distribution or mailing of all plan benefit descriptions is to be performed by or under the direction of the ((SEHB)) health care authority.

(3) ((No)) All media announcements or advertising by a carrier ((may)) which include any mention of the "state employees ((insurance)) benefits board," "health care authority" or any reference to coverage for "state employees or retirees((-))" or any group of employees covered by SEBB plans, must receive the advance written approval of the HCA.

Failure to comply with these requirements may result in contract termination by the ((SEHB)) health care authority and/or ((SEHB)) health care authority refusal to consider continued or renewed contracting with the non-complying party.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 182-08-111 **MEDICAL PLAN OPTIONS BETWEEN OPEN ENROLLMENTS.**

**WSR 91-20-164**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
**(Board of Physical Therapy)**  
[Filed October 2, 1991, 3:00 p.m.]

Original Notice.

Title of Rule: WAC 246-915-010 Definitions; 246-915-015 Examination appeal procedures; 246-915-085 Continuing competency, 246-915-120 Applicants from unapproved schools; 246-915-140 Supportive personnel-supervision; 246-915-150 Physical therapy assistant supervision ratio; 246-915-180 Professional conduct principles; 246-915-185 Standards for appropriateness of physical therapy care; and 246-915-200 Physical therapy records.

Purpose: Adding new sections to define continuing competency and standards for appropriateness of physical therapy care, and further clarifying existing rules.

Statutory Authority for Adoption: RCW 18.74.023.

Statute Being Implemented: Chapter 18.74 RCW.

Summary: Defines continuing competency and standards for appropriateness of physical therapy care and further clarifies existing rules.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Carol Neva, 1300 S.E. Quince Street, Olympia, WA, 753-3132.

Name of Proponent: Washington State Board of Physical Therapy, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 246-915-010 adding definition of continuing education "contact hour"; 246-915-015 revising exam appeal deadline from 30 to 15 days; 246-915-085

defining continuing competency requirements; 246-915-120 requiring proof of English proficiency for applicants from unapproved schools; 246-915-140 defining treatment provided by supportive personnel; 246-915-150 housekeeping change to title of rule; 246-915-180 adding to professional conduct principles; 246-915-185 defining standards for appropriateness of physical therapy care; and 246-915-200 revising requirements for physical therapy records maintenance.

**Proposal Changes the Following Existing Rules:** Adds new sections to define continuing competency and standards for appropriateness of physical therapy care; and revises exam appeal deadline, requirements for physical therapy records maintenance, and adds English proficiency requirements; and substantive definition for the utilization of supportive personnel.

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

Hearing Location: WestCoast SeaTac, 18220 Pacific Highway South, Seattle, WA, (206) 246-5535, on November 19, 1991, at 1:30 p.m.

Submit Written Comments to: Department of Health, 1300 S.E. Quince Street, Olympia, WA 98504, by November 16, 1991.

Date of Intended Adoption: November 19, 1991.

September 27, 1991

Christine Larson  
Chair

**AMENDATORY SECTION** (Amending Order 144B, filed 2/20/91, effective 3/23/91)

WAC 246-915-010 DEFINITIONS. For the purposes of administering chapter 18.74 RCW, the following terms are to be construed as set forth herein:

(1) The "performance of tests of neuromuscular function" includes the performance of electromyographic examinations.

(2) "Consultation" means a communication regarding a patient's evaluation and proposed treatment plan with an authorized health care practitioner.

(3) "Supervisor" shall mean the licensed physical therapist.

(4) "Physical therapist assistant" shall mean a graduate of an approved school of physical therapy who is eligible for licensure but has not been licensed to practice physical therapy in Washington state, or an individual who has received an associate degree as a physical therapist assistant from an approved school.

(5) "Physical therapist aide" shall mean an individual who shall have received on-the-job training from a physical therapist.

(6) "Immediate supervision" shall mean the supervisor is in audible or visual range of the patient and the person treating the patient.

(7) "Direct supervision" shall mean the supervisor is on the premises, is quickly and easily available and the patient has been examined by the physical therapist at such time as acceptable physical therapy practice requires, consistent with the delegated health care task.

(8) "Indirect supervision" shall mean the supervisor is not on the premises, but has given either written or oral instructions for treatment of the patient and the patient has been examined by the physical therapist at such time as acceptable health care practice requires, and consistent with the particular delegated health care task.

(9) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(10) "Office on AIDS" means that section within the department of social and health services or any successor department with jurisdiction over public health matters as defined in chapter 70.24 RCW.

(11) "Spinal manipulation" or "manipulative mobilization" is defined as movement beyond the normal physiological range of motion.

(12) One "contact hour" shall mean fifty minutes of continuing education course participation.

**AMENDATORY SECTION** (Amending Order 144B, filed 2/20/91, effective 3/23/91)

WAC 246-915-015 EXAMINATION APPEAL PROCEDURES. (1) Any candidate who takes the state written examination for licensure and does not pass may request informal review by the board of his or her examination results. The request must be submitted in writing to the Department of Health, Professional Licensing Services Division and must be postmarked (~~received by the department of health, professional licensing services division~~) within (~~thirty (30)~~) fifteen (15) days of the postmark on the notification of the examination results. The board will not set aside the examination results unless the candidate proves the challenged score was the result of fraud, coercion, arbitrariness, or manifest unfairness. The board will not consider any challenges to examination scores unless the total revised score could result in a passing score.

(2) The procedure for filing an informal review is as follows:

(a) Contact in writing the Department of Health office in Olympia for an appointment to appear personally to review incorrect answers on failed examinations.

(b) The candidate will be provided a form to complete in the Department of Health office in Olympia in defense of his or her examination answers.

(c) The candidate must state the specific reason or reasons why the candidate feels the results of the examination should be changed.

(d) The candidate will be identified only by candidate number for the purpose of this review. Letters of reference or requests for special consideration will not be read or considered by the board.

(e) The candidate may not bring in any resource materials for use while completing the informal review form.

(f) The candidate will not be allowed to remove any notes or materials from the office upon leaving.

(g) The candidate must comply with all procedural and security requirements for examination appeals established by the Department of Health.

(h) The board will review and evaluate the comments submitted by the candidate on the forms provided for the informal review and make its decision regarding the candidate.

(i) The candidate will be notified in writing of the board's decision by the department.

(3) Any candidate who is not satisfied with the result of the examination review may request a formal hearing to be held before the board pursuant to the Administrative Procedure Act. Such hearing must be requested within thirty (30) days of the postmark of the result of the board's review of the examination results. The request must state the specific reason or reasons why the candidate feels the results of the examination should be changed. The prior determination will not be set aside unless the candidate proves the challenged score was the result of fraud, coercion, arbitrariness, or manifest unfairness. The board will not consider any challenges to examination scores unless the total revised score could result in a passing score.

(4) Prior to scheduling the hearing the candidate or the state's attorney may petition to appear before an administrative law judge for a prehearing conference to consider the following:

(a) the simplification of issues;

(b) the necessity of amendments to the notice of specific reasons for examination result change;

(c) the possibility of obtaining stipulations, admissions of fact, and documents;

(d) the limitation of the number of expert witnesses;

(e) a schedule for completion of all discovery; and,

(f) such other matters as may aid in the disposition of the proceeding.

(5) The administrative law judge shall enter an order which recites the action taken at the conference, the amendments allowed to the pleadings, and the agreements made by the parties or their qualified representatives as to any of the matters considered, including the settlement or simplification of issues, and which limits the issues for hearing to those not disposed of by admissions or agreements. Such order shall control the subsequent course of the proceeding unless modified for good cause by subsequent order of the board.

(6) Candidates seeking formal appeal will receive at least twenty (20) days advance notice of the time and place of the formal hearing. The hearing will be restricted to the specific reasons the candidate has identified as the basis for a change in the examination score.

**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 246-915-085 CONTINUING COMPETENCY. Evidence of continuing competency in the form of ongoing proficiency relating to the practice of physical therapy completed within the two years prior to submission, must be submitted every two years at the time of license renewal, and every even numbered year thereafter, beginning January 1, 1994. Completion of this requirement every other year shall be a prerequisite for annual renewal.

(1) During each two year period, a total of seven proficiency points must be earned in at least two of the following categories:

(a) Continuing education. One point may be earned for:

(i) Every ten contact hours of course participation which includes, but is not limited to, any course approved by the Washington State Physical Therapy Association, the American Physical Therapy Association, the World Confederation of Physical Therapy, and the American Medical Association, the American Occupational Therapy Association or the Washington Occupational Therapy Association relating to the practice of physical therapy;

(ii) Every ten hours of coursework taught;

(iii) The authoring or coauthoring of each published journal article, abstract, or book chapter.

(b) Physical therapy employment. A maximum of three points may be earned for physical therapy employment by one of the following:

(i) Three points for employment of 1500 hours or more in a calendar year;

(ii) Two points for employment of 750 to 1499 hours in a calendar year;

(iii) One point for employment of 200 to 749 hours in a calendar year.

(c) Licensing examination. Three points may be earned for having achieved a passing score as defined in WAC 246-915-030 on the licensing examination within the two year reporting period.

(2) Proficiency points can only be earned and used within the two year period for which they are being reported.

(3) Licensees shall maintain records of all activities relating to continuing education, professional experience, and examination for a period of two years beyond the reporting period for which they apply.

(4) Each application for renewal of license shall include an attestation of the licensee's having fulfilled the requirements of subsection (1) of this section.

(5) The Board may audit continuing competency activities and the licensee's failure to substantiate any continuing competency activities upon request by the board may result in the suspension or revocation of a license, or denial of a license renewal. Each licensee who has been selected for audit shall, within 30 days from the date of notification, submit acceptable documentation as evidence of having met the requirements of subsection (1) of this section. Acceptable documentation shall mean:

(a) Continuing education. Certificates of completion, including course sponsors, dates of attendance and total contact hours, for all continuing education being reported as specified in subsection (1) of this section;

(b) Teaching. Direct written verification from the facility or institution of any courses taught, including dates, numbers of hours, course content, and name of facility or institution;

(c) Publications. Certified copies or original bound volumes of any published journal articles, abstracts or book chapters, including dates of publication, which were authored or coauthored by the licensee;

(d) Physical therapy employment. Certified copies of employment records or proof acceptable to the board of physical therapy employment for the hours being reported;

(e) Examination. Direct written verification from the testing agency, including examination date, of having achieved a passing score on the licensing examination;

(6) Extensions or exceptions may be considered by the Board on a case by case basis upon written request.

#### AMENDATORY SECTION (Amending Order 103B, filed 12/21/90, effective 1/31/91)

WAC 246-915-120 APPLICANTS FROM UNAPPROVED SCHOOLS. Applicants who have not graduated from a physical therapy program approved by the board must submit an application for review by the board. Supporting documentation will include but not be limited to:

(a) Official transcript from the physical therapy program showing degree date, and

(b) Evaluation report of transcripts from a credentialing service recognized by the board. If the qualifications are substantially equal to those required of graduates of board approved schools the applicant will be eligible to write the examination being administered in Washington: PROVIDED, If the applicant has taken the examination recognized by the board in another state or territory, or District of Columbia and the scores reported meet Washington requirements, such applicant may be exempted from the examination in Washington at the discretion of the board((:)) , and

(c) If English is neither the national language nor the language of training, documentation must also include:

(i) Verification of having achieved a score of not less than 550 on the test of english as a foreign language (TOEFL), and

(ii) Verification of having achieved a score of not less than 230 on the test of spoken english (TSE).

#### AMENDATORY SECTION (Amending Order 144B, filed 2/20/91, effective 3/23/91)

WAC 246-915-140 SUPPORTIVE PERSONNEL—SUPERVISION. Supervision of supportive personnel requires that the supervisor perform the following activities:

(1) Provide initial evaluation of the patient.

(2) Develop a treatment plan and program, including long and short-term goals.

(3) Assess the competence of supportive personnel to perform assigned tasks.

(4) Select and delegate appropriate portions of the treatment plan and program.

(5) Direct and supervise supportive personnel in delegated functions.

(6) Reevaluate the patient and adjust the treatment plan as acceptable physical therapy practice requires, consistent with the delegated health care task.

(7) Following ((an)) evaluation or reevaluation of a patient by the licensed physical therapist, ((the tasks delegated to and performed by the physical therapist aide are to be determined, taught, supervised, and documented by the licensed physical therapist and shall remain the responsibility of the supervising licensed physical therapist. A separate record shall be maintained by the licensed physical therapist documenting training and proficiency of the aide to perform the delegated tasks. The supervising licensed physical therapist must be on the premises while treatment is performed.)) the treatment, including the tasks delegated by the licensed physical therapist, will be determined and supervised by the licensed physical therapist and shall remain the responsibility of the licensed physical therapist.

(8) There shall be documented evidence of sufficient inservice training and periodic evaluation of performance to assure safe performance of the tasks assigned to the aide.

(9) The following tasks, when delegated to an aide, must be performed under direct supervision:

(a) monitoring of previously instructed programs;

(b) supporting or stabilizing patients to assist the licensed physical therapist or physical therapist assistant.

(10) Tasks which may be performed by aides under indirect supervision are:

(a) preparing patient, areas, or equipment for physical therapy treatment;

(b) assisting patients in dressing, removing clothing, and applying or removing assistive or supportive devices or bandages;

(c) transporting patients;

(d) transferring or assisting in transferring of patients when appropriate;

(e) performing clerical or reception duties when directed by the physical therapist.

(11) The physical therapy aide may not interpret referrals, perform evaluations or evaluate procedures, initiate treatment programs, or assume responsibility for planning patient treatment care. The physical therapy aide provides only that type of elementary and direct patient

care which the patient and/or family members could reasonably be expected to learn and perform.

(12) A physical therapy aide who violates the above regulations shall be considered by the Board to be practicing physical therapy in violation of Chapter 18.74 RCW and Chapter 18.130 RCW and may be subject to disciplinary action.

~~((8))~~ (13) Provide discharge planning.

~~((9))~~ (14) Individuals involved in direct patient care in a physical therapy setting who do not qualify as a physical therapist or physical therapist assistant, shall require direct or immediate supervision.

**AMENDATORY SECTION** (Amending Order 144B, filed 2/20/91, effective 3/23/91)

**WAC 246-915-150 PHYSICAL THERAPIST ASSISTANT AND PHYSICAL THERAPY AIDE SUPERVISION RATIO.** The number of full time equivalent physical therapist assistants and aides utilized in any physical therapy practice shall not exceed twice in number the full time equivalent licensed physical therapists practicing therein.

**AMENDATORY SECTION** (Amending Order 144B, filed 2/20/91, effective 3/23/91)

**WAC 246-915-180 PROFESSIONAL CONDUCT PRINCIPLES.** (1) The patient's lawful consent is to be obtained before any information related to the patient is released, except to the consulting or referring authorized health care practitioner and/or authorized governmental agency(s).

(a) Physical therapists are responsible for answering legitimate inquiries regarding a patient's physical dysfunction and treatment progress, and

(b) Information is to be provided to insurance companies for billing purposes only.

(2) Physical therapists are not to compensate to give anything of value to a representative of the press, radio, television, or other communication medium in anticipation of, or in return for, professional publicity in a news item. A paid advertisement is to be identified as such unless it is apparent from the context it is a paid advertisement.

(3) It is the licensee's responsibility to report any unprofessional, incompetent or illegal acts which are in violation of chapter 18.74 RCW or any rules established by the board.

(4) It is the licensee's responsibility to recognize the boundaries of his or her own professional competencies and that he or she uses only those in which he or she can prove training and experience.

(5) Physical therapists shall recognize the need for continuing education and shall be open to new procedures and changes.

(6) It is the licensee's responsibility to represent his or her academic credentials in a way that is not misleading to the public.

(7) It is the responsibility of the physical therapist to refrain from undertaking any activity in which his or her personal problems are likely to lead to inadequate performance or harm to a client and/or colleague.

(8) A physical therapist shall not use or allow to be used any form of public communication or advertising connected with his or her profession or in his or her professional capacity as a physical therapist which:

- (a) Is false, fraudulent, deceptive, or misleading;
- (b) Uses testimonials;
- (c) Guarantees any treatment or result;
- (d) Makes claims of professional superiority.

(9) Physical therapists are to recognize that each individual is different from all other individuals and to be tolerant of and responsive to those differences.

#### **NEW SECTION**

**WAC 246-915-185 STANDARDS FOR APPROPRIATENESS OF PHYSICAL THERAPY CARE.** (1) Appropriate, skilled physical therapy treatment is treatment which is reasonable in terms of accepted physical therapy practice, and necessary to recovery of function by the patient. The use of a nontraditional treatment by itself shall not constitute unprofessional conduct, provided that it does not result in injury to a patient or create an unreasonable risk that a patient may be harmed.

(2) Appropriate physical therapy services must be of such a level of complexity and sophistication, or the condition of the patient must be such, that the services required can be safely and effectively performed

only by a qualified physical therapist, or under supervision of a qualified physical therapist.

**AMENDATORY SECTION** (Amending Order 103B, filed 12/21/90, effective 1/31/91)

**WAC 246-915-200 PHYSICAL THERAPY RECORDS.** In order to maintain the integrity of physical therapy practice, the physical therapist is responsible for obtaining all necessary information, such as medical history, contraindications or, ~~((if a direct referral))~~ any special instructions from an authorized health care practitioner ~~((- special instructions. The physical therapist shall document the consultation of a nonreferral patient))~~. The evaluation and treatment plan shall be written according to acceptable physical therapy practice, consistent with the delegated health care task. Records must be maintained and include date of treatment, treatment record, and signature of person responsible for the treatment.

### **WSR 91-20-165**

#### **PROPOSED RULES**

#### **DEPARTMENT OF HEALTH**

#### **(Board of Physical Therapy)**

[Filed October 2, 1991, 3:01 p.m.]

#### **Original Notice.**

**Title of Rule:** WAC 246-915-030 Examination, defines the acceptable passing score.

**Purpose:** The board is proposing to adopt alternative A or alternative B.

**Statutory Authority for Adoption:** RCW 18.74.023.

**Statute Being Implemented:** Chapter 18.74 RCW.

**Summary:** WAC 246-915-030, alternative A, adds a provision for board review of each exam and defines the passing score as 1.0 standard deviation below the national mean; alternative B also adds a review provision and defines the passing score as 70% of the raw score.

**Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement:** Carol Neva, 1300 S.E. Quince Street, Olympia, 753-3132.

**Name of Proponent:** Washington State Board of Physical Therapy, governmental.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** Adds a provision for the Board of Physical Therapy to review the examination and provides two versions of the acceptable passing score, only one of which will be adopted.

**Proposal Changes the Following Existing Rules:** Provides for board review of the examination; the proposed changes under alternative B, changes the acceptable passing exam score from 1.0 standard deviation below the national mean to 70% of the raw score.

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

**Hearing Location:** WestCoast SeaTac, 18220 Pacific Highway South, Seattle, WA, (206) 246-5535, on November 19, 1991, at 1:30 p.m.

**Submit Written Comments to:** Department of Health, 1300 S.E. Quince Street, Olympia, WA 98504, by November 16, 1991.

Date of Intended Adoption: November 19, 1991.  
September 27, 1991  
Christine Larson  
Chair

## ALTERNATIVE A

**AMENDATORY SECTION** (Amending Order 178B, filed 6/21/91, effective 7/22/91)

WAC 246-915-030 EXAMINATION. (1) The examination acceptable to and approved for use under the provisions of RCW 18.74-.035 shall be the examination for physical therapists as reviewed and approved by the board of physical therapy. A passing score is considered to be one of the following:

- (a) Not less than 1.0 standard deviation below the national mean.
- (b) Not less than sixty percent raw score on each of the three examination parts for the examination approved by the board prior to February 28, 1991.
- (2) If a candidate fails to receive a passing score on the examination, he or she will be required to retake the examination.
- (3) Where necessary, applicant's score will be rounded off to the nearest whole number.

**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.

## ALTERNATIVE B

**AMENDATORY SECTION** (Amending Order 178B, filed 6/21/91, effective 7/22/91)

WAC 246-915-030 EXAMINATION. (1) The examination acceptable to and approved for use under the provisions of RCW 18.74-.035 shall be the examination for physical therapists as reviewed and approved by the board of physical therapy. A passing score is considered to be one of the following:

- (a) Not less than ~~((1.0 standard deviation below the national mean))~~ seventy percent of the raw score.
- (b) Not less than sixty percent raw score on each of the three examination parts for the examination approved by the board prior to February 28, 1991.
- (2) If a candidate fails to receive a passing score on the examination, he or she will be required to retake the examination.
- (3) Where necessary, applicant's score will be rounded off to the nearest whole number.

**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 91-20-166

## PROPOSED RULES

## DEPARTMENT OF HEALTH

(Board of Examiners for Nursing Home Administrators)

[Filed October 2, 1991, 3:02 p.m.]

## Original Notice.

Title of Rule: WAC 246-843-115 Examination procedures; 246-843-122 Examination review procedures; and 246-843-180 Registration of licenses.

Purpose: To establish current operating procedures promulgated by board policy as WAC rule. The proposed rules also incorporate routine housekeeping-type corrections.

Statutory Authority for Adoption: RCW 18.52.100.

Statute Being Implemented: RCW 18.52.070.

Summary: These rules delineate the composition of the examinations administered for licensure as a nursing

home administrator, establish procedures for the appeal of the licensing examinations, and establish payment of delinquent fees as a rule.

Name of Agency Personnel Responsible for Drafting; Implementation; and Enforcement: Jackson D. Melton, 1300 S.E. Quince Street, Olympia, WA, 753-3729.

Name of Proponent: Board of Examiners for Nursing Home Administrators, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 246-843-115 will formalize existing procedures pertaining to the examination of nursing home administrators. Examinees are required to follow instructions regarding the conduct of the examination; 246-843-122 will establish procedures for candidates to appeal the results of the state nursing home administrators examination. There will be no charge in current operating procedures which have to date been established by policy. This rule will formalize existing policy; and 246-843-180 will establish authorization for the levying of delinquent fees that are in arrears at the time of nursing home administrator license renewal. This procedure is currently being followed but has not been supported by rule. Adoption of the rule will result in no change in current operating procedure or funding.

Proposal Changes the Following Existing Rules: WAC 246-843-180 amends an existing rule to reflect housekeeping-type changes and to formalize existing operating procedures; 246-843-115 and 246-843-122 are new sections and do not change existing rules.

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

Hearing Location: Holiday Inn-SeaTac, LaGuardia Room, 17338 Pacific Highway South, Seattle, WA 98188, on November 18, 1991, at 9:15 a.m.

Submit Written Comments to: Jackson D. Melton, 1300 S.E. Quince Street, EY-22, Olympia, WA 98504, by November 15, 1991.

Date of Intended Adoption: November 18, 1991.

September 27, 1991  
Jackson D. Melton  
Program Manager

NEW SECTION

WAC 246-843-115 EXAMINATION PROCEDURES. (1) The examination consists of two parts: The National Association of Boards of Examiners for Nursing Home Administrators examination and the Washington State Rules and Regulations examination.

(a) Applicants who are certified by the American College of Health Care Administrators (ACHCA) will be required to pass only the state approved examination.

(b) Applicants who are licensed as a nursing home administrator in another state and who have previously passed the national examination will be required to pass only the state approved examination.

(2) Failure to follow written or oral instructions relative to the conduct of the examination, including termination times of the examination, will be considered grounds for disqualification from the examination.

(3) Applicants will be required to refrain from talking to other examinees during the examination unless specifically directed or permitted to do so by a test proctor. Any applicant observed talking or attempting to give or receive information, or using unauthorized materials during any portion of the examination will be expelled from the examination and not allowed to complete it.



**NEW SECTION**

WAC 246-843-122 EXAMINATION REVIEW PROCEDURES. (1) Each individual who does not pass the Washington state examination section may request review by the board of his or her examination results. This request must be in writing and must be post-marked to the board within thirty days of notification of the examination results. The request must state the reason or reasons the applicant feels the results of the examination should be changed. The board will not consider any challenges to examination scores unless the total of the potentially revised score could result in the issuance of a license. The board will consider the following to be adequate reasons for consideration for review and possible modification of examination results:

(a) A showing of a significant procedural error in the examination process;

(b) Evidence of bias, prejudice or discrimination in the examination process;

(c) Other significant errors which result in substantial disadvantage to the applicant.

(2) In addition to the written request required in (1) of this subsection, the candidate must appear personally in the department office in Olympia for an examination review session. The candidate must contact the department to make an appointment for the exam review session.

(a) The candidate's incorrect answers will be available during the review session. The candidate will be given a form to complete in defense of the examination answers. The candidate must specifically identify the challenged questions on the examination and must state the specific reason(s) why the candidate believes the results should be modified.

(b) For this review session the candidate will be allowed one-half the time originally allotted to take the examination.

(c) The candidate may not bring in any resource material for use while completing the informal review form.

(d) The candidate will not be allowed to remove any notes or materials from the office upon completing the review session.

(e) The candidate will be notified in writing of the board's decision.

(3) Any applicant who is not satisfied with the result of the examination review may appeal the board's decision and may request a formal hearing to be held before the board pursuant to the Administrative Procedure Act. Such request for hearing must be made and post-marked within twenty days of the receipt of the board's informal review of the examination results. The board will not consider any challenges to examination scores unless the total revised score could result in the issuance of a license.

(a) The written request must specifically identify the challenged portions of the examination and must state the specific reason(s) why the candidate believes the examination results should be modified.

(b) Candidates will receive at least twenty days notice of the time and place of the formal hearing.

(c) The issues raised by the candidate at the formal hearing shall be limited to those issues raised by the candidate for consideration at the informal review unless amended by a prehearing order.

(d) The candidate will be notified in writing of the board decision.

**AMENDATORY SECTION** (RCW 18.52.100 91-06-060 (Order 141B), § 246-843-180, filed 3/1/91, effective 4/1/91)

WAC 246-843-180 REGISTRATION OF LICENSES. (1) Every person who holds a valid nursing home administrator's license, active or inactive, shall reregister it annually with the director on dates specified by the ((director)) secretary by making application for reregistration on forms provided by the ((director)) secretary. Such reregistration shall be granted automatically upon receipt of the annual fee, provided, however, that the requirement of continuing education as described in ((WAC 308-54-150)) WAC 246-843-150 is fully met.

(2) Any active or inactive license holder not reregistered within thirty days after the date for reregistration specified by the ((director)) secretary, will be charged a penalty fee as set forth in ((WAC 308-54-310)) WAC 246-843-990 annually in addition to ((his)) the annual registration fee and all delinquent fees that are in arrears. In the event that the license of an individual is not reregistered within two years from the most recent date for reregistration, such license shall lapse and the individual must again apply for licensing and meet all the requirements for a new applicant.

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 91-20-167**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
**(Hearing Aid Council)**

[Filed October 2, 1991, 3:03 p.m.]

Original Notice.

Title of Rule: Fitting and dispensing activities requiring licensure.

Purpose: To define the activities which would require a fitter/dispenser license.

Statutory Authority for Adoption: RCW 18.35.161.

Statute Being Implemented: RCW 18.35.020.

Summary: Rule defines fitting and dispensing hearing aids as any one of four activities sale, lease or rental or attempted sale, lease or rental; selecting a specific aid, earmold impression, and modifying aids.

Reasons Supporting Proposal: Clarifies RCW regarding those who engage in the fitting/dispensing of hearing aids being required to have a license.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Olivia S. Guebara, 1300 S.E. Quince Street, Olympia, 753-1817.

Name of Proponent: Hearing Aid Council, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Clarifies when a license is required.

Proposal does not change existing rules.

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

Hearing Location: Holiday Inn SeaTac, 17338 Pacific Highway South, Seattle, WA 98188, on November 14, 1991, at 11:30 a.m.

Submit Written Comments to: Leslie Baldwin, Rules Coordinator, 1300 Quince Street S.E., Olympia, WA 98504-7902, by November 12, 1991.

Date of Intended Adoption: November 14, 1991.

October 2, 1991  
Olivia S. Guebara  
Program Manager

**NEW SECTION**

WAC 246-828-005 FITTING AND DISPENSING ACTIVITIES REQUIRING LICENSE DEFINED. Fitting and dispensing activities requiring licensure include any one of the following:

(1) The sale or lease or rental or attempted sale, lease or rental of hearing aid(s);

(2) Selecting a specific hearing aid(s) or other amplification system by model name or number or by a specific set of performance characteristics including, but not limited to, gain, frequency response, SSPL, ASP;

(3) Taking of an earmold impression to be used for hearing aid purposes;

(4) Modifying a hearing aid(s) or earmold(s) specifically with the intent as to change the overall acoustic performance of the hearing instrument system.

**WSR 91-20-168**  
**PERMANENT RULES**  
**DEPARTMENT OF HEALTH**  
**(Medical Disciplinary Board)**

[Order 202B—Filed October 2, 1991, 3:04 p.m.]

Date of Adoption: September 13, 1991.

Purpose: Repeal of board member election process.

Citation of Existing Rules Affected by this Order:  
 Repealing WAC 246-920-820 through 246-920-880  
 election of board members.

Statutory Authority for Adoption: RCW 18.72.150.

Pursuant to notice filed as WSR 91-16-033 on July  
 30, 1991.

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

September 27, 1991

Bonnie King  
 Program Manager

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

WAC 246-920-820 ELECTION YEARS IN  
 CONGRESSIONAL DISTRICTS.

WAC 246-920-830 RESIDENTIAL  
 REQUIREMENT.

WAC 246-920-840 NOMINATING PETITIONS.

WAC 246-920-850 ELIGIBILITY REQUIRE-  
 MENT IN ELECTIONS.

WAC 246-920-860 TIME OF ELECTION—  
 BALLOTS.

WAC 246-920-870 IDENTIFICATION BY  
 CONGRESSIONAL DISTRICT.

WAC 246-920-880 BALLOTS.

**WSR 91-20-169**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
**(Chiropractic Disciplinary Board)**

[Filed October 2, 1991, 3:05 p.m.]

Original Notice.

Title of Rule: Chapter 246-807 WAC, Chiropractic,  
 doctors of—Chiropractic disciplinary board.

Purpose: To adopt rules regarding peer review.

Statutory Authority for Adoption: RCW 18.26.110.

Summary: To adopt rule regarding peer review.

Name of Agency Personnel Responsible for Drafting,  
 Implementation and Enforcement: Connie Glasgow,  
 1300 Quince Street S.E., Olympia, WA 98504, (206)  
 753-0776.

Name of Proponent: Chiropractic Disciplinary Board,  
 governmental.

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

Hearing Location: Wyndham Gardens, 18118 Pacific  
 Highway South, Seattle, WA 98188, on November 13,  
 1991, at 7:00 p.m.

Submit Written Comments to: Connie M. Glasgow,  
 1300 S.E. Quince, EY-21, Olympia, WA 98504, by  
 November 10, 1991.

Date of Intended Adoption: November 13, 1991.

September 30, 1991

Connie M. Glasgow

Program Manager

**NEW SECTION**

WAC 246-807-400 PEER REVIEW MEMBERSHIP. The peer review committee is created within the chiropractic disciplinary board and shall be constituted as follows: The chair of the peer review committee shall be a member of the board and shall not vote except to break a tie; one doctor of chiropractic representing each congressional district from within the state; and one independent member representative of the health insurance industry; and one representative from the department of labor and industries.

**NEW SECTION**

WAC 246-807-420 PEER REVIEW QUALIFICATIONS FOR APPOINTMENT. The members of the committee who are chiropractors shall be licensed in Washington, current residents, and have been engaged in the practice of chiropractic in Washington for five years. The members shall not have had their license revoked or suspended by the chiropractic disciplinary board. The chiropractic members shall not serve during the term of their appointment as insurance consultants, independent examiners, peer reviewers, or any other capacity to the health insurance industry. The doctors may serve as consultant examiners to the department of labor and industries. The remaining two members must be residents of the state who are not and never have been, licensed as chiropractors or members of any health care profession. All members shall be appointed by a majority vote of the board.

**NEW SECTION**

WAC 246-807-430 PEER REVIEW CONFLICT OF INTEREST. Any member of the peer review committee shall disqualify him/herself from participation in a case for personal and/or professional involvement or association with the involved doctor, patient, patient's representative, or the insurer or professional competition in the community with the involved doctor. Members shall also be disqualified for lack of impartiality. Upon offer of appointment a potential member of the peer review committee will be required to complete a conflict of interest pledge. Refusal to complete the pledge will result in not being appointed, or in dismissal from the peer review committee. This rule shall not be construed to conflict with any provision of chapter 42.18 RCW, the Executive Branch Conflict of Interest Act.

**NEW SECTION**

WAC 246-807-440 PEER REVIEW QUORUM. A simple majority of the committee members shall constitute a quorum of the committee. A quorum of the committee shall be required to issue final decisions setting forth the committee's findings and recommendations.

**NEW SECTION**

WAC 246-807-450 PEER REVIEW CONDUCT OF REVIEWS. The committee shall conduct the reviews as provided by chapter 320, Laws of 1991. The committee shall meet, complete the review, and submit a written report to include the committee's findings and recommendations to all parties and the board within ninety days of the submission of the case to the peer review committee, unless an extension is authorized by the chair of the peer review committee.

**NEW SECTION**

WAC 246-807-460 MEDIATION. The peer review committee shall maintain and provide a list of mediators by geographical region available to all parties upon request. The mediation process shall be without cost. The mediator shall be selected by the peer review committee by the same criteria as the peer review committee members. If resolution of the review is not satisfactory to all parties, it may be submitted to the peer review committee for final action.

NEW SECTION

WAC 246-807-470 DISCIPLINARY BOARD CONFLICT OF INTEREST. Members of the Board shall not participate in deciding a case or in rule making where their participation raises questions as to the impartiality of the Board's proceedings.

**WSR 91-20-170**  
**PERMANENT RULES**  
**DEPARTMENT OF HEALTH**  
**(Board of Medical Examiners)**

[Order 203B—Filed October 2, 1991, 3:06 p.m.]

Date of Adoption: September 6, 1991.

Purpose: WAC 246-917-020 amends the rule to state the "chair" instead of the "president"; 246-917-025, new section, indicates there will be no refunds; 246-917-070 amends the rule to allow a designee authorized by the board to approve applications; 246-917-121, new section, 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; 246-917-130 amends the rule to eliminate unnecessary language and to clarify the expiration date of the initial license; and 246-918-070 amends the rule to allow a designee authorized by the board to approve applications.

Citation of Existing Rules Affected by this Order: Amending WAC 246-917-020, 246-917-070, 246-917-130, and 246-918-070.

Statutory Authority for Adoption: RCW 18.71.017.

Pursuant to notice filed as WSR 91-15-111 on July 24, 1991.

Changes Other than Editing from Proposed to Adopted Version: WAC 246-917-070 and 246-918-070: The word "both" was changed to "either" and the word "and" was changed to "or"; and 246-917-130 the word "to" was changed to "of" and the sentence "The licensee must return such notice along with current renewal fees prior to the expiration date of said license." was deleted.

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

October 2, 1991

Philip D. Cleveland, M.D.  
Chair

AMENDATORY SECTION (Amending Order 147B, filed 2/26/91, effective 3/29/91)

WAC 246-917-020 BOARD MEETINGS. Regular medical board meetings shall be held at least four times yearly. Additional regular or special meetings may be called at discretion of ~~((president))~~ the chair or quorum of the board.

NEW SECTION

WAC 246-917-025 REFUNDS. Application, registration, or license fees are not refundable or transferable.

AMENDATORY SECTION (Amending Order 147B, filed 2/26/91, effective 3/29/91)

WAC 246-917-070 CREDENTIALING OF PHYSICIAN AND SURGEONS. All completed applications, ~~((both))~~ for either limited ((and)) or full licensure, must be reviewed by a member of the board or a designee authorized in writing by the board, prior to examination and/or licensure.

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

(d) 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.

AMENDATORY SECTION (Amending Order 147B, filed 2/26/91, effective 3/29/91)

WAC 246-917-130 LICENSE RENEWAL ~~((REGISTRATION DATE AND FEE))~~. ~~(((1) Effective with the renewal period beginning July 1, 1976, the annual license renewal date will be changed to coincide with the licensee's birthdate. Conversion to this staggered renewal system will be accomplished as follows:~~

(a) ~~Current licensees, as of June 30, 1976. Licensees desiring to renew their licenses will be required to pay a fee of fifteen dollars plus one-twelfth of that amount for each month, or fraction thereof, in order to extend their license renewal to expire on their birth anniversary date during calendar year 1977 or 1978. Example: Licensee's birthdate is September 1, therefore, the fee is computed at fifteen dollars plus three dollars and seventy-five cents for three months, or eighteen dollars and seventy-five cents.~~

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

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

(2) ~~After the initial conversion to a staggered renewal system, licensees may renew their licenses, at the annual renewal fee rate, for one year, from birth anniversary date to birth anniversary date.~~

~~(3) Under the staggered license renewal system the late payment penalty provision will be applied as follows:~~

~~(a)) The physician and surgeon license shall be renewed annually. The date of renewal shall be the licensee's birth date.~~

An initial license shall expire on the licensee's next birth date. However, if the licensee's next birth date is within three months of the initial date of licensure, the original license shall expire on his or her second birth date following original licensure. Before the expiration date of ((the individual's)) a license, ((as a courtesy, a notice for renewal of license)) a courtesy renewal notice will be mailed to the last address on file ((to)) of every person holding a current license. ((The licensee must return such notice along with current renewal fees prior to the expiration of said license.)) The licensee is responsible for renewing his or her license prior to the expiration date regardless of whether the licensee receives the courtesy notice. Should the licensee fail to renew his or her license prior to the expiration date ((then)), the individual is subject to the statutory penalty fee. If the licensee fails to renew his or her license within three years from expiration date thereof, such individual must apply for licensing under the statutory conditions then in force.

AMENDATORY SECTION (Amending Order 147B, filed 2/26/91, effective 3/29/91)

WAC 246-918-070 CREDENTIALING OF PHYSICIAN ASSISTANTS. All completed applications, ((both)) for either original ((and)) or transfer licensure, must be reviewed by a member of the board or a designee authorized in writing by the board, prior to ((registration)) licensure.

**WSR 91-20-171**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
**(Board of Nursing)**

[Filed October 2, 1991, 3:07 p.m.]

Original Notice.

Title of Rule: WAC 246-839-820 (308-120-620), Clean intermittent catheterization.

Purpose: Minor changes in the training requirements for RNs in private and public school settings teaching unlicensed persons to provide clean intermittent catheterization for students.

Statutory Authority for Adoption: RCW 18.88.080.

Statute Being Implemented: RCW 18.88.295.

Summary: Proposed change eliminates specified hours of training, to allow for the professional judgement of the RN providing the training, based on the knowledge and skill of the trainee, age and condition of the student. Also allows for training to be specific to the age group served, rather than across all ages.

Reasons Supporting Proposal: The board requested feedback from schools after one year's experience with the current rules. Modifications are based on those results, more efficient use of training time, while still maintaining protection of the public.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Patricia O. Brown, RN, MSN, 1300 Quince, EY 27, Olympia 98504, 753-2686.

Name of Proponent: Washington State Board of Nursing, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule allows more focused training of unlicensed persons by RNs, in preparation for catheterization of students in school settings. Allows for time to be determined by professional judgement of the registered nurse. Anticipated effect would be greater efficiency while still protecting the public.

Proposal Changes the Following Existing Rules: WAC 246-839-820 Less or more time spent in training, as indicated. Specific to age group served.

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

Hearing Location: Wyndham Garden Hotel, 18118 Pacific Highway South, SeaTac, Washington 98118, on November 22, 1991, at 1:00 p.m.

Submit Written Comments to: Patricia O. Brown, RN, MSN, Executive Secretary, Board of Nursing, 1300 Quince, EY 27, Olympia, WA 98504, by November 4, 1991.

Date of Intended Adoption: November 22, 1991.

September 20, 1991

Patricia O. Brown, RN, MSN  
Executive Secretary

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-820 PROVISION FOR CLEAN, INTERMITTENT CATHETERIZATION IN SCHOOLS. Public school districts and private schools that offer classes for any of the grades kindergarten through twelve may provide for clean, intermittent catheterization of students or assisted self-catheterization of students who are in the custody of the school district at the time in accordance with the following rules:

(1) The student's file shall contain a written request from the parent(s) or guardian for the clean, intermittent catheterization of the student.

(2) The student's file shall contain written permission from the parent(s) or guardian for the performance of the clean, intermittent catheterize procedure by the nonlicensed school employee.

(3) The student's file shall contain a current written order for clean, intermittent catheterization from the student's physician and shall include written instructions for the procedure. The order shall be reviewed and/or revised each school year.

(4) The student's file shall contain written, current, and unexpired instructions from a registered nurse licensed under chapter 18.88 RCW regarding catheterization which include (a) a designation of the school district or private school employee or employees who may provide for the catheterization, and (b) a description of the nature and extent of any required supervision.

(5) The service shall be offered to all handicapped students and may be offered to the nonhandicapped students, at the discretion of the school board.

(6) The licensed registered nurse shall develop instructions specific to the needs of the student. These shall be made available to the nonlicensed school employee and shall be updated each school year.

(7) The supervision of the self-catheterizing student shall be based on the needs of the student and the skill of the nonlicensed school employee.

(8) The licensed registered nurse, designated by the school board, shall be responsible for the training of the nonlicensed school employees who are assigned to perform clean, intermittent catheterization of the students.

(9) The training of the nonlicensed school employee shall include but not be limited to:

(a) An initial inservice training (~~(of at least ten hours)~~), length determined by the licensed registered nurse.

(b) An update of the instructions and a review of the procedure each school year.

(c) Anatomy, physiology, and pathophysiology of the urinary system including common anomalies for the (~~preschool through adolescent aged student~~) appropriate age group served.

(d) Techniques common to the urinary catheterization procedure.

(e) Identification and care of the required equipment.

(f) Common signs and symptoms of infection and recommended procedures to prevent the development of infections.

(g) Identification of the psychosocial needs of the parent/guardian and the students with emphasis on the needs for privacy and confidentiality.

(h) Documentation requirements.

(i) Communication skills including the requirements for reporting to the registered nurse or the physician.

(j) Medications commonly prescribed for the clean, intermittent catheterization patient and their side effects.

(k) Contraindications for clean, intermittent catheterization and the procedure to be followed if the nonlicensed school employee is unable to catheterize the student.

(l) Training in catheterization specific to the student's needs.

(m) Developmental growth patterns of the (~~preschool through adolescent aged student~~) appropriate age group served.

(n) Utilization of a teaching model to demonstrate catheterization techniques with return demonstration performed by the nonlicensed school employee, if a model is available.

(10) The training of the nonlicensed school employee shall be documented in the employee's permanent file.

**WSR 91-20-172**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
**(Board of Health)**

[Filed October 2, 1991, 3:08 p.m.]

**Original Notice.**

**Title of Rule:** Chapter 246-206 WAC Local health officer responsibilities relating to hazardous chemicals from illegal drug manufacturing operations.

**Purpose:** To establish procedures to protect the public health and safety by regulating the occupancy and use of the property where the manufacture of illegal drugs, or the storage of hazardous chemicals associated with the manufacture of illegal drugs occurred.

**Statutory Authority for Adoption:** RCW 64.44.070.

**Statute Being Implemented:** Chapter 64.44 RCW.

**Summary:** The chapter delineates local health officer responsibilities regarding designation of contaminated property as unfit for use, contamination reduction of the property, and designation of the decontaminated property as fit for use.

**Reasons Supporting Proposal:** Some properties are being contaminated by hazardous chemicals used in unsafe or illegal ways in the manufacture of illegal drugs. Innocent members of the public may be harmed by the residue left by these chemicals when the properties are subsequently rented or sold without having been decontaminated.

**Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement:** Milo Straus, Building 3 Airdustrial Park, Olympia, 586-9120.

**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:** The 1990 legislature passed SHB 2906, an act relating to properties contaminated by illegal drug manufacturing. The legislation was codified into chapter 64.44 RCW. The law requires local health officers to inspect and post property suspected to be contaminated by illegal drug manufacturing, prohibit use of contaminated property, review decontamination plans, and permit re-use of property upon decontamination.

Proposal does not change existing rules.

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

**Hearing Location:** Chart Room, Fairhaven College, WWU, Bellingham, Washington, on November 20, 1991, at 9:30.

**Submit Written Comments to:** Leslie Baldwin, Rules Coordinator, 1300 Quince Street, Olympia, WA 98504-7902, by November 18, 1991.

**Date of Intended Adoption:** November 20, 1991.

September 25, 1991

Sylvia Beck

Executive Director

Chapter 246-206 WAC  
**LOCAL HEALTH OFFICER RESPONSIBILITIES RELATING  
TO HAZARDOUS CHEMICALS FROM ILLEGAL DRUG  
MANUFACTURING OPERATIONS**

**NEW SECTION**

WAC 246-206-001 **PURPOSE.** (1) This chapter establishes department standards and procedures to protect the public's health, safety, and welfare by regulating a person's occupancy and use of a dwelling, building, vehicle, vessel, or premise where hazardous chemicals or chemical residues, commonly associated with the manufacture of illegal drugs, are or may be present. This chapter delineates:

(a) Local health officer responsibility;

(b) An inspection process;

(c) A notification process;

(d) A contamination reduction process; and

(e) Appropriate legal actions and requirements.

(2) This chapter shall not apply to industrial sites where a person's manufacturing process uses a hazardous chemical when licensed or regulated by state or federal agencies.

**NEW SECTION**

WAC 246-206-010 **DEFINITIONS.** (1) "Authorized contractor" means a person:

(a) Registered under chapter 18.27 RCW; and

(b) Certified by the department to decontaminate, demolish, or dispose of contaminated property as required by chapters 64.44 RCW and 246-205 WAC.

(2) "Contaminated" or "contamination" means property polluted by hazardous chemicals and unfit for human habitation or use due to immediate or long-term hazards. Property that at one time was contaminated but has been satisfactorily decontaminated according to procedures established by the state board of health is not "contaminated."

(3) "Department" means the Washington state department of health.

(4) "Hazardous chemicals" means the following substances used in the manufacture of illegal drugs:

(a) Hazardous substances as defined in RCW 70.105D.020; and

(b) Precursor substances as defined in RCW 69.43.010, which the state board of health, in consultation with the state board of pharmacy, has determined present an immediate or long-term health hazard to humans.

(5) "Illegal drug manufacturing or storage site" means any property where a person illegally manufactures or stores a controlled substance or the department believes a person illegally manufactured or stored a controlled substance.

(6) "Local health officer" means a health officer authorized under chapters 70.05, 70.08, and 70.46 RCW, or a local health officer's designated representative.

(7) "Person" means an individual, firm, association, copartnership, political subdivision, government agency, municipality, industry, public or private corporation, or other entity.

(8) "Posting" means attaching a written or printed announcement conspicuously on property which may be, or is determined to be, contaminated by illegal drug manufacturing or the storage of a hazardous chemical.

(9) "Property" means any site, lot, parcel of land, structure, or part of a structure involved in the illegal manufacture of a drug or storage of a hazardous chemical including but not limited to:

- (a) Single-family residences;
- (b) Units or multiplexes;
- (c) Condominiums;
- (d) Apartment buildings;
- (e) Motels and hotels;
- (f) Boats;
- (g) Motor vehicles;
- (h) Trailers;
- (i) Manufactured housing;
- (j) Any ship, booth, or garden; or
- (k) Any site, lot, parcel of land, structure, or part of a structure that may be contaminated by previous use.

(10) "Storage site" means any property that has been used for the storage of hazardous chemicals.

#### NEW SECTION

WAC 246-206-020 POSTING OF PROPERTY. (1) Within one working day of notification by a law enforcement agency or property owner that a property may be contaminated by hazardous chemicals, the local health officer shall notify the public of the potential contamination by causing a posting of a notice on the premises.

(2) The local health officer's initial notice shall:

- (a) Warn the public that entry to the property may be unsafe; and
- (b) Not declare the property unfit for use unless in the local health officer's opinion an immediate public health threat exists.

(3) If, in the local health officer's opinion, an immediate public health threat exists, the local health officer shall cause a posting of an order prohibiting use of all or portions of the property as required under WAC 246-206-060.

(4) The local health officer shall cause the posting, but, based on applicable local regulations or agreements, actual physical attachment of the written notice to the property may be effected by the:

- (a) Health officer;
- (b) Law enforcement personnel;
- (c) Fire department personnel; or
- (d) Other local health officer designee.

#### NEW SECTION

WAC 246-206-030 ENVIRONMENTAL ASSESSMENT. (1) Within fourteen days after a law enforcement agency or property owner notifies the local health officer of potential property contamination, the local health officer shall cause an inspection of the property to commence. The property inspection shall include an acquisition of data to enable the local health officer to determine contamination. Data may include the review of the property's analytical results obtained through sampling of the property by an authorized contractor or by the local health officer.

(2) The local health officer may coordinate the property's inspection with other appropriate agencies. At the request of the local health officer, the Washington state department of ecology may conduct an environmental assessment and may sample the property's ground water, surface water, septic tank water, soil, and other media as necessary to enable the local health officer to evaluate the long-term public health threats.

(3) As part of the property's inspection, the local health officer shall request copies of any law enforcement reports, forensic chemist reports, and any department of ecology hazardous material transportation manifests needed to evaluate:

(a) The length of time a person used the property as an illegal drug manufacturing or storage site;

(b) The size of the site actually used for the manufacture or storage of illegal drugs;

(c) What chemical process was involved in the manufacture of illegal drugs;

(d) What chemicals were removed from the scene; and

(e) The location of the illegal drug manufacturing or storage site in relation to the habitable areas of the property.

(4) If the local health officer determines law enforcement and ecology documents do not provide enough data to determine whether the property is contaminated, the local health officer may conduct a site visit or use other methods of obtaining information.

#### NEW SECTION

WAC 246-206-040 EVALUATION. (1) If, after an evaluation of the inspection results, the local health officer determines property contamination, the local health officer shall designate the property unfit for use.

(2) If designated unfit for use, the local health officer shall cause a posting of an order prohibiting use of all or portions of the property as required under WAC 246-206-060.

(3) If the local health officer determines the property is not contaminated and is fit for use, the local health officer shall document the findings for future use. The local health officer's documentation shall include:

- (a) Findings;
- (b) Conclusions;
- (c) Name of the property owner;
- (d) Mailing and street address of the property owner;
- (e) Parcel identification number and legal description of the property; and
- (f) Clear directions for locating the property.

#### NEW SECTION

WAC 246-206-050 REPORTING. (1) When property is determined unfit for use, the local health officer shall report the contaminated property to the state department of health within one working day by:

- (a) Telephone; and
  - (b) In writing within ten working days.
- (2) The local health officer's written unfit for use report to the state department of health shall include:
- (a) Description of the findings;
  - (b) Conclusions;
  - (c) Name of the property owner;
  - (d) Mailing and street address of the property owner;
  - (e) Parcel identification number and legal description of the property to including township and section;
  - (f) Tax account number;
  - (g) Date property designated unfit for use; and
  - (h) Clear directions for locating the property.

#### NEW SECTION

WAC 246-206-060 NOTIFICATION. (1) Within one working day after the local health officer's determination that a property is contaminated, the local health officer or the local health officer's designee shall post in a conspicuous place on the property an order prohibiting use of all or portions of the property.

(2) Within ten working days after the local health officer's determination that a property is contaminated, the local health officer shall cause to be served, either personally or by certified mail, return receipt requested, an order prohibiting use to all known:

- (a) Occupants; and
- (b) Persons having an interest in the property as shown upon the records of the auditor's office of the county in which the property is located.

(3) If the whereabouts of persons described under subsection (2) of this section is unknown and the same cannot be ascertained by the local health officer in the exercise of reasonable diligence, and the health

officer makes an affidavit to that effect, then the serving of the order upon such persons may be made by:

- (a) Personal service; or
- (b) Mailing a copy of the order by certified mail, postage prepaid, return receipt requested:
  - (i) To each person at the address appearing on the last equalized tax assessment roll of the county where the property is located; or
  - (ii) At the address known to the county assessor.
- (4) The local health officer shall also mail a copy of the order addressed to each person or party having a recorded right, title, estate, lien, or interest in the property.
- (5) The local health officer's order shall:
  - (a) Describe the local health officer's intended course of action;
  - (b) Describe a property owner's penalties for noncompliance with this order;
  - (c) Prohibit a property owner's use of all or portions of the property;
  - (d) Describe what measures a property owner must take to have the property decontaminated; and
  - (e) Indicate the potential health risks involved.
- (6) The local health officer shall:
  - (a) File a copy of the order prohibiting use of the property with the county auditor; and
  - (b) Provide a copy of such order to the local building permit department.
- (7) The local health officer's order shall advise that:
  - (a) A hearing before the local health officer or local health board shall be held upon the request of a person notified of the order as required under this chapter; and
  - (b) The person's request for a hearing shall be made within ten days of the local health officer's serving of the order; and
  - (c) The hearing shall then be held within not less than twenty days or more than thirty days after the serving of the order; and
  - (d) In any hearing concerning whether property is fit for use, the property owner has the burden of showing that the property is decontaminated or fit for use.

#### NEW SECTION

**WAC 246-206-070 CONTAMINATION REDUCTION.** (1) An owner of contaminated property who desires to reduce the contamination shall use the services of an authorized contractor.

- (2) The local health officer shall provide the property owner with a list of authorized contractors upon request.
- (3) Before commencing contamination reduction, the property owner shall have a written work plan to reduce contamination of the property prepared by the contractor and approved by the local health officer. The work plan shall outline the contamination reduction and waste disposal procedures the contractor intends to use.
- (4) The property owner and the contractor shall follow the state department of health contamination reduction guidelines or other more stringent procedures as deemed appropriate by the local health officer.
- (5) The property owner shall be:
  - (a) Financially responsible for any property testing which may be required to demonstrate the presence or absence of hazardous chemicals;
  - (b) Financially responsible for the property's contamination reduction and disposal expenses, as well as costs incurred by the local health officer resulting from the enforcement of this chapter;
  - (c) Responsible for keeping records documenting contamination reduction procedures and submitting notarized copies of all records to the local health officer; and
  - (d) Responsible for petitioning the local health officer to review the contamination reduction records and to declare the property fit for use.

#### NEW SECTION

**WAC 246-206-080 FIT FOR USE.** (1) Within ten working days of a request for review of contamination reduction records, the local health officer:

- (a) Shall review the documentation to verify reduction of contamination to acceptable levels for reoccupancy as stated in state department of health guidelines or other more stringent requirements as deemed appropriate by the local health officer;
- (b) May visit the property site to assess the thoroughness of the contractor's clean-up;
- (c) May require the property owner to provide more extensive testing and assessment of the property site by an independent laboratory or firm qualified to perform such testing and assessment.

(2) If, after review of the information in subsection (1) of this section, the local health officer determines the property has been decontaminated, the local health officer shall within ten working days:

- (a) Record a notice in the real property records of the county auditor where the property is located indicating the property is fit for use. The local health officer's notice shall indicate the property has been decontaminated in accordance with the rules of the state department of health;
- (b) Notify the property owner by certified mail, return receipt requested, that such notice is recorded in the real property records of the county auditor where the property is located; and
- (c) Notify the state department of health that the property is fit for use.

#### **WSR 91-20-173**

#### **PROPOSED RULES**

#### **DEPARTMENT OF HEALTH**

[Filed October 2, 1991, 3:09 p.m.]

#### **Original Notice.**

**Title of Rule:** WAC 246-790-080 Food vendor contracts.

**Purpose:** To eliminate the references in WAC which require food vendors to request WIC participant provide information when using WIC checks.

**Statutory Authority for Adoption:** RCW 43.70.120.

**Summary:** Delete sentence 246-790-080 (4)(d); and delete reference to identification in sentence 246-790-080 (4)(e).

**Reasons Supporting Proposal:** Federal regulations governing the WIC program do not require participants show identification when using WIC checks.

**Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement:** Susan Evans, Office of WIC Services, 6-6739.

**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:** Deletion of the requirement of vendors to request participants provide identification when using WIC checks will improve clinic workflow by eliminating the need to write and witness signatures on the identification folder. Accountability and security of WIC checks will still be maintained because two signatures are still required on each check.

**Proposal Changes the Following Existing Rules:** Same as Explanation of Rule above.

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

**No effect anticipated for any size business besides [besides] eliminating need for requiring identification.**

**Hearing Location:** OB-2 Auditorium, 12th and Franklin, Olympia, WA 98504, on November 6, 1991, at 1:00 p.m.

**Submit Written Comments to:** Leslie Baldwin, 1300 Quince Street, Mailstop EY-16, Olympia, Washington 98504-7902, by November 5, 1991.

**Date of Intended Adoption:** November 13, 1991.

October 2, 1991  
Kristine M. Gebbie  
Secretary

**AMENDATORY SECTION** (Amending Order 3117, filed 12/18/90, effective 1/18/91)

WAC 246-790-080 FOOD VENDOR CONTRACTS. (1) All participating food vendors shall enter into written contracts with the department. The contract shall be signed by the vendor's legal representative.

(2) When the food vendor obligates more than one store location, all participating store locations shall be listed by name and location on the contract. Individual store locations may be added, temporarily disqualified, or terminated by contract amendment without affecting the remaining store locations.

(3) The department shall have the authority to contract with a sole source for a specified WIC food product or food product category.

(4) WIC vendor rules. The food vendor contract shall contain the following rules:

(a) The food vendor shall stock sufficient quantities of authorized WIC foods to meet the needs of WIC customers;

(b) The food vendor shall redeem food instruments made payable only to that specific store or with the words "any authorized WIC vendor;"

(c) The food vendor shall accept food instruments from a WIC customer within thirty days of the issuance date and submit those instruments for payment within the time period stated on the food instrument;

~~(d) ((The food vendor shall require proof of identity of WIC customers by requesting identification. The WIC identification folder is provided for this purpose;~~

~~((e))~~ The food vendor shall ensure both signatures on the WIC check match ~~((the signature on the identification));~~

~~((f))~~ (e) The food vendor shall not accept WIC food instruments altered in any way;

~~((g))~~ (f) The food vendor shall redeem WIC food instruments for only the supplemental foods specified on the food instrument;

~~((h))~~ (g) The food vendor shall provide supplemental foods at the current price or at less than the current price charged other customers;

~~((i))~~ (h) The food vendor shall not accept WIC checks exceeding the maximum amount allowable;

~~((j))~~ (i) The department has the right to demand refunds from the food vendors for documented overcharges;

~~((k))~~ (j) The department may deny payment to the food vendor for improperly handled food instruments or may demand refunds for payments already made on improperly handled food instruments. Examples of improperly handled food instruments are:

(i) A check presented to the vendor for redemption after the thirty-day valid period;

(ii) An altered check; and

(iii) A check exceeding the maximum allowable amount.

~~((l))~~ (k) The food vendor shall not seek restitution from WIC customers for food instruments not honored by the WIC program, nor shall the food vendor seek restitution through a collection agency;

~~((m))~~ (l) The food vendor shall not request cash or give change in a WIC transaction;

~~((n))~~ (m) The food vendor shall not issue refunds for returned WIC foods or allow exchanges of WIC foods;

~~((o))~~ (n) The food vendor shall not issue rain checks or any form of credit;

~~((p))~~ (o) The food vendor shall treat WIC customers with the same courtesy provided to other customers;

~~((q))~~ (p) The department shall hold the food vendor responsible for the actions of employees or agents of the vendor with regard to any WIC transaction;

~~((r))~~ (q) The manager of the store or an authorized representative such as head cashier shall agree to accept training on WIC program requirements and procedures. The department shall provide this training;

~~((s))~~ (r) The food vendor shall inform and train cashiers or other employees on WIC program rules and check cashing procedures;

~~((t))~~ (s) The department shall monitor the food vendor for compliance with WIC program rules;

~~((u))~~ (t) During the department monitoring visit of a food vendor, the food vendor shall provide access to food instruments negotiated the day of the review, at the request of the department reviewer;

~~((v))~~ (u) Food vendors shall provide department reviewers access to shelf price records;

~~((w))~~ (v) Each food vendor shall provide the department with a complete price list of authorized WIC foods not more than twelve times per year; and

~~((x))~~ (w) The food vendor shall notify the department of any store closure or change of ownership, store name, and/or location no later than the tenth of the month before the month during which the change is effective. Notices from the vendor shall be addressed to DSHS WIC Program, Mailstop LC-12C, Olympia, Washington 98504.

(5) Renewal of contract.

(a) Neither the department nor the food vendor is obligated to renew the food vendor contract. The department shall notify vendors in writing not less than fifteen days before the expiration of a contract not being renewed by the department.

(b) Food vendors shall observe time lines, such as deadlines for submitting price lists and returning properly signed contracts. Failure of vendors to do so may result in denial of authorization.

(6) Contract terminations.

(a) Either the department or the food vendor may terminate the contract by submitting a written notice to the other party thirty days in advance.

(b) The food vendor contract shall automatically be terminated without advance notice from the department in the event of a store closure or change in ownership.

**WSR 91-20-174**  
**PROPOSED RULES**  
**BUILDING CODE COUNCIL**

[Filed October 2, 1991, 3:12 p.m.]

Supplemental Notice to WSR 91-16-112.

Title of Rule: Chapter 51-16 WAC, Washington State Building Code.

Purpose: Adopt guidelines for Building Code exemptions for housing for indigent persons. Maintain WAC 51-16-080 Permit exemption guidelines.

Statutory Authority for Adoption: RCW 19.27.074 and chapter 139, Laws of 1991.

Statute Being Implemented: Chapter 19.27 RCW and chapter 139, Laws of 1991.

Summary: The adoption of the Uniform Building Code, Uniform Mechanical Code, Uniform Fire Code, and the Uniform Plumbing Code will be through separate WAC chapters. Maintain building permit exemption guidelines in this chapter. Add guidelines for Building Code exemptions for housing for indigent persons.

Reasons Supporting Proposal: The four uniform codes with amendments will be adopted into separate chapters of the Washington Administrative Code, i.e., chapters 51-20, 51-22, 51-24, and 51-26 WAC.

Name of Agency Personnel Responsible for Drafting and Implementation: Donna Voss, Ninth and Columbia Building, GH-51, Olympia, Washington 98504-4151, (206) 586-8999; and Enforcement: Local governments.

Name of Proponent: State Building Code Council, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Amendment of chapter 51-16 WAC for the purpose of adopting separately each of the Uniform Codes and Standards. Each of the Uniform Codes and Standards with their respective amendments will be adopted as follows: Chapter 51-20 WAC, Uniform Building Code; chapter 51-21 WAC, Uniform Building Code Standards; chapter 51-22 WAC, Uniform Mechanical Code; chapter 51-24 WAC, Uniform Fire Code; chapter 51-25 WAC, Uniform Fire Code Standards; chapter



51-26 WAC, Uniform Plumbing Code; and chapter 51-27 WAC, Uniform Plumbing Code Standards. Maintain the building permit exemption guidelines in WAC 51-16-080. Adopt guidelines for local jurisdictions adoption to exempt Building Code requirements for buildings whose character of use or occupancy has changed in order to provide housing for indigent persons. The purpose is to require the enforcement of code provisions for life, health and safety purposes without requiring the building to be brought into full compliance with all of the State Building Code requirements.

Proposal Changes the Following Existing Rules: Proposal relocates existing rules into new chapters of the WAC, as they pertain to the adoption of each of the uniform codes. The chapter will then comprise the permit exemption guidelines found in WAC 51-16-080. In addition new guidelines for exempting provisions of the State Building Code for buildings to be used for temporary housing for indigent persons are proposed for adoption. The guidelines in both cases are optional for local government adoption and enforcement.

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

The council has considered whether this rule is subject to the Regulatory Fairness Act and has determined that the adoption of exemption guidelines for indigent housing will not have a significant economic impact. If adopted by local governments, the guidelines would reduce the cost of making a building habitable for homeless persons while meeting Building Code requirements for life, health and safety purpose.

Hearing Location: City of SeaTac Fire Department, Angle Lake Fire Hall, 2929 200th South, SeaTac, WA, on Thursday, November 7, 1991, at 9:00 a.m.

Submit Written Comments to: Gene J. Colin, Chair, State Building Code Council, Ninth and Columbia Building, Mailstop GH-51, Olympia, WA 98504-4151, by November 6, 1991, 5:00 p.m.

Date of Intended Adoption: November 8, 1991.

September 20, 1991

Gene J. Colin  
Chair

Chapter 51-16 WAC  
STATE BUILDING CODE ((UPDATE AND AMENDMENT=  
ADOPTION OF THE 1988 EDITIONS OF THE UNIFORM  
CODES)) GUIDELINES

AMENDATORY SECTION (Amending Order 88-11, filed 12/1/88, effective 7/1/89)

WAC 51-16-010 AUTHORITY. These ((rules)) guidelines are adopted under the authority of chapter 19.27 RCW.

AMENDATORY SECTION (Amending Order 88-11, filed 12/1/88, effective 7/1/89)

WAC 51-16-020 PURPOSE. The purpose of these ((rules is to implement the provisions of chapter 19.27 RCW, which provides that the state building code council shall maintain the State Building Code in a status which is consistent with the purpose as set forth in RCW 19.27-020. In maintaining the codes the council shall regularly review updated versions of the codes adopted under the act, and other pertinent information, and shall amend the codes as deemed appropriate by the council)) guidelines is to provide local governments with amendatory language for specific applications. The guidelines are not required to be adopted and enforced by local governments.

AMENDATORY SECTION (Amending WSR 91-01-117, filed 12/19/90, effective 7/1/91)

WAC 51-16-030 ((UNIFORM BUILDING CODE AND UNIFORM BUILDING CODE STANDARDS)) EXEMPTIONS FOR INDIGENT HOUSING GUIDELINES. ((The 1988 edition of the Uniform Building Code, and the 1988 edition of the Uniform Building Code Standards as published by the International Conference of Building Officials and available from the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601 are hereby adopted by reference with the following additions, deletions and exceptions:

400. The following amendments are adopted to UBC chapter 4:

Sec. 404. Add the following definitions:

~~CHILD DAY CARE~~, shall, for the purposes of these regulations, mean the care of children during any period of a 24 hour day:

~~CHILD DAY CARE HOME, FAMILY~~ is a child day care facility, licensed by the state, located in the family abode of the person or persons under whose direct care and supervision the child is placed, for the care of twelve or fewer children, including children who reside at the home:

Sec. 407. Add the following definition:

~~FAMILY ABODE~~ means a single dwelling unit and accessory buildings occupied for living purposes by a family which provides permanent provisions for living, sleeping, eating, cooking, and sanitation:

Sec. 409. Revise the definition of health hazard as follows:

~~Health hazard is a classification of a chemical for which there is statistically significant evidence based on at least one reproducible study conducted in accordance with established scientific principles that acute health effects may occur in exposed persons. The term "health hazard" includes chemicals which are toxic or highly toxic agents, irritants, corrosives, hepatotoxins, nephrotoxins, neurotoxins, agents which can have an acute effect on the hematopoietic system, and agents that have acute effects on the lungs, skin, eyes or mucous membrane:~~

Sec. 414. Add the following definition:

~~MULTIFAMILY RESIDENTIAL BUILDING~~ is a common wall dwelling or apartment house that consists of four or fewer dwelling units that do not exceed two stories in height and that are less than five thousand square feet in total area:

Sec. 420. Add the following definition:

~~SINGLE FAMILY RESIDENTIAL BUILDING~~ is a dwelling containing only one dwelling unit:

800. The following amendments are adopted to UBC chapter 8:

Sec. 801. Revise the definition of "Division 3" and add an exception as follows:

~~Division 3. Any building or portion thereof used for day-care purposes for more than six children:~~

~~Exception: Family child day-care homes shall be considered Group R Division 3 Occupancies:~~

~~For occupancy separation see Table No. 5-B:~~

Sec. 802 (c). Revise as follows:

~~(c) Special provisions. Rooms in Division 1 and 2 Occupancies used for kindergarten, first or second grade pupils and Division 3 Occupancies shall not be located above or below the first story:~~

~~EXCEPTION: 1. Rooms on floors which have exits to the exterior of the building which require no more than 4 feet of vertical travel from the floor level to the level of the exterior finished surface of the ground, paving or sidewalk:~~

~~2. In buildings equipped with an automatic sprinkler system throughout, rooms used for kindergarten, first- and second-grade children or for day-care purposes may be located on the second story, provided there are at least two exits directly into separate exiting systems as defined in Section 3319(a):~~

3. Division 3 Occupancies located above the second story, shall be in buildings equipped with an automatic sprinkler system throughout and of Type I or Type II fire-resistive construction when:

A. Division 3 Occupancies above the fourth floor shall not have more than 12 children per floor; and,

B. The entire story on which the day-care facility is located is equipped with an approved fire alarm and smoke detection system as set forth in the Fire Code. Actuation of the system shall sound an alarm audible throughout the entire story; and,

C. The day-care facility is divided into not less than two areas of approximately the same size, separated from each other by not less than one-hour fire-resistive construction. Openings between the two areas shall be protected by an automatic-closing smoke and draft control assembly, having a fire-protection rating of not less than 20 minutes, which will close automatically upon actuation of the fire alarm or detection systems; and,

D. Each separated area is provided with air-moving equipment independent of that serving the other; and,

E. Each separated area has not less than two exits, one of which is permitted to be through the adjoining separated area; and,

F. The exits from the Division 3 Occupancy shall be into separate exiting systems as defined in Section 3319.

Balance of section to remain unchanged:

900. The following amendments are adopted to UBC chapter 9:

Sec. 901 (a). Revise as follows:

Sec. 901. (a) General. For definitions, identification and control of hazardous materials, display of nonflammable solid and nonflammable or noncombustible liquid hazardous materials in Group B, Division 2 Occupancies used for retail sales, and storage and use of Class 3 solid and liquid oxidizers in Groups I, M and R Occupancies, see the Fire Code. For application and use of control areas, see Footnote 1 of Tables Nos. 9-A and 9-B. The primary use of a building will be considered as a Group H, Division 1, 2, or 3 or 7 Occupancy when its primary use is for storage, and the aggregate quantity of hazardous materials in the building is in excess of Tables Nos. 9-A or 9-B. Group H Occupancies shall be:

Sec. 901(a). Division 2.6. Revise Exception as follows:

EXCEPTIONS: 1. Rooms or areas used for woodworking where no more than three fixed in-place woodworking appliances are utilized may be classified as a Group B, Division 2 Occupancy, provided the appliances are equipped with dust collectors sufficient to remove dust generated by the appliance.

Sec. 901(a). Division 7. Revise as follows:

Occupancies having quantities of materials in excess of those listed in Table No. 9-B that are health hazards, including but not limited to:

1. Corrosives;
2. Highly toxic materials;
3. Irritants;

Sec. 901(f). Revise as follows:

EXCEPTION. When an HMMP is required, the applicant may submit the report(s) used for compliance with requirements of 40 CFR "Hazardous Chemical Reporting and Community Right-to-Know Regulations" under Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA):

Sec. 902(g). Revise as follows:

(g) Standby power. A standby power system shall be provided for required mechanical exhaust ventilation, treatment, temperature control, liquid-level limit control, pressure control, alarm, and detection or other required electrically operated systems in Group H, Divisions 1, 2 and 3 Occupancies, and in Group H, Division 7 Occupancies in which there is use or storage of corrosives, highly toxic solids and liquids, irritants, sensitizers or other health hazard materials. For required systems, see the Fire Code. The standby power system shall be designed and installed in accordance with the Electrical Code to automatically supply power to all electrical equipment required by the Fire Code when the normal electrical supply system is interrupted.

Sec. 902(h). Revise as follows:

(h) Emergency power. An emergency power system shall be provided for required mechanical exhaust ventilation, treatment, temperature control, liquid-level limit control, pressure control, alarm and detection or other required electrically operated systems in Group H, Division 6 Occupancies, and in Group H, Division 7 Occupancies in which highly toxic or toxic gases are stored or used. For required systems, see the Fire Code. The emergency power system shall be designed and installed in accordance with the Electrical Code to automatically supply power to the exhaust ventilation system when the normal electrical supply system is interrupted.

Sec. 902(k). Delete exception.

Sec. 903. Revise first paragraph as follows:

Group H Occupancies shall be located on property in accordance with Section 504, Tables Nos. 9-C and 9-D and other provisions of this chapter. In Group H, Division 2 or Division 3 Occupancies, not less than 25 percent of the perimeter wall of the occupancy shall be an exterior wall.

Sec. 904(b). Revise first paragraph as follows:

(b) Ventilation in Hazardous Locations. Areas or spaces in which explosive, corrosive, combustible, flammable or highly toxic dusts, mists, fumes, vapors or gases are or may be emitted due to the processing, use, handling or storage of materials shall be mechanically ventilated as required by the Fire Code and the Mechanical Code.

Sec. 906. Revise title as follows:

Shaft and exit enclosures

Sec. 906. Add a new paragraph as follows:

In buildings with Group H, Division 6 Occupancies, a fabrication area may have mechanical, duct and piping penetrations which extend through not more than two floors within that fabrication area. The annular space around penetrations for cables, cable trays, tubing, piping, conduit or ducts shall be sealed at the floor level to restrict the movement of air. The fabrication area, including the areas through which the ductwork and piping extend, shall be considered a single conditioned environment.

Sec. 908. Revise paragraph 5 as follows:

Combustible fiber storage rooms with a fiber storage capacity not exceeding 500 cubic feet, shall be separated from the remainder of the building by a one-hour fire-resistive occupancy separation. Combustible fiber storage vaults having a fiber storage capacity of more than 500 cubic feet, shall be separated from the remainder of the building by a two-hour fire-resistive occupancy separation.

Sec. 909. Revise as follows:

Sec. 909. An approved fire alarm system shall be installed in Group H Occupancies as specified in the Fire Code.

Sec. 910. Revise first paragraph as follows:

Explosion control

Sec. 910. Explosion control, equivalent protective devices, suppression systems or barricades shall be provided to control or vent the gases resulting from deflagrations of dusts, gases or mists in rooms, buildings or other enclosures as required by the Fire Code so as to minimize structural or mechanical damage. If detonation rather than deflagration is considered likely, protective devices or systems such as fully contained barricades shall be provided, except that explosion venting to minimize damage from less than 2.0 grams of TNT (equivalence) is permitted. Walls, floors and roofs separating a use from an explosion exposure shall be designed to resist a minimum internal pressure of 100 pounds per square foot in addition to the loads required by Chapter 23.

Sec. 911(f) 1. Revise as follows:

(f) Piping and tubing. 1. General. HPM piping and tubing shall comply with this subsection and shall be installed in accordance with nationally recognized standards. Piping and tubing systems shall be metallic unless the material being transported is incompatible with such system. Systems supplying gaseous HPM having a health hazard ranking of 3 or 4 shall be welded throughout, except for connections, valves and fittings, to the systems which are within a ventilated enclosure. HPM supply piping or tubing in service corridors shall be exposed to view.

Table No. 9-A. Revise as follows:

Delete all (dash marks) in the columns and replace with N.A. Add a reference at the end of the table before "N.L." as follows:  
N.A. = Not Applicable.

Table No. 9-A. Revise Footnote No. 5 as follows:

<sup>5</sup> Quantities may be increased 100 percent when stored in approved storage cabinets, gas cabinets, fume hoods, exhausted enclosures or safety cans as specified in the Fire Code. When Footnote No. 4 also applies, the increase for both footnotes may be applied:

Table No. 9-A. Add new Footnotes Nos. 11 and 12 as follows:

Solid \_\_\_\_\_ Liquid \_\_\_\_\_  
Lbs.<sup>11</sup> and Gallons<sup>11</sup>

<sup>11</sup> The aggregate quantity of nonflammable solid and nonflammable or noncombustible liquid hazardous materials within a single control area of a Group B, Division 2 Occupancies used for retail sales may exceed the exempt amounts when such areas are in compliance with the Fire Code:

Oxidizer, Class 3<sup>12</sup>

<sup>12</sup> A maximum quantity of 200 pounds of solid or 20 gallons of liquid Class 3 oxidizers may be permitted in Groups I, M and R Occupancies when such materials are necessary for maintenance purposes or operation of equipment. See the Fire Code.

Table No. 9-B. Revise as follows:

Delete all (dash marks) in the right hand column and replace with 0 (zeros):

Table No. 9-B. Revise Footnote No. 6 as follows:

<sup>6</sup> Quantities may be increased 100 percent when stored in approved storage cabinets, gas cabinets, fume hoods, exhausted enclosures or safety cans as specified in the Fire Code. When Footnote No. 5 also applies, the increase for both footnotes may be applied:

Under USE<sup>3</sup> CLOSED SYSTEMS Gas, add Footnote No. 6 to all items, except for Highly Toxics.

Table No. 9-B. Add a new Footnote No. 9 as follows:

Solid \_\_\_\_\_ Liquid \_\_\_\_\_  
(Lbs.)<sup>4,5,9</sup> and Gallons<sup>4,5,9</sup>

<sup>9</sup> The aggregate quantity of nonflammable solid and nonflammable or noncombustible liquid health hazard materials within a single control area of a Group B, Division 2 Occupancies used for retail sales may exceed the exempt amounts when such areas are in compliance with the Fire Code.

Table No. 9-C. Revise as follows:

OCCUPANCY GROUP	MINIMUM DISTANCE FROM PROPERTY LINE <sup>1</sup>	FIRE RESISTANCE OF EXTERIOR WALLS	OPENINGS IN EXTERIOR WALLS <sup>2</sup>
I-2-3 Not in a detached building	When area does not exceed 1,000 sq. ft.	4 hours less than 5 feet, 2 hours less than 10 feet, 1 hour less than 20 feet	Not permitted less than 5 feet; protected less than 20 feet
I-2-3 Not in a detached building	30 feet when the area exceeds 1,000 sq. ft. <sup>3</sup>	No requirement based on location <sup>4</sup>	No requirement based on location <sup>5</sup>

For family child day care homes with more than six children, each floor level used for family child day care purposes shall be served by two remote exits. Outside exit doors shall be operable from the inside without the use of keys or any special knowledge or effort.

Basements located more than four feet below grade level shall not be used for family child day care homes unless one of the following conditions exist:

(a) Exit stairways from the basement open directly to the exterior of the building without entering the first floor; or

(b) One of the two required exits discharges directly to the exterior from the basement level, and a self closing door is installed at the top or bottom of the interior stair leading to the floor above; or

(c) One of the two required exits is an operable window or door, approved for emergency escape or rescue, that opens directly to a public street, public alley, yard or exit court is provided; or

(d) A residential sprinkler system is provided throughout the entire building in accordance with National Fire Protection Association Standard 13d.

Floors located more than four feet above grade level shall not be occupied by children in family child day care homes.

Exceptions: 1. Use of toilet facilities while under supervision of an adult staff person:

2. Family child day care homes may be allowed on the second story if one of the following conditions exist:

(a) Exit stairways from the second story open directly to the exterior of the building without entering the first floor; or

(b) One of the two required exits discharges directly to the exterior from the second story level, and a self closing door is installed at the top or bottom of the interior stair leading to the floor below; or

(c) A residential sprinkler system is provided throughout the entire building in accordance with National Fire Protection Association Standard 13d.

Every sleeping or napping room in a family child day care home shall have at least one operable window for emergency rescue.

Exception: Sleeping or napping rooms having doors leading to two separate exits ways, or a door leading directly to the exterior of the building.

Basements in dwelling units and every sleeping room below the fourth story shall have at least one operable window or door approved for emergency escape or rescue which shall open directly into a public street, public alley, yard or exit court. The units shall be operable from the inside to provide a full clear opening without the use of separate tools:

All escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet. The minimum net clear openable height dimension shall be 24 inches. The minimum net clear openable width dimension shall be 20 inches. When windows are provided as a means of escape or rescue they shall have a finished sill height not more than 44 inches above the floor.

Bars, grilles, grates or similar devices may be installed on an emergency escape or rescue windows or doors, provided:

1. Such devices are equipped with approved release mechanisms which are operable from the inside without the use of a key or special knowledge or effort; and

2. The building is equipped with smoke detectors installed in accordance with Section 1210.

Sec. 1210. Revise as follows:

Sec. 1210. (a) Smoke detectors. 1. General: Dwelling units and hotel or lodging house guest rooms that are used for sleeping purposes shall be provided with operable smoke detectors. Detectors shall be installed in accordance with the approved manufacturer's instructions.

2. Additions, alterations or repairs to Group R Occupancies. When the valuation of an addition, alteration or repair to a Group R Occupancy exceeds \$1,000.00 and a permit is required, or when one or more sleeping rooms are added or created in existing Group R Occupancies,

Sec. 913. Add the following section:

Sec. 913. The amendments, revisions and changes to Chapter 9 of the Uniform Building Code which are contained in the 1989 Supplement to the Uniform Building Code are hereby adopted:

1200. The following amendments are adopted to UBC chapter 12:

Sec. 1201. Amend Division 3 as follows:

Division 3 Dwellings, family child day care homes and lodging houses:

Sec. 1204. Revise as follows:

Sec. 1204. Stairs, exits and smokeproof enclosures shall be as specified in Chapter 33:

Exception. Only one exit door from a family child day care home need comply with the requirements of Section 3304(b).

smoke detectors shall be installed in accordance with Subsections 3, 4 and 5 of this section:

3. Power source. In new construction, required smoke detectors shall receive their primary power from the building wiring when such wiring is served from a commercial source. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. Smoke detectors may be battery operated when installed in existing buildings or in buildings without commercial power, or in buildings which undergo alterations, repairs or additions regulated by Subsection 2 of this section:

4. Location within dwelling units. In dwelling units detectors shall be mounted on the ceiling or wall at a point centrally located in the corridor or area giving access to each separate sleeping area. When the dwelling unit has more than one story and in dwellings with basements, a detector shall be installed on each story and in the basement. In dwelling units where a story or basement is split into two or more levels, the smoke detector shall be installed in the upper level, except that when the lower level contains a sleeping area, a detector shall be located on each level. When sleeping rooms are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway. In dwelling units where the ceiling height of a room open to the hallway serving the bedrooms exceeds that of the hallway by 24 inches or more, smoke detectors shall be installed in the hallway and the adjacent room. Detectors shall sound an alarm audible in all sleeping areas of the dwelling unit, in which they are located:

5. Location in efficiency dwelling units and hotels. In efficiency dwelling units, hotel suites and in hotel sleeping rooms, detectors shall be located on the ceiling or wall of the main room or hotel sleeping room. When sleeping rooms within an efficiency dwelling unit or hotel suite are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway. When actuated, the detector shall sound an alarm audible within the sleeping area of the dwelling unit, hotel suite or sleeping room in which it is located:

6. Location within family child day care homes. In family child day care homes operable detectors shall be located in all sleeping and napping areas. When the family child day care home has more than one story, and in family child day care homes with basements, an operable detector shall be installed on each story and in the basement. In family child day care homes where a story or basement is split into two or more levels, the smoke detector shall be installed in the upper level, except that when the lower level contains a sleeping or napping area, an operable detector shall be located on each level. When sleeping rooms are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway. In family child day care homes where the ceiling height of a room open to the hallway serving the bedrooms exceeds that of the hallway by 24 inches or more, smoke detectors shall be installed in the hallway and the adjacent room. Detectors shall sound an alarm audible in all areas of the building:

Balance of section to remain unchanged:

Sec. 1213. Add the following paragraph and exception:

Rooms or spaces containing a commercial-type cooking kitchen, boiler, maintenance shop, janitor closet, laundry, woodworking shop, flammable or combustible storage, or painting operation shall be separated from the family child day care area by at least one-hour fire-resistive construction:

EXCEPTION: A fire-resistive separation shall not be required where the food preparation kitchen contains only a domestic cooking range, and the preparation of food does not result in the production of smoke or grease laden vapors:

2300. The following amendments are adopted to UBC chapter 23:

Section 2312(h) 2. I. Diaphragms. Revise subsection (iv) as follows:

(iv) Where wood diaphragms are used to laterally support concrete or masonry walls, the anchorage shall conform to Section 2312(h) 2. II above. In Seismic Zones Nos. 3 and 4 anchorage shall not be accomplished by use of toe nails or nails subject to withdrawal, nor shall wood ledgers or framing be used in cross-grain bending or cross-grain tension, and the continuous ties required by paragraph (iii) above shall be in addition to the diaphragm sheathing:

2700. The following amendments are adopted to UBC chapter 27:

Sec. 2722(f) 6. Revise item 1 of the exception as follows:

EXCEPTION: This requirement need not apply in any of the following cases, provided the compactness limitations for beams given in Section 2722 (f) 4 shall apply to columns as well:

1. For columns with  $f_a$  less than  $0.4F_y$  for all load combinations, except for loads specified in Section 2722(d) 1. Such columns shall have allowable stresses reduced 25 percent when one end frames into a joint not complying with Formula 22-3, and 50 percent when both ends frame into joints not complying with Formula 22-3:

Sec. 2722(f) 7. Revise as follows:

7. Trusses in SMRSF. Trusses may be used as horizontal members in SMRSF if the sum of the truss seismic force flexural strength exceeds the sum of the column seismic force flexural strength immediately above and below the truss by a factor of at least 1.25. For this determination the strengths of the members shall be reduced by the gravity load effects. In buildings of more than one story, the column axial stress shall not exceed  $0.4F_y$  and the ratio of the unbraced column height to the least radius of gyration shall not exceed 60. Columns shall have allowable stresses reduced 25 percent when one end frames into a truss, and 50 percent when both ends frame into trusses. The connection of the truss chords to the column shall develop the lesser of the following:

- A. The strength of the truss chord;
- B. The chord force necessary to develop 125 percent of the flexural strength of the column:

3800. The following amendments are adopted to UBC chapter 38:

Sec. 3801. Add the following subsection (c):

(c) When sprinklers are installed in an insulated ceiling cavity not meeting exceptions of UBC Standard 38-1 or where blocked by ducts or other similar obstructions, a space 6 inches or greater in depth with not less than 12 inches clearance from ducts or other similar obstructions shall be provided under all sprinklers:

Section 3802(h). Revise as follows:

(h) Group R Division 1 Occupancies. An automatic sprinkler system shall be installed throughout every apartment house three or more stories in height or containing more than 15 dwelling units and every hotel three or more stories in height or containing 20 or more guest rooms. Residential or quick response standard sprinkler heads shall be used in the dwelling unit and guest room portions of the building. The sprinkler system shall comply with the requirements of Washington State Building Code Standard No. 38-3W:

5100. The following amendments are adopted to UBC chapter 51:

Sec. 5103. Delete entire section:

Sec. 5105. Revise as follows:

Elevator Machine Room Floors

Section 5105. Elevator hoistways shall not be vented through an elevator machine room unless such venting is accomplished by an approved duct system installed through the elevator machine room. Cable slots entering the machine room shall be sleeved beneath the machine room floor and extend to not less than 12 inches below the shaft vent to must be installed in a manner that inhibits the passage of smoke into the machine room:

3800. The following amendments are adopted to chapter 38 of the UBC Standards:

Sec. 38-3W. Add the following new standard No. 38-3W:

WASHINGTON STATE BUILDING CODE STANDARD  
NO. 38-3W

INSTALLATION OF SPRINKLER SYSTEMS IN  
RESIDENTIAL OCCUPANCIES

Sec. 38.301W. Except for the limitations, deletions, modifications or amendments set forth in Section 38.302W of this standard, the installation of sprinkler systems in residential occupancies of four stories or less when required by the Uniform Building Code shall be in accordance with the "Standard for the Installation of Sprinkler Systems in Residential Occupancies, NFPA 13R-1988", published by the National Fire Protection Association, copyright 1988, Batterymarch Park, Quincy, Massachusetts 02269, as if set out at length herein.

Sec. 38.302W. The National Fire Protection Association standard adopted by section 38.301W applies to the selection, installation, inspection, maintenance and testing of residential sprinkler systems, except as follows:

1. Table 1-5.1 is amended to read as follows:

Table 1-5.1

Materials and Dimensions	Standard
Spec. for Black and Hot-Dipped Zinc Coated (Galvanized) Welded and Seamless Steel Pipe for Fire Protection Use	ASTM A795
Specification for Welded and Seamless Steel Pipe	ASTM A53
Wrought Steel Pipe	ANSI B36.10
Specification for Electric-Resistance Welded Steel Pipe	ASTM A135
Copper Tube (Drawn, Seamless) Specification for Seamless Copper Tube	ASTM B88
Specification for General Requirements for Wrought Seamless Copper and Copper-Alloy Tube	ASTM B251
Brazing Filler Metal (Classification BCuP-3 or BCuP-4)	AWS A5.8
Specification for Solder Metal, 9-5 (Tin-Antimony-Grade 95TA)	ASTM B32
Specifications for CPVC Pipe	ASTM F437 ASTM F438 ASTM F439 ASTM F442
Specification for Polybutylene Tube	ASTM D 3309

2. Table 1-5.5 is amended to read as follows:

Table 1-5.5

Materials and Dimensions	Standard
Cast Iron	
Cast Iron Threaded Fittings Class 125 and 250	ANSI B16.4
Cast Iron Pipe Flanges and Flanged Fittings	ANSI B16.1
Malleable Iron	
Malleable Iron Threaded Fittings Class 150 and 300	ANSI B16.3
Steel	
Factory-made Threaded Fittings Class 150 and 300	ANSI B16.9
Buttwelding ends for Pipe, Valves Flanges and Fittings	ANSI B16.25
Spec. for Piping Fittings of Wrought Carbon Steel and Alloy Steel for Moderate and Elevated Temperatures	ASTM A234
Pipe Flanges and Flanged Fittings, Steel Nickel Alloy and Other Special Alloys	ANSI B16.5
Forged Steel Fittings, Socket Welded and Threaded	ANSI B16.11

Table 1-5.5

Materials and Dimensions	Standard
Copper	
Wrought Copper and Copper Alloy-Solder-Joint Pressure Fittings	ANSI B16.22
Cast Copper Alloy Solder-joint Pressure fittings	ANSI B16.18
Plastic Fittings for CPVC Pipe	ASTM F437 ASTM F438 ASTM F439 ASTM F442
Plastic Fittings for Polybutylene tube	ASTM D 3309)

Cities and counties are permitted the option of adopting exemptions from the state building code requirements for buildings whose character of use or occupancy has been changed in order to provide housing for indigent persons. The adoption of an ordinance or resolution by cities and counties for the purpose to provide for occupancy exemptions for indigent housing as outlined in this section, shall not be considered a local government residential amendment requiring approval by the state building code council.

The guideline shall read as follows:

The character of use or occupancy of an existing building located in this state, may be changed in order to provide housing for indigent persons, without conforming to all of the requirements of the State Building Code provided that:

1. The building official has reviewed and approved the proposed exemption; and,
2. The proposed housing for indigent persons is less hazardous than the existing use; and,
3. Any code deficiencies exempted pose no threat to human life, health, or safety; and,
4. The building or buildings exempted are owned or administered by a public agency or non-profit corporation; and,
5. The exemption is authorized for no more than five years, subject to renewal of the exemption by the building official.

AMENDATORY SECTION (Amending WSR 90-13-033, filed 6/13/90, effective 7/23/90)

WAC 51-16-080 PERMIT EXEMPTIONS GUIDELINE. Cities and counties are permitted the option of adopting a one thousand five hundred dollar building permit exemption for certain construction and alteration activities for Group R, Division 3 and Group M, Division 1 occupancies. To adopt the permit exemption guideline, the following section of the ((1988)) 1991 Uniform Building Code shall be amended as follows:

(1) Section 301 (b) of the Uniform Building Code shall be amended to read as follows:

(b) Exempted work. A building permit shall not be required for the following:

1. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the projected roof area does not exceed one hundred twenty square feet.
2. Fences not over six feet high.
3. Oil derricks.
4. Movable cases, counters, and partitions not over five feet nine inches high.
5. Retaining walls which are not over four feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or III-A liquids.
6. Water tanks supported directly upon grade if the capacity does not exceed five thousand gallons and the ratio of height to diameter or width does not exceed two to one.
7. Platforms, walks, and driveways not more than thirty inches above grade and not over any basement or story below.
8. Painting, papering, and similar finish work.
9. Temporary motion picture, television, and theater stage sets and scenery.
10. Window awnings supported by an exterior wall of Group R, Division 3, and Group M Occupancies when projecting not more than fifty-four inches.
11. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed five thousand gallons.

12. Minor construction and alteration activities to Group R, Division 3 and Group M, Division 1 occupancies, as determined by the building official, which the total valuation, as determined in Section 304 (b) or as documented by the applicant to the satisfaction of the building official, does not exceed one thousand five hundred dollars in any twelve-month period: PROVIDED, That the construction and/or alteration activity does not affect any structural components, or reduce existing egress, light, air, and ventilation conditions. This exemption does not include electrical, plumbing, or mechanical activities. The permit exemption shall not otherwise exempt the construction or alteration from the substantive standards of the codes enumerated in RCW 19.27.031, as amended and maintained by the state building code council under RCW 19.27.070.

Unless otherwise exempted, separate plumbing, electrical, and mechanical permits will be required for the above exempted items.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

The adoption of an ordinance or resolution by cities and counties for the purpose to provide for a permit exemption as outlined in this section, shall not be considered a local government residential amendment requiring approval by the state building code council.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 51-16-040 UNIFORM MECHANICAL CODE.
- WAC 51-16-050 UNIFORM FIRE CODE AND UNIFORM FIRE CODE STANDARDS.
- WAC 51-16-060 UNIFORM PLUMBING CODE AND UNIFORM PLUMBING CODE STANDARDS.
- WAC 51-16-070 EXCEPTIONS.
- WAC 51-16-100 REVIEW OF CITY AND COUNTY AMENDMENTS PREVIOUSLY APPROVED BY THE COUNCIL.

**WSR 91-20-175**  
**PROPOSED RULES**  
**BUILDING CODE COUNCIL**  
 [Filed October 2, 1991, 3:20 p.m.]

Supplemental Notice to WSR 91-16-113.

Title of Rule: Chapter 51-20 WAC, adoption and amendment of the 1991 edition of the Uniform Building Code, and chapter 51-21 WAC adoption and amendment of the 1991 edition of the Uniform Building Code Standards.

Purpose: To adopt final changes to the state regulations for barrier-free facilities, chapter 31 and appendix chapter 31, in order to apply for a certification of equivalency from the the United States Department of Justice; and to adopt other amendments.

Other Identifying Information: Copies of the 1991 Uniform Building Code and Uniform Building Code Standards are available from: ICBO, 5360 South Workman Mill Road, Whittier, CA 90601.

Statutory Authority for Adoption: RCW 19.27.074 and 70.92.140.

Statute Being Implemented: Chapters 19.27 and 70.92 RCW and chapters 170, 199, 298, Laws of 1991.

Summary: To consider additional amendments to the barrier-free requirements in chapter 31; requirements for Group R, Division 4 and 5 Occupancies in chapter 12 or Appendix chapter 12, and editorial changes for consistency with the 1991 Uniform Building Code.

Reasons Supporting Proposal: Chapters 19.27 and 70.92 RCW; Americans with Disabilities Act Accessibility Guidelines (July 26, 1991).

Name of Agency Personnel Responsible for Drafting and Implementation: Willy O'Neil, 9th and Columbia Building, Mailstop GH-51, Olympia, WA (206) 586-0486 and Donna Voss, 9th and Columbia Building, Mailstop GH-51, Olympia, WA (206) 586-8999; and Enforcement: Local Governments.

Name of Proponent: State Building Code Council, governmental.

Rule is necessary because of federal law, Federal Fair Housing Act Amendments of 1988 (24 CFR Chapter 1, Sub Chapter A, Appendix III) and the Americans with Disabilities Act of 1990 (28 CFR, Part 36).

Explanation of Rule, its Purpose, and Anticipated Effects: The rule is being amended to adopt additional requirements in the final Americans with Disabilities Guidelines (July 26, 1991), revise barrier-free requirements related to the Federal Fair Housing Act Amendments of 1988, and propose additional substantive amendments to the requirement for Group R, Division 4 and 5 occupancies. Chapter 31 and Appendix chapter 31 and related requirements will then be submitted to the United States Department of Justice for determination of equivalency with the Americans with Disabilities Act Accessibility Guidelines as published July 26, 1991.

Proposal Changes the Following Existing Rules: Section 1224(b) 3.D. has been substantively amended to include requirements for smoke detectors in the ducts of HVAC systems in Group R, Division 5 Occupancies.

The following sections have been further amended to comply with the Federal Fair Housing Act and the Americans with Disabilities Act: Section 005: Definitions of Accessible, Clear Floor Space, Detectable Warning, Dwelling Unit, Type A, Person with Disability, Primary Function and Text Telephone; Sections 3103(a) 1. Exceptions 1, 2, and 3; 3103 (a) 2.A.; 3103(a) 3.; 3103(a) 6.E.; 3103(a) 6.F.; 3103 (a) 6. A. and B.; 3103(a) 7.; 3103(a) 8.; 3103(b) 2.; 3103(b) 3.; 3103(b) 4.A., B., and C.; 3104(a); 3104(b) 2.; 3104(b) 3.; 3104(b) 6.; 3105(b) 1., 2., and 4.; 3105(c) 3.; 3105(d) 2., 3., 5., 6., 7., and 8.; 3106(c); 3106(f); 3106(h) 3. and 5.; 3106(c) 2.; 3106(j) 7.; 3106(k); 3106(n) 3. and 6.; 3106(o) 2.; 3106(p) 1., 3., 4., and 5.; 3106(g) 3.; 3106(s); 3106(w); 3106(x); 3106(z) 1., 3106(aa) Exceptions 1., 2., 3., 5., and 8.-12.; 3107(a) 3107(b) 2.; 3111; 3112(a) 4.; 3112(c) 5. and 9.; 3114(a) 2.; and Table No's. 31-A, 31-C, 31-D and 31-E.

In addition, numerous editorial changes have been proposed for consistency with the 1991 Uniform Building Code.

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

Hearing Location: Angle Lake Fire Hall, 2929 - 200th South, SeaTac, WA, on November 7, 1991, at 9:00 a.m.

Submit Written Comments to: Gene Colin, Chair, 9th and Columbia Building, Mailstop GH-51, Olympia, WA 98504-4151, by November 6, 1991.

Date of Intended Adoption: November 8, 1991.  
September 20, 1991  
Gene Colin  
Chair

Chapter 51-20 WAC  
STATE BUILDING CODE ADOPTION AND AMENDMENT  
OF THE 1991 EDITION OF THE UNIFORM BUILDING CODE

NEW SECTION

WAC 51-20-001 AUTHORITY. These rules are adopted under the authority of chapter 19.27 RCW.

NEW SECTION

WAC 51-20-002 PURPOSE. The purpose of these rules is to implement the provisions of chapter 19.27 RCW, which provides that the state building code council shall maintain the State Building Code in a status which is consistent with the purpose as set forth in RCW 19.27.020. In maintaining the codes the council shall regularly review updated versions of the codes adopted under the act, and other pertinent information, and shall amend the codes as deemed appropriate by the council.

NEW SECTION

WAC 51-20-003 UNIFORM BUILDING CODE. The 1991 edition of the Uniform Building Code as published by the International Conference of Building Officials and available from the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601 is hereby adopted by reference with the following additions, deletions, and exceptions.

NEW SECTION

WAC 51-20-004 CONFLICTS WITH WASHINGTON STATE VENTILATION AND INDOOR AIR QUALITY CODE. In the case of conflict between the ventilation requirements of section 605, section 705, section 905, and section 1205 of this code and the ventilation requirements of chapter 51-13 WAC, the Washington State Ventilation and Indoor Air Quality Code, the provisions of the ventilation and indoor air quality code shall govern.

NEW SECTION

WAC 51-20-005 UNIFORM BUILDING CODE REQUIREMENTS FOR BARRIER-FREE ACCESSIBILITY. Chapter 31 and other Uniform Building Code requirements for barrier-free access are adopted pursuant to chapters 70.92 and 19.27 RCW.

Pursuant to RCW 19.27.040, Chapter 31 and requirements affecting barrier-free access in Sections 3304 (b), 3304 (h), 3306 (g), and 3306 (i) shall not be amended by local governments.

NEW SECTION

WAC 51-20-007 EXCEPTIONS. The exceptions and amendments to the Uniform Building Code contained in the provisions of chapter 19.27 RCW shall apply in case of conflict with any of the provisions of these rules.

NEW SECTION

WAC 51-20-008 IMPLEMENTATION. The Uniform Building Code adopted under chapter 51-20 WAC shall become effective in all counties and cities of this state on July 1, 1992, unless local amendments have been approved by the state building code council.

NEW SECTION

WAC 51-20-0100 CHAPTER 1. Title, scope and general.

NEW SECTION

WAC 51-20-0104 APPLICATION TO EXISTING BUILDINGS AND STRUCTURES. Section 104. (a) General. Buildings and structures to which additions, alterations or repairs are made shall comply with all the requirements of this code for new facilities except as specifically provided in this section. See Section 1210 for provisions

requiring installation of smoke detectors in existing Group R, Division 3 Occupancies.

(b) Additions, Alterations or Repairs. Additions, alterations or repairs may be made to any building or structure without requiring the existing building or structure to comply with all the requirements of this code, provided the addition, alteration or repair conforms to that required for a new building or structure. Additions or alterations shall not be made to an existing building or structure which will cause the existing building or structure to be in violation of any of the provisions of this code nor shall such additions or alterations cause the existing building or structure to become structurally unsafe or overloaded; will not provide adequate egress in compliance with the provisions of this code or will obstruct existing exits; will create a fire hazard; will reduce required fire resistance or will otherwise create conditions dangerous to human life. Any building so altered, which involves a change in use or occupancy, shall not exceed the height, number of stories and area permitted for new buildings. Any building plus new additions shall not exceed the height, number of stories and area specified for new buildings. Additions or alterations shall not be made to an existing building or structure when such existing building or structure is not in full compliance with the provisions of this code except when such addition or alteration will result in the existing building or structure being no more hazardous based on life-safety, fire-safety and sanitation, than before such additions or alterations are undertaken. [See also Section 911 (c) for Group H, Division 6 Occupancies.]

Alterations or repairs to an existing building or structure which are nonstructural and do not adversely affect any structural member or any part of the building or structure having required fire resistance may be made with the same materials of which the building or structure is constructed. The installation or replacement of glass shall be as required for new installations.

**OPTIONAL**

EXCEPTION: Alterations of existing structural elements or additions of new structural elements which are initiated for the purpose of increasing the vertical or lateral load-carrying strength or stiffness of an existing structure need not be designed for forces conforming to these regulations provided that:

- A. The capacity of existing structural elements to resist forces is not reduced, and;
- B. The loading to existing structural elements is not increased, and;
- C. All new structural elements are detailed and connected to the existing structural elements as required by these regulations, and;
- D. All new or relocated nonstructural elements are detailed and connected to existing or new structural elements as required by these regulations, and;
- E. An unsafe condition is not created.

(c) Existing Installations. Buildings in existence at the time of the adoption of this code may have their existing use or occupancy continued, if such use or occupancy was legal at the time of the adoption of this code, provided such continued use is not dangerous to life.

Any change in the use or occupancy of any existing building or structure shall comply with the provisions of Sections 308 and 502 of this code.

For existing buildings, see Appendix Chapter 1.

(d) Maintenance. All buildings and structures, both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by this code shall be maintained in conformance with the code edition under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of buildings and structures. To determine compliance with this subsection, the building official may cause a structure to be reinspected.

(e) Moved Buildings and Temporary Buildings. Buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new buildings or structures.

Temporary structures such as reviewing stands and other miscellaneous structures, sheds, canopies or fences used for the protection of the public around and in conjunction with construction work may be erected by special permit from the building official for a limited period of time. Such buildings or structures need not comply with the type of construction or fire-resistive time periods required by this code. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the permit.

(f) Historic Buildings. Repairs, alterations and additions necessary for the preservation, restoration, rehabilitation or continued use of a building or structure may be made without conformance to all the requirements of this code when authorized by the building official, provided:

1. The building or structure has been designated by official action of the legally constituted authority of this jurisdiction as having special historical or architectural significance.
2. Any unsafe conditions as described in this code are corrected.
3. The restored building or structure will be no more hazardous based on life safety, fire safety and sanitation than the existing building.

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

#### NEW SECTION

WAC 51-20-0300 CHAPTER 3. Permits and Inspections.

#### NEW SECTION

WAC 51-20-0307 STRUCTURAL OBSERVATION.

##### OPTION 1

Section 307. Structural observation shall be provided in Seismic Zone No. 3 or 4 when one of the following conditions exists:

1. The structure is defined in Table No. 23-K as Occupancy Category I, II or III, or
2. The structure is required to comply with Section 1807, or
3. Construction inspection as defined in Section 302(c), Item 2, is required, or
4. When such observation is specifically required by the building official.

The owner shall employ the engineer or architect responsible for the structural design, or another engineer or architect designated by the engineer or architect responsible for the structural design to perform structural observation as defined in Section 420. The engineer or architect shall submit a statement in writing to the building official stating that the site visits have been made and whether or not any observed deficiencies have been corrected to conform to the approved plans and specifications, or to revised details approved by the building official.

##### OPTION 2

Section 307. Structural observation shall be provided in Seismic Zone No. 3 or 4 when one of the following conditions exists:

1. The structure is defined in Table No. 23-K as Occupancy Category I, II or III, or
2. The structure is required to comply with Section 1807, or
3. Construction inspection as defined in Section 302(c), Item 2, is required, or
4. When such observation is specifically required by the building official for unusual lateral force-resisting structures or irregular structures as defined in Section 2333.

The owner shall employ the engineer or architect responsible for the structural design, or another engineer or architect designated by the engineer or architect responsible for the structural design to perform structural observation as defined in Section 420. Any observed deficiencies, that do not generally conform to the approved plans and specifications or to revised details approved by the building official, shall be submitted in writing to the owner's representative, who in turn shall notify the contractor and the building official. The engineer or architect shall submit a statement in writing to the building official stating that the site visits have been made.

#### NEW SECTION

WAC 51-20-0400 CHAPTER 4. Definitions and Abbreviations.

#### NEW SECTION

WAC 51-20-0404 SECTION 404. CAST STONE is a precast building stone manufactured from portland cement concrete and used as a trim, veneer or facing on or in buildings or structures.

CENTRAL HEATING PLANT is environmental heating equipment which directly utilizes fuel to generate heat in a medium for distribution by means of ducts or pipes to areas other than the room or space in which the equipment is located.

C.F.R. is the Code of Federal Regulations, a regulation of the United States of America available from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402.

CHIEF OF THE FIRE DEPARTMENT is the head of the fire department or a regularly authorized deputy.

CHILD DAY CARE, shall, for the purposes of these regulations, mean the care of children during any period of a 24 hour day.

CHILD DAY CARE HOME, FAMILY is a child day care facility, licensed by the state, located in the family abode of the person or persons under whose direct care and supervision the child is placed, for the care of twelve or fewer children, including children who reside at the home.

COMBUSTIBLE LIQUID. See the Fire Code.

CONGREGATE RESIDENCE is any building or portion thereof which contains facilities for living, sleeping and sanitation, as required by this code, and may include facilities for eating and cooking, for occupancy by other than a family. A congregate residence may be a shelter, convent, monastery, dormitory, fraternity or sorority house but does not include jails, hospitals, nursing homes, hotels or lodging houses.

CONDOMINIUM, RESIDENTIAL. See "apartment house."

CONTROL AREA is a space bounded by not less than a one-hour fire-resistive occupancy separation within which the exempted amounts of hazardous materials may be stored, dispensed, handled or used.

CORROSIVE is a chemical that causes visible destruction of, or irreversible alterations in, living tissue by chemical action at the site of contact. A chemical is considered to be corrosive if, when tested on the intact skin of albino rabbits by the method described in the United States Department of Transportation in Appendix A to C.F.R. 49 Part 173, it destroys or changes irreversibly the structure of the tissue at the site of contact following an exposure period of four hours. This term shall not refer to action on inanimate surfaces.

COURT is a space, open and unobstructed to the sky, located at or above grade level on a lot and bounded on three or more sides by walls of a building.

#### NEW SECTION

WAC 51-20-0407 SECTION 407. FABRICATION AREA (fab area) is an area within a Group H, Division 6 Occupancy in which there are processes involving hazardous production materials and may include ancillary rooms or areas such as dressing rooms and offices that are directly related to the fab area processes.

FAMILY is an individual or two or more persons related by blood or marriage or a group of not more than five persons (excluding servants) who need not be related by blood or marriage living together in a dwelling unit.

FAMILY ABODE means a single dwelling unit and accessory buildings occupied for living purposes by a family which provides permanent provisions for living, sleeping, eating, cooking, and sanitation.

FIRE ASSEMBLY. See Section 4306 (b).

FIRE CODE is the Uniform Fire Code promulgated jointly by the Western Fire Chiefs Association and the International Conference of Building Officials, as adopted by this jurisdiction.

FIRE RESISTANCE or FIRE-RESISTIVE CONSTRUCTION is construction to resist the spread of fire, details of which are specified in this code.

FIRE-RETARDANT-TREATED WOOD is any wood product impregnated with chemicals by a pressure process or other means during manufacture, and which, when tested in accordance with U.B.C. Standard No. 42-1 for a period of 30 minutes, shall have a flame spread of not over 25 and show no evidence of progressive combustion. In addition, the flame front shall not progress more than 10 1/2 feet beyond the center line of the burner at any time during the test. Materials which may be exposed to the weather shall pass the accelerated weathering test and be identified as Exterior type, in accordance with U.B.C. Standard No. 25-28. Where material is not directly exposed to rainfall but exposed to high humidity conditions, it shall be subjected to the hygroscopic test and identified as Interior Type A in accordance with U.B.C. Standard No. 25-28.

All materials shall bear identification showing the fire performance rating thereof. Such identifications shall be issued by an approved agency having a service for inspection of materials at the factory.

FLAMMABLE LIQUID. See Fire Code.



**FLOOR AREA** is the area included within the surrounding exterior walls of a building or portion thereof, exclusive of vent shafts and courts. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above.

**FM** is Factory Mutual Engineering and Research, 1151 Boston-Providence Turnpike, Norwood, Massachusetts 02062.

**FOAM PLASTIC INSULATION** is a plastic which is intentionally expanded by the use of a foaming agent to produce a reduced density plastic containing voids consisting of hollow spheres or interconnected cells distributed throughout the plastic for thermal insulating or acoustical purposes and which has a density less than 20 pounds per cubic foot.

**FOOTING** is that portion of the foundation of a structure which spreads and transmits loads directly to the soil or the piles.

**FRONT OF LOT** is the front boundary line of a lot bordering on the street and, in the case of a corner lot, may be either frontage.

#### NEW SECTION

**WAC 51-20-0409 SECTION 409. HABITABLE SPACE (ROOM)** is space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas, are not considered habitable space.

**HANDLING** is the deliberate transport of materials by any means to a point of storage or use.

**HANDRAIL** is a railing provided for grasping with the hand for support. See also Section 408, definition of "guardrail."

**HAZARDOUS PRODUCTION MATERIAL (HPM)** is a solid, liquid or gas that has a degree of hazard rating in health, flammability or reactivity of 3 or 4 and which is used directly in research, laboratory or production processes which have, as their end product, materials which are not hazardous.

**HEALTH HAZARD** is a classification of a chemical for which there is statistically significant evidence based on at least one reproducible study conducted in accordance with established scientific principles that acute health effects may occur in exposed persons. The term "health hazard" includes chemicals which are toxic or highly toxic agents, irritants, corrosives, hepatotoxins, nephrotoxins, neurotoxins, agents which can have an acute effect on the hematopoietic system, and agents that have acute effects on the lungs, skin, eyes or mucous membrane.

**HEIGHT OF BUILDING** is the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:

1. The elevation of the highest adjoining sidewalk or ground surface within a 5-foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above lowest grade.

2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in Item 1 above is more than 10 feet above lowest grade.

The height of a stepped or terraced building is the maximum height of any segment of the building.

**HELIPORT** is an area of land or water or a structural surface which is used, or intended for use, for the landing and take-off of helicopters, and any appurtenant areas which are used, or intended for use, for heliport buildings and other heliport facilities.

**HELISTOP** is the same as a heliport, except that no refueling, maintenance, repairs or storage of helicopters is permitted.

**HIGHLY TOXIC MATERIAL** is a material which produces a lethal dose or a lethal concentration which falls within any of the following categories:

1. A chemical that has a median lethal dose (LD<sub>50</sub>) of 50 milligrams or less per kilogram of body weight when administered orally to albino rats weighing between 200 and 300 grams each.

2. A chemical that has a median lethal dose (LD<sub>50</sub>) of 200 milligrams or less per kilogram of body weight when administered by continuous contact for 24 hours (or less if death occurs within 24 hours) with the bare skin of albino rabbits weighing between 2 and 3 kilograms each.

3. A chemical that has a median lethal concentration (LC<sub>50</sub>) in air of 200 parts per million by volume or less of gas or vapor, or 2 milligrams per liter or less of mist, fume or dust, when administered by

continuous inhalation for one hour (or less if death occurs within one hour) to albino rats weighing between 200 and 300 grams each.

Mixtures of these materials with ordinary materials, such as water, may not warrant a classification of highly toxic. While this system is basically simple in application, any hazard evaluation which is required for the precise categorization of this type of material shall be performed by experienced, technically competent persons.

**HORIZONTAL EXIT.** See Section 3301 (b).

**HOTEL** is any building containing six or more guest rooms intended or designed to be used, or which are used, rented or hired out to be occupied, or which are occupied for sleeping purposes by guests.

**HOT-WATER HEATING BOILER** is a boiler having a volume exceeding 120 gallons, or a heat input exceeding 200,000 Btu/h, or an operating temperature exceeding 210°F. that provides hot water to be used externally to itself.

**HPM STORAGE ROOM** is a room used for the storage or dispensing of hazardous production material (HPM) and which is classified as a Group H, Division 2, 3 or 7 Occupancy.

#### NEW SECTION

**WAC 51-20-0414 SECTION 414. MARQUEE** is a permanent roofed structure attached to and supported by the building and projecting over public property. Marquees are regulated in Chapter 45.

**MASONRY** is that form of construction composed of stone, brick, concrete, gypsum, hollow-clay tile, concrete block or tile, glass block or other similar building units or materials or combination of these materials laid up unit by unit and set in mortar.

**MASONRY, SOLID,** is masonry of solid units built without hollow spaces.

**MECHANICAL CODE** is the Uniform Mechanical Code promulgated jointly by the International Conference of Building Officials and the International Association of Plumbing and Mechanical Officials, as adopted by this jurisdiction.

**MEMBRANE PENETRATION FIRE STOP** is a material, device or construction installed to resist, for a prescribed time period, the passage of flame, heat and hot gases through openings in a protective membrane in order to accommodate cables, cable trays, conduit, tubing, pipes or similar items.

**MEZZANINE or MEZZANINE FLOOR** is an intermediate floor placed within a room.

**MOTEL** shall mean hotel as defined in this code.

**MOTOR VEHICLE FUEL-DISPENSING STATION** is that portion of a building where flammable or combustible liquids or gases used as motor fuels are stored and dispensed from fixed equipment into the fuel tanks of motor vehicles.

**MULTIFAMILY RESIDENTIAL BUILDING** is a common wall dwelling or apartment house that consists of four or fewer dwelling units that do not exceed two stories in height and that are less than five thousand square feet in total area.

#### NEW SECTION

**WAC 51-20-0417 SECTION 417. PANIC HARDWARE.** See Section 3301 (b).

**PEDESTRIAN WALKWAY** is a walkway used exclusively as a pedestrian trafficway.

**PENETRATION FIRE STOP** is a through-penetration fire stop or a membrane-penetration fire stop.

**PERMIT** is an official document or certificate issued by the building official authorizing performance of a specified activity.

**PERSON** is a natural person, heirs, executors, administrators or assigns, and also includes a firm, partnership or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

**PLASTIC MATERIALS, APPROVED,** other than foam plastics regulated under Sections 1705(e) and 1713, are those having a self-ignition temperature of 650°F. or greater and a smoke-density rating not greater than 450 when tested in accordance with U.B.C. Standard No. 42-1, in the way intended for use, or a smoke-density rating no greater than 75 when tested in the thickness intended for use by U.B.C. Standard No. 52-2. Approved plastics shall be classified and shall meet the requirements for either CCI or CC2 plastic.

**PLATFORM.** See Chapter 39.

**PLUMBING CODE** is the Uniform Plumbing Code promulgated by the International Association of Plumbing and Mechanical Officials as adopted by this jurisdiction.

**PORTABLE SCHOOL CLASSROOM** is a structure, transportable in one or more sections, which requires a chassis to be transported, and

is designed to be used as an educational space with or without a permanent foundation. The structure shall be trailerable and capable of being demounted and relocated to other locations as needs arise.

**PROTECTIVE MEMBRANE** is a surface material which forms the required outer layer or layers of a fire-resistive assembly containing concealed spaces.

**PUBLIC WAY.** See Section 3301(b).

#### NEW SECTION

**WAC 51-20-0419 SECTION 419. RECYCLED MATERIALS** means those solid wastes that are separated for recycling or reuse, such as papers, metals, and glass.

**REPAIR** is the reconstruction or renewal of any part of an existing building for the purpose of its maintenance.

#### NEW SECTION

**WAC 51-20-0420 SECTION 420. SENSITIZER** is a chemical that causes a substantial proportion of exposed people or animals to develop an allergic reaction in normal tissue after repeated exposure to the chemical.

**SERVICE CORRIDOR** is a fully enclosed passage used for transporting hazardous production materials and for purposes other than required exiting.

**SHAFT** is an interior space, enclosed by walls or construction, extending through one or more stories or basements which connects openings in successive floors, or floors and roof, to accommodate elevators, dumbwaiters, mechanical equipment or similar devices or to transmit light or ventilation air.

**SHAFT ENCLOSURE** is the walls or construction forming the boundaries of a shaft.

**SHALL**, as used in this code, is mandatory.

**SINGLE FAMILY RESIDENTIAL BUILDING** is a dwelling containing only one dwelling unit.

**SMOKE DETECTOR** is an approved device that senses visible or invisible particles of combustion.

**STAGE.** See Chapter 39.

**STORY** is that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a usable or unused under-floor space is more than 6 feet above grade as defined herein for more than 50 percent of the total perimeter or is more than 12 feet above grade as defined herein at any point, such usable or unused under-floor space shall be considered as a story.

**STORY, FIRST**, is the lowest story in a building which qualifies as a story, as defined herein, except that a floor level in a building having only one floor level shall be classified as a first story, provided such floor level is not more than 4 feet below grade, as defined herein, for more than 50 percent of the total perimeter, or not more than 8 feet below grade, as defined herein, at any point.

**STREET** is any thoroughfare or public way not less than 16 feet in width which has been dedicated or deeded to the public for public use.

#### **STRUCTURAL OBSERVATION**

##### **OPTION 1**

means the visual observation of the structural system, including but not limited to, the elements and connections at significant construction stages, and the completed structure for general conformance to the approved plans and specifications. Structural observation does not include or waive the responsibility for the inspections required by Sections 305 and 306.

##### **OPTION 2**

means the visual observation of the structural system for general conformance to the approved plans and specifications. Structural observation does not include or waive the responsibility for the inspections required by Section 305 and 306.

**STRUCTURE** is that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

#### **SURGICAL AREA**

#### **OPTION 1**

is the preoperating, operating, recovery and similar rooms within an outpatient health-care center.

#### **OPTION 2**

is the preoperating, operating, recovery and similar rooms within an out-patient health-care center where the patients are incapable of unassisted self-preservation.

#### NEW SECTION

**WAC 51-20-0500 CHAPTER 5. Classification of all Buildings by Use or Occupancy and General Requirements for all Occupancies.**

#### NEW SECTION

**WAC 51-20-0503 MIXED OCCUPANCY. Section 503. (a) General.** When a building is used for more than one occupancy purpose, each part of the building comprising a distinct "occupancy," as described in Chapters 5 through 12, shall be separated from any other occupancy as specified in Section 503(d).

**EXCEPTIONS:**

1. Where an approved spray booth constructed in accordance with the Fire Code is installed, such booth need not be separated from other Group H Occupancies or from Group B Occupancies.
2. The following occupancies need not be separated from the uses to which they are accessory:
  - A. Assembly rooms having a floor area of not over 750 square feet.
  - B. Administrative and clerical offices and similar rooms which do not exceed 25 percent of the floor area of the major use when not related to Group H, Division 2 and Group H, Division 3 Occupancies.
  - C. Gift shops, administrative offices and similar rooms in Group R, Division 1 Occupancies not exceeding 10 percent of the floor area of the major use.
  - D. The kitchen serving the dining area of which it is part.

#### **OPTIONAL**

E. Offices, retail, food preparation establishments for off-site consumption, personal care salons or similar Group B, Division 2 Occupancies conducted primarily by the occupants of the dwelling, which are secondary to the use of the unit for dwelling purposes, and which do not exceed 500 square feet.

3. An occupancy separation need not be provided between a Group R, Division 3 Occupancy and a carport having no enclosed uses above, provided the carport is entirely open on two or more sides.

4. A Group B, Division 1 Occupancy used exclusively for the parking or storage of private or pleasure-type motor vehicles need not be separated from a Group B, Division 3 Occupancy open parking garage as defined in Section 709.

5. A one-hour occupancy separation need not be provided between fuel-dispensing pumps covered with a canopy that is open on three or more sides, and a Group B, Division 2 Occupancy retail store having an area of less than 2,500 square feet when the following conditions exist:

A. The Group B, Division 2 Occupancy is provided with two exits separated as required by Section 3303(c) and not located in the same exterior wall.

B. Pump islands are not located within 20 feet of the Group B, Division 2 Occupancy retail store.

When a building houses more than one occupancy, each portion of the building shall conform to the requirements for the occupancy housed therein.

An occupancy shall not be located above the story or height set forth in Table No. 5-D, except as provided in Section 507. When a mixed occupancy building contains a Group H, Division 6 Occupancy, the portion containing the Group H, Division 6 Occupancy shall not exceed three stories or 55 feet in height.

(b) Forms of Occupancy Separations. Occupancy separations shall be vertical or horizontal or both or, when necessary, of such other form as may be required to afford a complete separation between the various occupancy divisions in the building.

Where the occupancy separation is horizontal, structural members supporting the separation shall be protected by equivalent fire-resistive construction.

(c) Types of Occupancy Separations. Occupancy separations shall be classed as "four-hour fire-resistive," "three-hour fire-resistive," "two-hour fire-resistive," and "one-hour fire-resistive."

1. A four-hour fire-resistive occupancy separation shall have no openings therein and shall not be of less than four-hour fire-resistive construction.

2. A three-hour fire-resistive occupancy separation shall not be of less than three-hour fire-resistive construction. All openings in walls forming such separation shall be protected by a fire assembly having a three-hour fire-protection rating. The total width of all openings in any three-hour fire-resistive occupancy separation wall in any one story shall not exceed 25 percent of the length of the wall in that story and no single opening shall have an area greater than 120 square feet.

All openings in floors forming a three-hour fire-resistive occupancy separation shall be protected by vertical enclosures extending above and below such openings. The walls of such vertical enclosures shall not be of less than two-hour fire-resistive construction and all openings therein shall be protected by a fire assembly having a one- and one-half-hour fire-protection rating.

3. A two-hour fire-resistive occupancy separation shall not be of less than two-hour fire-resistive construction. All openings in such separation shall be protected by a fire assembly having a one- and one-half-hour fire-protection rating.

4. A one-hour fire-resistive occupancy separation shall not be of less than one-hour fire-resistive construction. All openings in such separation shall be protected by a fire assembly having a one-hour fire-protection rating.

(d) Fire Ratings for Occupancy Separations. Occupancy separations shall be provided between the various groups and divisions of occupancies as set forth in Table No. 5-B.

**EXCEPTIONS:** 1. A three-hour occupancy separation may be used between a Group A, Division 1 and a Group B, Division 1 Occupancy used exclusively for the parking or storage of private or pleasure-type motor vehicles and provided no repair or fueling is done. A two-hour occupancy separation may be used between a Group A, Division 2, 2.1, 3 or 4 or E or I Occupancy and a Group B, Division 1 Occupancy that is used exclusively for the parking or storage of private or pleasure-type motor vehicles and provided no repair or fueling is done.

2. Unless required by Section 702(b)1, the three-hour occupancy separation between a Group R, Division 1 Occupancy and a Group B, Division 1 Occupancy used only for the parking or storage of private or pleasure-type motor vehicles with no repair or fueling may be reduced to two hours. Such occupancy separation may be further reduced to one hour where the area of such Group B, Division 1 Occupancy does not exceed 3,000 square feet.

3. In the one-hour occupancy separation between Group R, Division 3 and Group M Occupancies, the separation may be limited to the installation of materials approved for one-hour fire-resistive construction on the garage side and a self-closing, tight-fitting solid wood door 1 3/8 inches in thickness, or a self-closing tight-fitting door having a fire-protection rating of not less than 20 minutes when tested in accordance with Part II of U.B.C. Standard No. 43-2, which is a part of this code, is permitted in lieu of a one-hour fire assembly. Fire dampers need not be installed in air ducts passing through the wall, floor or ceiling separating a Group R, Division 3 Occupancy from a Group M Occupancy, provided such ducts within the Group M Occupancy are constructed of steel having a thickness not less than 0.019 inch (No. 26 galvanized sheet gage) and have no openings into the Group M Occupancy.

4. Group H, Division 2 and Group H, Division 3 Occupancies need not be separated from Group H, Division 7 Occupancies when such occupancies also comply with the requirements for a Group H, Division 7 Occupancy.

#### NEW SECTION

**WAC 51-20-0504 LOCATION ON PROPERTY.** Section 504.

(a) General. Buildings shall adjoin or have access to a public way or yard on not less than one side. Required yards shall be permanently maintained.

For the purpose of this section, the center line of an adjoining public way shall be considered an adjacent property line.

Eaves over required windows shall not be less than 30 inches from the side and rear property lines. For eaves, see Section 1711.

#### **OPTION 1**

(b) Fire Resistance of Walls. Exterior walls shall have fire resistance and opening protection as set forth in Table No. 5-A, Part III, and in accordance with such additional provisions as are set forth in Part IV

and Part VII. Distance shall be measured at right angles from the property line. The above provisions shall not apply to walls at right angles to the property line.

Projections beyond the exterior wall shall not extend beyond:

1. A point one third the distance to the property line from an assumed vertical plane located where fire-resistive protection of openings is first required due to location on property; or

2. More than 12 inches into areas where openings are prohibited.

When openings in exterior walls are required to be protected due to distance from property line, the sum of the area of such openings shall not exceed 50 percent of the total area of the wall in each story.

#### **OPTION 2**

(b) Fire Resistance of Walls. Exterior walls shall have fire resistance and opening protection as set forth in Table No. 5-A, Part III, and in accordance with such additional provisions as are set forth in Part IV and Part VII. Distance shall be measured at right angles from the property line. The above provisions shall not apply to walls at right angles to the property line.

Projections beyond the exterior wall shall not extend beyond:

1. A point one third the distance to the property line from an assumed vertical plane located where fire-resistive protection of openings is first required due to location on property; or

2. More than 12 inches into areas where openings are prohibited, whichever is the least restrictive.

When openings in exterior walls are required to be protected due to distance from property line, the sum of the area of such openings shall not exceed 50 percent of the total area of the wall in each story.

(c) Buildings on Same Property and Buildings Containing Courts. For the purposes of determining the required wall and opening protection and roof-covering requirements, buildings on the same property and court walls of buildings over one story in height shall be assumed to have a property line between them.

**EXCEPTION:** In court walls where opening protection is required such protection may be omitted, provided (1) not more than two levels open into the court, (2) the aggregate area of the building including the court is within the allowable area and (3) the building is not classified as a Group I Occupancy.

When a new building is to be erected on the same property as an existing building, the location of the assumed property line with relation to the existing building shall be such that the exterior wall and opening protection of the existing building meet the criteria as set forth in Table No. 5-A and Part IV.

**EXCEPTION:** Two or more buildings on the same property may be considered as portions of one building if the aggregate area of such buildings is within the limits specified in Section 505 for a single building.

When the buildings so considered have different occupancies or are of different types of construction, the area shall be that allowed for the most restricted occupancy or construction.

#### NEW SECTION

**WAC 51-20-0514 HEATING.** Section 514. (a) For the purposes of this section only, the following definitions apply.

**DESIGNATED AREAS** are those areas designated by a county to be an urban growth area in Chapter 36.70A RCW and those areas designated by the United States Environmental Protection Agency as being in nonattainment for particulate matter.

**SUBSTANTIALLY REMODELLED** means any alteration or restoration of a building exceeding sixty percent of the appraised value of such building within a twelve-month period.

(b) Primary heating sources in all new and substantially remodelled buildings in designated areas, shall not be dependent upon woodstoves.

#### NEW SECTION

**WAC 51-20-0515 SOLID FUEL BURNING DEVICES.** Section 515. After January 1, 1992, no used solid fuel burning device shall be installed in new or existing buildings unless such device is either Oregon Department of Environmental Quality Phase II or United States Environmental Protection Agency certified or a pellet stove either certified or exempt from certification by the United States Environmental Protection Agency.

NEW SECTION

WAC 51-20-0516 RECYCLABLE MATERIALS AND SOLID WASTE STORAGE. Section 516. (a) General. All occupancies, except Group R and Group M Occupancies, shall be provided with external space for the storage of recycled materials and solid waste.

(b) Storage Space. 1. Exterior solid waste and recycling storage areas shall have a minimum size as indicated in Table No. 5-F. The dimensions of the storage area shall accommodate containers consistent with current methods of collection.

2. The storage area shall be accessible to all occupants and haulers in order to assure efficient and safe collection. The exterior solid waste and recycling storage areas may be located on the outside, the exterior of a structure or building, or in a designated interior area with access.

3. If the exterior storage area is located outside or on the exterior of any structure, it shall be contained on a concrete or equivalent pad and shall be enclosed with a six (6) foot high solid fence.

4. One sign identifying each exterior solid waste and recycling storage area is required. Each sign shall not exceed one-square-foot and shall be posted on the exterior of the storage area adjacent to the access point.

See Chapter 12 for recyclable materials and solid waste storage provisions for Group R, Division 1 Occupancies.

TABLE NO. 5-B—REQUIRED SEPARATION IN BUILDINGS OF MIXED OCCUPANCY<sup>1</sup>  
(In Hours)

	A-1	A-2	A-2.1	A-3	A-4	B-1	B-2	B-3 <sup>2</sup>	B-4	E	H-1	H-2	H-3	H-4-5	H-6-7 <sup>3</sup>	I	M <sup>4</sup>	R-1	R-3
A-1		N	N	N	N	4	3	3	3	N		4	4	4	4	3	1	1	1
A-2	N		N	N	N	3	1	1	1	N		4	4	4	4	3	1	1	1
A-2.1	N	N		N	N	3	1	1	1	N		4	4	4	4	3	1	1	1
A-3	N	N	N		N	3	N	1	1	N		4	4	4	3	2	1	1	1
A-4	N	N	N	N		3	1	1	1	N		4	4	4	4	3	1	1	1
B-1	4	3	3	3	3		1	1	1	3		2	1	1	1	4	1	3	1
B-2	3	1	1	N	1	1		1	1	1		2	1	1	1	2	1	1	1
B-3 <sup>4</sup>	3	1	1	1	1	1	1		1	1		2	1	1	1	3	1	1	1
B-4	3	1	1	1	1	1	1	1		1		2	1	1	1	4	N	1	1
E	N	N	N	N	N	3	1	1	1			4	4	4	3	1	1	1	1
H-1	Not Permitted in Mixed Occupancies. See Chapter 9.																		
H-2	4	4	4	4	4	2	2	2	2	4									
H-3	4	4	4	4	4	1	1	1	1	4									
H-4-5	4	4	4	4	4	1	1	1	1	4									
H-6-7 <sup>2</sup>	4	4	4	3	4	1	1	1	1	3									
I	3	3	3	2	3	4	2	3	4	1									
M <sup>3</sup>	1	1	1	1	1	1	1	1	N	1									
R-1	1	1	1	1	1	3	1	1	1	1									
R-3	1	1	1	1	1	1	1	1	1	1									
													1	1	2	4	1	4	4
												1		1	1	4	1	3	3
												1	1		1	4	1	3	3
												2	1	1		4	3	4	4
												4	4	4	4		1	1	1
												1	1	1	3	1		1	1
												4	3	3	4	1	1		N
												4	3	3	4	1	1		N

<sup>1</sup>For detailed requirements and exceptions, see Section 503.

<sup>2</sup>Open parking garages are excluded, except as provided in Section 702 (a).

<sup>3</sup>For special provisions on highly toxic materials, see Fire Code.

<sup>4</sup>For agricultural buildings, see also Appendix Chapter 11.

Not Permitted in Mixed Occupancies. See Chapter 9.

TABLE NO. 5-B—REQUIRED SEPARATION IN BUILDINGS OF MIXED OCCUPANCY<sup>1</sup>  
(In Hours)

	A-1	A-2	A-2.1	A-3	A-4	B-1	B-2	B-3	B-4	E	H-1	H-2	H-3	H-4-5	H-6-7 <sup>3</sup>	I	M <sup>4</sup>	R-1	R-3		
A-1		N	N	N	N	4	3	3	3	N	:	4	4	4	4	3	1	1	1		
A-2	N		N	N	N	3	1	1	1	N		4	4	4	4	4	3	1	1	1	
A-2.1	N	N		N	N	3	1	1	1	N		4	4	4	4	4	3	1	1	1	
A-3	N	N	N		N	3	N	1	1	N		4	4	4	4	3	2	1	1	1	
A-4	N	N	N	N		3	1	1	1	N		4	4	4	4	4	3	1	1	1	
B-1	4	3	3	3	3		1	1	1	3		2	1	1	1	1	4	1	3	1	
B-2	3	1	1	N	1	1		1	1	1		2	1	1	1	1	2	1	1	1	
B-3	3	1	1	1	1	1	1		1	1		2	1	1	1	1	3	1	1	1	
B-4	3	1	1	1	1	1	1	1		1		2	1	1	1	1	4	N	1	1	
E	N	N	N	N	N	3	1	1	1			4	4	4	4	3	1	1	1	1	
H-1	Not Permitted in Mixed Occupancies. See Chapter 9.																				
H-2	4	4	4	4	4	2	2	2	2	4				1	1	2	4	1	4	4	
H-3	4	4	4	4	4	1	1	1	1	4		1				1	4	1	3	3	
H-4-5	4	4	4	4	4	1	1	1	1	4		1	1			1	4	1	3	3	
H-6-7 <sup>3</sup>	4	4	4	3	4	1	1	1	1	3	2	1	1			4	3	4	4		
I	3	3	3	2	3	4	2	3	4	1	4	4	4	4	4		1	1	1		
M <sup>4</sup>	1	1	1	1	1	1	1	1	N	1	1	1	1	3	3	1		1	1		
R-1	1	1	1	1	1	3	1	1	1	1	4	3	3	3	4	1	1		N		
R-3	1	1	1	1	1	1	1	1	1	1	4	3	3	3	4	1	1	N			

<sup>1</sup>For detailed requirements and exceptions, see Section 503.

Not Permitted in Mixed Occupancies. See Chapter 9.

<sup>3</sup>For special provisions on highly toxic materials, see Fire Code.

<sup>4</sup>For agricultural buildings, see also Appendix Chapter 11.

**NEW SECTION**

WAC 51-20-0554 TABLE NO. 5-E.

**OPTIONAL**  
**TABLE No. 5-E**  
**Minimum Plumbing Facilities**

Each building shall be provided with sanitary facilities, including provisions for the physically handicapped as prescribed by the Department having jurisdiction. In the absence of such requirements, this Appendix--which provides a guideline for the minimum facilities for the various types of occupancies (see Section 910, Plumbing Fixtures Required, of the Uniform Plumbing Code) may be used. For handicapped requirements ANSI A117.1-1961 (R1971), Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped, may be used.

The number of occupants shall be that determined by minimum exiting requirements.

Type of Building or Occupancy <sup>2</sup>	Water Closets (Fixtures per Person)		Urinals <sup>10</sup> (Fixtures per Person)	Lavatories (Fixtures per Person)		Bathubs or Showers (Fixtures per Person)	Drinking Fountains <sup>3,13</sup> (Fixtures per Person)
	Male	Female <sup>14</sup>		Male	Female		
Assembly Places-Theaters, Auditoriums, Convention Halls, etc.--for permanent employee use	1:1-15 2:16-35 3:36-55	1:1-15 3:16-35 4:36-55	0:1-9 1:10-50		1 per 40 1 per 40		
	Over 55, add 1 fixture for each additional 40 persons.		Add one fixture for each additional 50 males.				
Assembly Places-Theatres, Auditoriums, Convention Halls, etc.--for public use	1:1-100 2:101-200 3:201-400	3:1-50 4:51-100 8:101-200 11:201-400	1:1-100 2:101-200 3:201-400 4:401-600		1:1-200 2:201-400 3:401-750		1 per 75 <sup>12</sup>
	Over 400, add one fixture for each additional 500 males and 2 for each 300 females.		Over 600, add 1 fixture for each additional 500 males.		Over 750, add one fixture for each additional 500 persons.		
Dormitories <sup>9</sup> School or Labor	1 per 10	1 per 8	1 per 25		1 per 12 1 per 12	1 per 8	1 per 75 <sup>12</sup>
	Add 1 fixture for each additional 25 males (over 10) and 1 for each additional 20 females (over 8).		Over 150, add 1 fixture for each additional 50 males.		Over 12 add one fixture for each additional 20 males and 1 for each 15 additional females.		For females, add 1 bathtub per 30. Over 150, add 1 per 20.
Dormitories for staff use	1:1-15 2:16-35 3:36-55	1:1-15 3:16-35 4:36-55	1 per 50		1 per 40 1 per 40	1 per 8	
	Over 55, add 1 fixture for each additional 40 persons.						
Dwellings <sup>4</sup> Single Dwelling Multiple Dwelling or Apartment House	1 per dwelling 1 per dwelling or apartment unit				1 per dwelling 1 per dwelling or apartment unit	1 per dwelling 1 per dwelling or apartment unit	

Type of Building or Occupancy	Water Closets (Fixtures per Person)	Urinals <sup>10</sup> (Fixtures per Person)	Lavatories (Fixtures per Person)	Bathtubs or Showers (Fixtures per Person)	Drinking Fountains <sup>3,13</sup> (Fixtures per Person)
Hospital Waiting rooms	1 per room		1 per room		1 per 75 <sup>12</sup>
Hospital for employee use	Male 1:1-15 Female 1:1-15 2:16-35 3:16-35 3:36-55 4:36-55  Over 55, add 1 fixture for each additional 40 persons.	0:1-9 1:10-50  Add one fixture for each additional 50 males.	Male 1 per 40 Female 1 per 40		
Hospitals Individual Room	1 per room		1 per room	1 per room	1 per 75 <sup>12</sup>
Ward Room	1 per 8 patients		1 per 10 patients	1 per 20 patients	
Industrial <sup>8</sup> Warehouses	Male 1:1-10 Female 1:1-10		Up to 100, 1 per 10 persons	1 shower for each 15 persons exposed to excessive heat or to skin contamination with poisonous, infectious, or irritating material	1 per 75 <sup>12</sup>
Workshops, foundries and similar establishments (for employee use)	Male 2:11-25 Female 2:11-25 3:26-50 3:26-50 4:51-75 4:51-75 5:76-100 5:76-100  Ovr. 100, add 1 fixture for each additional 30 persons		Over 100, 1 per 15 persons <sup>7,8</sup>		
Institutional-Other than Hospitals or Penal Institutions (on each occupied floor)	Male 1 per 25 Female 1 per 20 <sup>14</sup>	0:1-9 1:10-50  Add one fixture for each additional 50 males.	Male 1 per 10 Female 1 per 10	1 per 8	1 per 75 <sup>12</sup>
Institutional-Other than Hospitals or Penal Institutions (on each occupied floor) For employee use	Male 1:1-15 Female 1:1-15 2:16-35 3:16-35 3:36-55 4:36-55  Over 55, add 1 fixture for each additional 40 persons	0:1-9 1:10-50  Add one fixture for each additional 50 males.	Male 1 per 40 Female 1 per 40	1 per 8	1 per 75 <sup>12</sup>
Office or Public Buildings	Male 1:1-100 Female 3:1-50 2:101-200 4:51-100 3:201-400 8:101-200 11:201-400  Over 400, add one fixture for each additional 500 males and 2 for each 300 females.	1:1-100 2:101-200 3:201-400 4:401-600  Over 600, add 1 fixture for each additional 300 males.	Male 1:1-200 Female 1:1-200 2:201-400 2:201-400 3:401-750 3:401-750  Over 750, add one fixture fore each additional 500 persons.		1 per 75 <sup>12</sup>
Office or Public buildings- For employee use	Male 1:1-15 Female 1:1-15 2:16-35 3:16-35 3:36-55 4:36-55	Over 55, add 1 fixture for each additional 40 persons.	0:1-9 1:10-50	Add one fixture for each additional 50 males.	Male 1 per 40 Female 1 per 40



Type of Building or Occupancy <sup>2</sup>	Water Closets (Fixtures per Person)	Urinals <sup>10</sup> (Fixtures per Person)	Lavatories (Fixtures per Person)	Bathtubs or Showers (Fixtures per Person)	Drinking Fountains <sup>3,13</sup> (Fixtures per Person)
Penal Institutions- For employee use	Male 1:1-15 Female 1:1-15 2:16-35 3:16-35 3:36-55 4:36-55  Over 55, add 1 fixture for each additional 40 persons.	0:1-9 1:10-50  Add one fixture for each additional 50 males.	Male 1 per 40 Female 1 per 40		1 per 75 <sup>12</sup>
Penal Institutions- For prison use					
Cell	1 per cell		1 per cell		1 per cell block floor
Exercise room	1 per exercise room	1 per exercise room	1 per exercise room		1 per exercise room
Restaurants, Pubs and Lounges <sup>11</sup>	Male 1:1-50 Female 1:1-50 2:51-150 2:51-150 3:151-300 4:151-300  Over 300, add 1 fixture for each additional 200 persons	1:1-150  Over 150, add 1 fixture for each additional 150 males	Male 1:1-150 Female 1:1-150 2:151-200 2:151-200 3:201-400 3:201-400  Over 400, add 1 fixture for each additional 400 persons		
Schools-For staff use	Male 1:1-15 Female 1:1-15 2:16-35 2:16-35 3:36-55 3:36-55  Over 55, add 1 fixture for each additional 40 persons	1 per 50	Male 1 per 40 Female 1 per 40		
Schools-For student use	Male 1:1-20 Female 1:1-20 2:21-50 2:21-50 Over 50, add 1 fixture for each additional 50 persons		Male 1:1-25 Female 1:1-25 2:26-50 2:26-50 Over 50, add 1 fixture for each additional 50 persons		1 per 75 <sup>12</sup>
Nursery	Over 50, add 1 fixture for each additional 50 persons		Over 50, add 1 fixture for each additional 50 persons		
Elementary	Male 1 per 30 Female 1 per 25	1 per 75	Male 1 per 35 Female 1 per 35		1 per 75 <sup>12</sup>
Secondary	Male 1 per 40 Female 1 per 30	1 per 35	Male 1 per 40 Female 1 per 40		1 per 75 <sup>12</sup>
Others (Colleges, Universities, Adult Centers, etc.)	Male 1 per 40 Female 1 per 30	1 per 35	Male 1 per 40 Female 1 per 40		1 per 75 <sup>12</sup>
Worship Places Educational and Activities Unit	Male 1 per 125 Female <sup>14</sup> 1 per 75 2:126-250 2:76-125 3:126-250	1 per 125	1 per 2 water closets		1 per 75 <sup>12</sup>
Worship Places Principal Assembly Place	Male 1 per 150 Female <sup>14</sup> 1 per 75 2:151-300 2:76-150 3:151-300	1 per 150	1 per 2 water closets		1 per 75 <sup>12</sup>

Whenever urinals are provided, one (1) water closet less than the number specified may be provided for each urinal installed, except the number of water closets in such cases shall not be reduced to less than two-thirds (2/3) of the minimum specified.

1. The figures shown are based upon one (1) fixture being the minimum required for the number of persons indicated or any fraction thereof.
2. Building categories not shown on this table shall be considered separately by the Administrative Authority.
3. Drinking fountains shall not be installed in toilet rooms.
4. Laundry trays. One (1) laundry tray or one (1) automatic washer standpipe for each dwelling unit or two (2) laundry trays or two (2) automatic washer standpipes, or combination thereof, for each ten (10) apartments. Kitchen sinks, one (1) for each dwelling or apartment unit.
5. Deleted.
6. As required by ANSI Z4.1-1968, Sanitation in Places of Employment.
7. Where there is exposure to skin contamination with poisonous, infectious, or irritating materials, provide one (1) lavatory for each five (5) persons.
8. Twenty-four (24) lineal inches (609.6 mm) of wash sink or eighteen (18) inches (457.2 mm) of a circular basin, when provided with water outlets for such space, shall be considered equivalent to one (1) lavatory.
9. Laundry trays, one (1) for each fifty (50) persons. Slop sinks, one (1) for each hundred (100) persons.
10. General. In applying this schedule of facilities, consideration must be given to the accessibility of fixtures. Conformity purely on a numerical basis may not result in an installation suited to the need of the individual establishment. For example, schools should be provided with toilet facilities on each floor having classrooms. Temporary workmen facilities, one (1) water closet and one (1) urinal for each thirty (30) workmen.
  - a. Surrounding materials, wall and floor space to a point two (2) feet (0.6 m) in front of urinal lip and four (4) feet (1.2 m) above the floor, and at least two (2) feet (0.6 m) to each side of the urinal shall be lined with non-absorbent materials.
  - b. Trough urinals are prohibited.
11. A restaurant is defined as a business which sells food to be consumed on the premises.
  - a. The number of occupants for a drive-in restaurant shall be considered as equal to the number of parking stalls.
  - b. Employee toilet facilities are not to be included in the above restaurant requirements. Hand washing facilities must be available in the kitchen for employees.
12. Where food is consumed indoors, water stations may be substituted for drinking fountains. Theatres, auditoriums, dormitories, offices, or public buildings for use by more than six (6) persons shall have one (1) drinking fountain for the first seventy-five (75) persons and one (1) additional fountain for each one hundred and fifty (150) persons thereafter.
13. There shall be a minimum of one (1) drinking fountain per occupied floor in schools, theatres, auditoriums, dormitories, offices or public building.
14. The total number of water closets for females shall be at least equal to the total number of water closets and urinals required for males.

**NEW SECTION**

WAC 51-20-0555 TABLE NO. 5-F.

TABLE No. 5-F  
Minimum Size Requirements for Exterior Solid Waste  
and Recycling Storage Areas

<u>Building Size</u> <u>(sq. ft.)</u>	<u>Trash</u>	<u>Recyclables</u>	<u>Total Area</u>
0 - 5,000	12 sq. ft.	12 sq. ft.	24 sq. ft.
5,001 - 10,000	24 sq. ft.	24 sq. ft.	48 sq. ft.
10,001 - 25,000	48 sq. ft.	48 sq. ft.	96 sq. ft.
25,001 - 50,000	96 sq. ft.	96 sq. ft.	192 sq. ft.
50,001 - 75,000	144 sq. ft.	144 sq. ft.	288 sq. ft.
75,001 - 100,000	192 sq. ft.	192 sq. ft.	384 sq. ft.
100,001 +	Every additional 25,000 square feet shall require an additional 48 square feet for trash and 48 square feet for recyclables.		

**NEW SECTION**

WAC 51-20-0600 CHAPTER 6. Requirements for Group A Occupancies.

**NEW SECTION**

WAC 51-20-0605 LIGHT, VENTILATION AND SANITATION. Section 605.

**OPTION 1**

All enclosed portions of Group A Occupancies customarily used by human beings and all dressing rooms shall be provided with natural light by means of exterior glazed openings with an area not less than one tenth of the total floor area, and natural ventilation by means of openable exterior openings with an area of not less than one twentieth of the total floor area, or shall be provided with artificial light and a mechanically operated ventilating system. The mechanically operated ventilating system shall be capable of supplying a minimum of 5 cubic feet per minute of outside air per occupant with a total circulated of not less than 15 cubic feet per minute per occupant in all portions of the building during such time as the building is occupied. If the velocity of the air at the register exceeds 10 feet per second, the register shall be placed more than 8 feet above the floor directly beneath.

Toilet rooms shall be provided with a fully openable exterior window at least 3 square feet in area; or a vertical duct not less than 100 square inches in area for the first toilet facility, with 50 additional square inches for each additional facility; or a mechanically operated exhaust system capable of providing a complete change of air every 15 minutes. Such systems shall be connected directly to the outside, and the point of discharge shall be at least 3 feet from any opening into the building.

There shall be provided in an approved location at least one lavatory for each two water closets for each sex, and at least one drinking fountain for each floor level.

**EXCEPTION:** A drinking fountain need not be provided in a drinking or dining establishment.

For other requirements on water closets, see Sections 510 and 511.

**OPTION 2**

All enclosed portions of Group A Occupancies customarily used by human beings and all dressing rooms shall be provided with natural light by means of exterior glazed openings with an area not less than one tenth of the total floor area, and natural ventilation by means of openable exterior openings with an area of not less than one twentieth of the total floor area, or shall be provided with artificial light and a mechanically operated ventilating system. The mechanically operated

ventilating system shall be capable of supplying a minimum of 5 cubic feet per minute of outside air per occupant with a total circulated of not less than 15 cubic feet per minute per occupant in all portions of the building during such time as the building is occupied. If the velocity of the air at the register exceeds 10 feet per second, the register shall be placed more than 8 feet above the floor directly beneath.

Toilet rooms shall be provided with a fully openable exterior window at least 3 square feet in area; or a vertical duct not less than 100 square inches in area for the first toilet facility, with 50 additional square inches for each additional facility; or a mechanically operated exhaust system capable of providing a complete change of air every 15 minutes. Such systems shall be connected directly to the outside, and the point of discharge shall be at least 3 feet from any operable opening into the building.

There shall be provided in an approved location at least one lavatory for each two water closets for each sex, and at least one drinking fountain for each floor level.

**EXCEPTION:** A drinking fountain need not be provided in a drinking or dining establishment.

For other requirements on water closets, see Sections 510 and 511.

**NEW SECTION**

WAC 51-20-0610 AMUSEMENT BUILDING ALARM SYSTEM. Section 610. (a) General. An approved smoke-detection system installed in accordance with the Fire Code shall be provided in amusement buildings.

**EXCEPTION:** In areas where ambient conditions will cause a smoke-detector system to alarm, an approved alternate type of automatic detector shall be installed.

(b) Alarm System. Activation of any single smoke detector, the automatic sprinkler system or other automatic fire-detection device shall immediately sound an alarm in the building of a constantly supervised location from which the manual operation of systems noted in Section 610(c), Items 1, 2 and 3, may be initiated.

**OPTION 1**

(c) System Response. The activation of two or more smoke detectors, a single smoke detector monitored by an alarm verification zone, the automatic sprinkler system or other approved automatic fire-detection device shall automatically:

1. Stop confusing sounds and visual effects, and
2. Activate an approved directional exit marking, and
3. Cause illumination of the exit path with light of not less than one footcandle at the walking surface.

## OPTION 2

(c) System Response. The activation of two or more smoke detectors, a single smoke detector monitored by an alarm verification zone, the automatic sprinkler system or other approved automatic fire-detection device shall automatically:

1. Stop sound and visual effects, and
2. Activate an approved directional exit marking, and
3. Cause illumination of the exit path with light of not less than one footcandle at the walking surface.

(d) Public Address System. A public address system which is audible throughout the amusement building shall be provided. The public address system may also serve as an alarm system.

NEW SECTION

WAC 51-20-0700 CHAPTER 7. Requirements for Group B Occupancies.

NEW SECTION

WAC 51-20-0702 CONSTRUCTION, HEIGHT AND ALLOWABLE AREA. Section 702. (a) General. Buildings or parts of buildings classed in Group B Occupancy because of the use or character of the occupancy shall be limited to the types of construction set forth in Tables Nos. 5-C and 5-D and shall not exceed, in area or height, the limits specified in Sections 505, 506 and 507.

(b) Special Provisions. 1. Group B, Division 1 with Group A, Division 3; Group B, Division 2; or Group R, Division 1 Occupancy above. Other provisions of this code notwithstanding, a basement or first story of a building may be considered as a separate and distinct building for the purposes of area limitations, limitation of number of stories and type of construction, when all of the following conditions are met:

A. The basement or first story is of Type I construction and is separated from the building above with a three-hour occupancy separation.

B. The building above the three-hour occupancy separation contains only Group A, Division 3; Group B, Division 2; or Group R, Division 1 Occupancies.

C. The building below the three-hour occupancy separation is used exclusively for the parking and storage of private or pleasure-type motor vehicles.

EXCEPTIONS: 1. Entry lobbies, laundry rooms, mechanical rooms and similar uses incidental to the operation of the building.  
2. Group B, Division 2 office and retail occupancies in addition to those incidental to the operation of the building (including storage areas) provided that the entire structure below the three-hour occupancy separation is protected throughout by an automatic sprinkler system.

D. The maximum building height in feet shall not exceed the limits set forth in Table No. 5-D for the least type of construction involved.

2. Group B, Division 1 with Group B, Division 3 Occupancy above. Other provisions of this code notwithstanding, a Group B, Division 1 Occupancy, located in the basement or first story below a Group B, Division 3 open parking garage, as defined in Section 709, may be classified as a separate and distinct building for the purpose of determining the type of construction when all of the following conditions are met:

A. The allowable area of the structure shall be such that the sum of the ratios of the actual area divided by the allowable area for each separate occupancy shall not exceed 1.

B. The Group B, Division 1 Occupancy is of Type I or II construction and is at least equal to the fire resistance of the Group B, Division 3 Occupancy.

C. The height and the number of the tiers above the basement shall be limited as specified in Table No. 7-A or Section 709(e).

D. The floor-ceiling assembly separating the Group B, Division 1 and Group B, Division 3 Occupancies shall be protected as required for the floor-ceiling assembly of the Group B, Division 1 Occupancy. Openings between the Group B, Division 1 and Group B, Division 3 Occupancies, except exit openings, need not be protected.

E. The Group B, Division 1 Occupancy is used exclusively for the parking or storage for private or pleasure-type motor vehicles but may contain (a) mechanical equipment rooms incidental to the operation of the building and (b) an office, and waiting and toilet rooms having a total area of not more than 1,000 square feet.

(c) Specific Use Provisions. 1. Group B, Divisions 1 and 3 Occupancies. Marine or motor vehicle fuel-dispensing stations including canopies and supports over pumps shall be of noncombustible, fire-retardant-treated wood or of one-hour fire-resistive construction.

EXCEPTIONS: 1. Roofs of one-story fuel-dispensing stations may be of heavy-timber construction.  
2. Canopies conforming to Section 5213 may be erected over pumps.

In areas where motor vehicles, boats or aircraft are stored, and in motor vehicle fuel-dispensing stations and Division 1 repair garages, floor surfaces shall be of noncombustible, nonabsorbent materials. Floors shall drain to an approved oil separator or trap discharging to sewers in accordance with the Plumbing Code.

EXCEPTION: Floors may be surfaced or waterproofed with asphaltic paving materials in areas where motor vehicles or airplanes are stored or operated.

Canopies under which fuels are dispensed shall have a clear, unobstructed height of not less than 13 feet 6 inches to the lowest projecting element in the vehicle drive-through area.

2. Group B, Division 2 storage areas. Storage areas in connection with wholesale or retail sales in Division 2 Occupancies shall be separated from the public area by a one-hour fire-resistive occupancy separation.

EXCEPTION: Occupancy separation need not be provided when any one of the following conditions exists:

- A. The storage area does not exceed 1,000 square feet, or
- B. The storage area is sprinklered and does not exceed 3,000 square feet, or
- C. The building is provided with an approved automatic sprinkler system throughout. Area increases as specified in Section 506(c) are permitted.

## OPTION 1

3. Laboratories and vocational shops. Laboratories and vocational shops in buildings used for educational purposes and similar areas containing hazardous materials shall be separated from each other and other portions of the building by not less than a one-hour fire-resistive occupancy separation. When the quantities of hazardous materials in such uses do not exceed those listed in Table No. 9-A or 9-B, the requirements of Sections 905 and 908 shall apply. When the quantities of hazardous materials in such uses exceed those allowed by Table No. 9-A or 9-B, the use shall be classified as the appropriate Group H Occupancy.

Occupants in laboratories having an area in excess of 200 square feet shall have access to at least two exits from the room and all portions of the room shall be within 75 feet of an exit.

## OPTION 2

3. Laboratories and vocational shops. Laboratories or suites of laboratories and vocational shops in buildings used for educational purposes and similar areas containing hazardous materials shall be separated from each other and other portions of the building by not less than a one-hour fire-resistive occupancy separation. When the quantities of hazardous materials in such uses do not exceed those listed in Table No. 9-A or 9-B, the requirements of Sections 905 and 908 shall apply. When the quantities of hazardous materials in such uses exceed those allowed by Table No. 9-A or 9-B, the use shall be classified as the appropriate Group H Occupancy.

Laboratories having an occupant load in excess of 10 shall have access to at least two exits from the room and all portions of the room shall be within 75 feet of an exit.

4. Medical gas systems. Medical gas systems shall be installed and maintained in accordance with the Fire Code. When nonflammable supply cylinders for such systems are located inside buildings they shall be in a separate room or enclosure separated from the rest of the building by not less than one-hour fire-resistive construction. Openings between the room or enclosure and interior spaces shall be protected by self-closing smoke- and draft-control assemblies having a fire-protection rating of not less than one hour. Rooms shall have at least one exterior wall in which there are not less than two vents of not less than 36 square inches in area. One vent shall be within 6 inches of the floor and one shall be within 6 inches of the ceiling.

EXCEPTION: When an exterior wall cannot be provided for the room, automatic sprinklers shall be installed within the room and the room shall be vented to the exterior through ducting contained within

a one-hour-rated shaft enclosure. Approved mechanical ventilation shall provide six air changes per hour for the room.

5. Parking garage headroom. Parking garages shall have an unobstructed headroom clearance of not less than 7 feet above the finish floor to any ceiling, beam, pipe or similar construction, except for wall-mounted shelves, storage surfaces, racks or cabinets.

6. Group B, Division 4 roof framing. In Division 4 Occupancies, fire protection of the underside of roof framing may be omitted in all types of construction.

7. Amusement buildings. Amusement buildings with an occupant load of less than 50 shall comply with Sections 610, 3314 (f) and 3802 (c).

**EXCEPTION:** Amusement buildings or portions thereof which are without walls or a roof and constructed to prevent the accumulation of smoke in assembly areas.

For flammable decorative materials, see the Fire Code.

### NEW SECTION

WAC 51-20-0800 CHAPTER 8. Requirements for Group E Occupancies.

### NEW SECTION

WAC 51-20-0801 GROUP E OCCUPANCIES DEFINED. Section 801. Group E Occupancies shall be:

Division 1. Any building used for educational purposes through the 12th grade by 50 or more persons for more than 12 hours per week or four hours in any one day.

Division 2. Any building used for educational purposes through the 12th grade by less than 50 persons for more than 12 hours per week or four hours in any one day.

Division 3. Any building or portion thereof used for day-care purposes for more than six persons.

**EXCEPTION:** Family child day-care homes shall be considered Group R, Division 3 Occupancies.

For occupancy separations, see Table No. 5-B.

### NEW SECTION

WAC 51-20-0802 CONSTRUCTION, HEIGHT AND ALLOWABLE AREA. Section 802. (a) General. Buildings or parts of buildings classed in Group E because of the use or character of the occupancy shall be limited to the types of construction set forth in Tables Nos. 5-C and 5-D and shall not exceed, in area or height, the limits specified in Sections 505, 506 and 507, except that the area may be increased by 50 percent when the maximum travel distance specified in Section 3303(d) is reduced by 50 percent.

(b) Atmospheric Separation Requirements. 1. Definitions. For the purpose of this chapter and Section 3319, the following definitions are applicable:

**COMMON ATMOSPHERE.** A common atmosphere exists between rooms, spaces or areas within a building which are not separated by an approved smoke- and draft-stop barrier.

**SEPARATE ATMOSPHERE.** A separate atmosphere exists between rooms, spaces or areas that are separated by an approved smoke- and draft-stop barrier.

**SMOKE AND DRAFT BARRIER.** A smoke and draft barrier consists of walls, partitions, floors and openings therein of such construction as will prevent the transmission of smoke or gases through the construction.

2. General provisions. The provisions of this subsection apply when a separate exit system is required in accordance with Section 3318.

Walls, partitions and floors forming all of, or part of, an atmospheric separation shall be of materials consistent with the requirements for the type of construction, but of construction not less effective than a smoke- or draft-stop barrier. Glass lights of approved wired glass set in steel frames may be installed in such walls or partitions.

Every door opening therein shall be protected with a fire assembly as required elsewhere in the code, but not less than a self-closing or automatic-closing, tight-fitting smoke barrier and fire assembly having a fire-protection rating of not less than 20 minutes when tested in accordance with U.B.C. Standard No. 43-2 which is a part of this code. (See Chapter 60, Part II.)

Ducts penetrating atmospheric separation walls, partitions or floors shall be equipped with an approved automatic-closing smoke damper when having openings into more than one atmosphere.

All automatic-closing fire assemblies installed in the atmospheric separation shall be activated by approved smoke detectors.

The specific requirements of this section are not intended to prevent the design or use of other systems, equipment or techniques which will effectively prevent the products of combustion from breaching the atmospheric separation.

(c) Special Provisions. Rooms in Divisions 1 and 2 Occupancies used for kindergarten, first- or second-grade pupils and Division 3 Occupancies shall not be located above or below the first story.

**EXCEPTIONS:** 1. Rooms on floors which have exits to the exterior of the building which require no more than 4 feet of vertical travel from the floor level to the level of the exterior finished surface of the ground, paving or sidewalk.

2. In buildings equipped with an automatic sprinkler system throughout, rooms used for kindergarten, first- and second-grade children or for day-care purposes may be located on the second story, provided there are at least two exits directly into separate exiting systems as defined in Section 3318(a).

3. Division 3 Occupancies located above the second story, shall be in buildings equipped with an automatic sprinkler system throughout and of Type I or Type II fire-resistive construction when:

A. Division 3 Occupancies above the fourth floor shall not have more than 12 children per floor; and,

B. The entire story on which the day-care facility is located is equipped with an approved fire alarm and smoke detection system as set forth in the Fire Code. Actuation of the system shall sound an alarm audible throughout the entire story; and,

C. The day-care facility is divided into not less than two areas of approximately the same size, separated from each other by not less than one-hour fire-resistive construction. Openings between the two areas shall be protected by an automatic-closing smoke and draft control assembly, having a fire-protection rating of not less than 20 minutes, which will close automatically upon actuation of the fire alarm or detection systems; and,

D. Each separated area is provided with air-moving equipment independent of that serving the other; and,

E. Each separated area has not less than two exits, one of which is permitted to be through the adjoining separated area; and,

F. The exits from the Division 3 Occupancy shall be into separate exiting systems as defined in Section 3318.

Stages and platforms shall be constructed in accordance with Chapter 39. For attic space partitions and draft stops, see Section 2516(f).

(d) Special Hazards. Laboratories, vocational shops and similar areas containing hazardous materials shall be separated from each other and from other portions of the building by not less than a one-hour fire-resistive occupancy separation. When the quantities of hazardous materials in such uses do not exceed those listed in Table No. 9-A or 9-B, the requirements of Sections 905 and 908 shall apply. When the quantities of hazardous materials in such uses exceed those allowed by Table No. 9-A or 9-B, the use shall be classified as the appropriate Group H Occupancy.

Occupants in laboratories having an area in excess of 200 square feet shall have access to at least two exits from the room and all portions of the room shall be within 75 feet of an exit.

Equipment in rooms or groups of rooms sharing a common atmosphere where flammable liquids, combustible dust or hazardous materials are used, stored, developed or handled shall conform to the requirements of the Fire Code.

### NEW SECTION

WAC 51-20-0900 CHAPTER 9. Requirements for Group H Occupancies.

### NEW SECTION

WAC 51-20-0901 GROUP H OCCUPANCIES DEFINED. Section 901. (a) General. For definitions, identification and control of hazardous materials, display of nonflammable solid and nonflammable or noncombustible liquid hazardous materials in Group B, Division 2 Occupancies, see the Fire Code. For application and use of control areas, see Footnote No. 1 of Tables Nos. 9-A and 9-B. Group H Occupancies shall be:

Division 1. Occupancies with a quantity of material in the building in excess of those listed in Table No. 9-A which present a high explosion hazard, including, but not limited to:

1. Explosives, blasting agents, fireworks and black powder.

**EXCEPTION:** Storage and the use of pyrotechnic special effect materials in motion picture, television, theatrical and group entertainment production when under permit as required in the Fire Code. The time period for storage shall not exceed 90 days.

2. Unclassified detonatable organic peroxides.
3. Class 4 oxidizers.
4. Class 4 or Class 3 detonatable unstable (reactive) materials.

Division 2. Occupancies with a quantity of material in the building in excess of those listed in Table No. 9-A, which present a moderate explosion hazard or a hazard from accelerated burning, including, but not limited to:

1. Class I organic peroxides.
2. Class 3 nondetonatable unstable (reactive) materials.
3. Pyrophoric gases.
4. Flammable or oxidizing gases.
5. Class I, II or III-A flammable or combustible liquids which are used in normally open containers or systems or in closed containers pressurized at more than 15-pounds-per-square-inch gauge.

**EXCEPTION:** Aerosols.

6. Combustible dusts in suspension or capable of being put into suspension in the atmosphere of the room or area.

**EXCEPTIONS:**

1. Rooms or areas used for woodworking where no more than three fixed in-place woodworking appliances are utilized may be classified as a Group B, Division 2 Occupancy, provided the appliances are equipped with dust collectors sufficient to remove dust generated by the appliance.
2. Lumberyards and similar retail stores utilizing only power saws may be classified as Group B, Division 2 Occupancies.

The building official may revoke the use of these exceptions for due cause.

7. Class 3 oxidizers.

Division 3. Occupancies with a quantity of material in the building in excess of those listed in Table No. 9-A which present a high fire or physical hazard, including, but not limited to:

1. Class II, III or IV organic peroxides.
2. Class 1 or 2 oxidizers.
3. Class I, II or III-A flammable liquids or combustible liquids which are utilized or stored in normally closed containers or systems and containers pressurized at 15-pounds-per-square-inch gauge or less and aerosols.
4. Class III-B combustible liquids.
5. Pyrophoric liquids or solids.
6. Water reactives.
7. Flammable solids, including combustible fibers or dusts, except for dusts included in Division 2 Occupancies.
8. Flammable or oxidizing cryogenic fluids (other than inert).
9. Class 1 unstable (reactive) gas or Class 2 unstable (reactive) materials.

Division 4. Repair garages not classified as Group B, Division 1 Occupancies.

Division 5. Aircraft repair hangars and heliports not classified as Group B, Division 3 Occupancies.

Division 6. Semiconductor fabrication facilities and comparable research and development areas when the facilities in which hazardous production materials (HPM) are used and the aggregate quantity of materials are in excess of those listed in Table No. 9-A or 9-B. Such facilities and areas shall be designed and constructed in accordance with Section 911.

Division 7. Occupancies having quantities of materials in excess of those listed in Table No. 9-B that are health hazards, including but not limited to:

1. Corrosives.
2. Highly toxic materials.
3. Irritants.

(b) Multiple Hazards. When a hazardous material has multiple hazards, all hazards shall be addressed and controlled in accordance with the provisions of this chapter.

(c) Liquid Use, Dispensing and Mixing Rooms. Rooms in which Class I, Class II and Class III-A flammable or combustible liquids are used, dispensed or mixed in open containers shall be constructed in accordance with the requirements for a Group H, Division 2 Occupancy and the following:

1. Rooms in excess of 500 square feet shall have at least one exterior door approved for fire department access.

2. Rooms shall not exceed 1,000 square feet in area.

3. Rooms shall be separated from other areas by an occupancy separation having a fire-resistive rating of not less than one hour for rooms up to 150 square feet in area and not less than two hours where the room is more than 150 square feet in area. Separations from other occupancies shall not be less than required by Chapter 5, Table No. 5-B.

4. Shelving, racks and wainscoting in such areas shall be of non-combustible construction or wood not less than 1-inch nominal thickness.

5. Liquid use, dispensing and mixing rooms shall not be located in basements.

(d) Liquid Storage Rooms. Rooms in which Class I, Class II and Class III-A flammable or combustible liquids are stored in closed containers shall be constructed in accordance with the requirements for a Group H, Division 3 Occupancy and to the following:

1. Rooms in excess of 500 square feet shall have at least one exterior door approved for fire department access.

2. Rooms shall be separated from other areas by an occupancy separation having a fire-resistive rating of not less than one hour for rooms up to 150 square feet in area and not less than two hours where the room is more than 150 square feet in area. Separations from other occupancies shall not be less than required by Chapter 5, Table No. 5-B.

3. Shelving, racks and wainscoting in such areas shall be of non-combustible construction or wood of not less than 1-inch nominal thickness.

4. Rooms used for the storage of Class I flammable liquids shall not be located in a basement.

(e) Flammable or Combustible Liquid Storage Warehouses. Liquid storage warehouses in which Class I, Class II and Class III-A flammable or combustible liquids are stored in closed containers shall be constructed in accordance with the requirements for a Group H, Division 3 Occupancy and the following:

1. Liquid storage warehouses shall be separated from all other uses by a four-hour area separation wall.

2. Shelving, racks and wainscoting in such warehouses shall be of non-combustible construction or wood not less than 1-inch nominal thickness.

3. Rooms used for the storage of Class I flammable liquids shall not be located in a basement.

(f) Requirement for Report. The building official may require a technical opinion and report to identify and develop methods of protection from the hazards presented by the hazardous material. The opinion and report shall be prepared by a qualified person, firm or corporation approved by the building official and shall be provided without charge to the enforcing agency.

The opinion and report may include, but is not limited to, the preparation of a hazardous material management plan (HMMP); chemical analysis; recommendations for methods of isolation, separation, containment or protection of hazardous materials or processes, including appropriate engineering controls to be applied; the extent of changes in the hazardous behavior to be anticipated under conditions of exposure to fire or from hazard control procedures; and the limitations or conditions of use necessary to achieve and maintain control of the hazardous materials or operations. The report shall be entered into the files of the code enforcement agencies. Proprietary and trade secret information shall be protected under the laws of the state or jurisdiction having authority.

#### OPTIONAL

**EXCEPTION:** When an HMMP is required, the applicant may submit the report(s) used for compliance with requirements of 40 CFR "Hazardous Chemical Reporting and Community Right-to-Know Regulations" under Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA).

#### NEW SECTION

WAC 51-20-0902 CONSTRUCTION, HEIGHT AND ALLOWABLE AREA. Section 902. (a) General. Buildings or parts of buildings classed in Group H because of the use or character of the occupancy shall be limited to the types of construction set forth in Tables Nos. 5-C and 5-D and shall not exceed, in area or height, the limits specified in Sections 505, 506 and 507.

(b) Floors. Except for surfacing, floors in areas containing hazardous materials and in areas where motor vehicles, boats, helicopters or airplanes are stored, repaired or operated shall be of noncombustible, liquid-tight construction.

**EXCEPTION:** In Group H, Divisions 4 and 5 Occupancies, floors may be surfaced or waterproofed with asphaltic paving materials in that portion of the facility where no repair work is done.

(c) Spill Control. When required by the Fire Code, floors shall be recessed a minimum of 4 inches or shall be provided with a liquid-tight raised sill with a minimum height of 4 inches so as to prevent the flow of liquids to adjoining areas. When liquid-tight sills are provided, they may be omitted at door openings by the installation of an open-grate trench which connects to the room drainage system.

(d) Drainage. When required by the Fire Code, the room, building or area shall be provided with a drainage system to direct the flow of liquids to an approved location or, the room, building or area shall be designed to provide secondary containment for the hazardous materials and fire-protection water.

Drains from the area shall be sized to carry the sprinkler system design flow rate over the sprinkler system design area. The slope of drains shall not be less than 1 percent. Materials of construction for the drainage system shall be compatible with the stored materials.

Incompatible materials shall be separated from each other in the drain systems. They may be combined when they have been rendered acceptable for discharge by an approved means into the public sewer. Drainage of spillage and fire-protection water directed to a neutralizer or treatment system shall comply with the following:

1. The system shall be designed to handle the maximum worst-case spill from the single largest container plus the volume of fire-protection water from the system over the minimum design area for a period of 20 minutes.

2. Overflow from the neutralizer or treatment system shall be provided to direct liquid leakage and fire-protection water to a safe location away from the building, any material or fire-protection control valve, means of egress, adjoining property, or fire department access roadway.

(e) Containment. When required by the Fire Code, drains shall be directed to a containment system or other location designed as secondary containment for the hazardous material liquids and fire-protection water, or the building, room or area shall be designed to provide secondary containment of hazardous material liquids and fire-protection water through the use of recessed floors or liquid-tight raised sills.

Secondary containment shall be designed to retain the spill from the largest single container plus the design flow rate of the sprinkler system for the area of the room or area in which the storage is located or the sprinkler system design area, whichever is smaller. The containment capacity shall be capable of containing the flow for a period of 20 minutes.

Overflow from the secondary containment system shall be provided to direct liquid leakage and fire-protection water to a safe location away from the building, any material or fire-protection control valve, means of egress, fire access roadway, adjoining property or storm drains.

If the storage area is open to rainfall, the secondary containment shall be designed to accommodate the volume of a 24-hour rainfall as determined by a 25-year storm.

When secondary containment is required, a monitoring method capable of detecting hazardous material leakage from the primary containment into the secondary containment shall be provided. When visual inspection of the primary containment is not practical, other approved means of monitoring may be provided. When secondary containment may be subject to the intrusion of water, a monitoring method for such water shall be provided. Whenever monitoring devices are provided, they shall be connected to distinct visual or audible alarms.

(f) Smoke and Heat Vents. Smoke and heat venting shall be provided in areas containing hazardous materials as set forth in the Fire Code in addition to the provisions of this code.

(g) Standby Power. A standby power system shall be provided for required mechanical exhaust ventilation, treatment, temperature control, liquid-level limit control, pressure control, alarm, and detection or other required electrically operated systems in Group H, Divisions 1, 2, and 3 Occupancies, and in Group H, Division 7 Occupancies in which there is use or storage of corrosives, highly toxic solids and liquids, irritants, sensitizers or other health hazard materials. For required systems, see the Fire Code. The standby power system shall be designed and installed in accordance with the Electrical Code to automatically

supply power to all electrical equipment required by the Fire Code when the normal electrical supply system is interrupted.

(h) Emergency Power. An emergency power system shall be provided for required mechanical exhaust ventilation, treatment, temperature control, liquid-level limit control, pressure control, alarm and detection or other required electrically operated systems in Group H, Division 6 Occupancies, and in Group H, Division 7 Occupancies in which highly toxic or toxic gases are stored or used. For required systems, see the Fire Code. The emergency power system shall be designed and installed in accordance with the Electrical Code to automatically supply power to the exhaust ventilation system when the normal electrical supply system is interrupted.

(i) Special Provisions for Group H, Division 1 Occupancies. Group H, Division 1 Occupancies shall be in buildings used for no other purpose, without basements, crawl spaces or other under-floor spaces. Roofs shall be of lightweight construction with suitable thermal insulation to prevent sensitive material from reaching its decomposition temperature.

Group H, Division 1 Occupancies containing materials which are in themselves both physical and health hazards in quantities exceeding the exempt amounts in Table No. 9-B shall comply with requirements for both Group H, Division 1 and Group H, Division 7 Occupancies.

(j) Special Provisions for Group H, Divisions 2 and 3 Occupancies. Group H, Divisions 2 and 3 Occupancies containing quantities of hazardous materials in excess of those set forth in Table No. 9-E shall be in buildings used for no other purpose, shall not exceed one story in height and shall be without basements, crawl spaces or other under-floor spaces.

Group H, Division 3 Occupancies containing water-reactive materials shall be resistant to water penetration. Piping for conveying liquids shall not be over or through areas containing water reactives, unless isolated by approved liquid-tight construction.

**EXCEPTION:** Fire-protection piping may be installed over reactives without isolation.

(k) Special Provisions for Group H, Divisions 4 and 5 Occupancies. A Division 4 Occupancy having a floor area not exceeding 2,500 square feet may have exterior walls of not less than two-hour fire-resistive construction when less than 5 feet from a property line and of not less than one-hour fire-resistive construction when 5 feet or more but less than 20 feet from a property line.

(l) Special Provisions for Group H, Division 6 Occupancies. See Section 911.

#### NEW SECTION

WAC 51-20-1000 CHAPTER 10. Requirements for Group 1 Occupancies.

#### NEW SECTION

WAC 51-20-1011 SUITE CONCEPT. Section 1011. Rooms within hospitals and nursing homes may be considered as an adjoining or intervening room when the nature of the rooms is such that the entire configuration functions as a single unit. Any suite of rooms other than patient sleeping rooms, may be subdivided with non-combustible and non-fire-rated walls. Suites shall comply with all of the following:

1. Suites shall not exceed 10,000 square feet in area.
2. The maximum travel distance from any point in the suite to a corridor door is limited to 50 feet or there is unrestricted access from patient treatment areas to a corridor with a maximum of one intervening room.
3. Suites of more than 1,000 square feet shall have at least two separate exits.
4. The main building exiting system shall not pass through the suite.
5. Suites shall be separated from the rest of the occupancy by at least a one-hour fire-resistive occupancy separation.
6. The entire building and the suite shall be provided with an approved automatic sprinkler system and supervised automatic smoke-detection system.
7. Each patient room in the suite shall be located to permit direct visual supervision by the facility staff.
8. Patient corridors (rated and non-rated) within the suite shall be not less than 8 feet in width.

NEW SECTION

WAC 51-20-1200 CHAPTER 12. Requirements for Group R Occupancies.

NEW SECTION

WAC 51-20-1201 GROUP R OCCUPANCIES DEFINED. Section 1201. Group R Occupancies shall be:

- Division 1. Hotels and apartment houses.
- Congregate residences (each accommodating more than 10 persons).
- Division 2. Not used.
- Division 3. Dwellings, family child day care homes and lodging houses.

Congregate residences (each accommodating 10 persons or less).

For occupancy separations, see Table No. 5-B.

A complete code for construction of detached one- and two-family dwellings is in Appendix Chapter 12 of this code. When adopted, as set forth in Section 103, it will take precedence over the requirements set forth in Parts I through X and Chapter 60 of this code.

NEW SECTION

WAC 51-20-1210 SMOKE DETECTORS AND SPRINKLER SYSTEMS. Section 1210. (a) Smoke Detectors. 1. General. Dwelling units, congregate residences and hotel or lodging house guest rooms that are used for sleeping purposes shall be provided with operable smoke detectors. Detectors shall be installed in accordance with the approved manufacturer's instructions.

2. Additions, alterations or repairs to Group R Occupancies. When the valuation of an addition, alteration or repair to a Group R Occupancy exceeds \$1000.00 and a permit is required, or when one or more sleeping rooms are added or created in existing Group R Occupancies, smoke detectors shall be installed in accordance with Subsections 3, 4 and 5 of this section.

3. Power source. In new construction, required smoke detectors shall receive their primary power from the building wiring when such wiring is served from a commercial source and shall be equipped with a battery backup. The detector shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. Smoke detectors may be solely battery operated when installed in existing buildings, or in buildings without commercial power; or in buildings which undergo alterations, repairs or additions regulated by Subsection 2 of this section.

4. Location within dwelling units. In dwelling units, a detector shall be in each sleeping room and at a point centrally located in the corridor or area giving access to each separate sleeping area. When the dwelling unit has more than one story and in dwellings with basements, a detector shall be installed on each story and in the basement. In dwelling units where a story or basement is split into two or more levels, the smoke detector shall be installed on the upper level, except that when the lower level contains a sleeping area, a detector shall be installed on each level. When sleeping rooms are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway. In dwelling units where the ceiling height of a room open to the hallway serving the bedrooms exceeds that of the hallway by 24 inches or more, smoke detectors shall be installed in the hallway and in the adjacent room. Detectors shall sound an alarm audible in all sleeping areas of the dwelling unit in which they are located.

5. Location in efficiency dwelling units, congregate residences and hotels. In efficiency dwelling units, hotel suites and in hotel and congregate residence sleeping rooms, detectors shall be located on the ceiling or wall of the mainroom or each sleeping room. When sleeping rooms within an efficiency dwelling unit or hotel suite are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway. When actuated, the detector shall sound an alarm audible within the sleeping area of the dwelling unit, hotel suite or sleeping room in which it is located.

6. Location within family child day care homes. In family child day care homes operable detectors shall be located in all sleeping and napping areas. When the family child day care home has more than one story, and in family child day care homes with basements, an operable detector shall be installed on each story and in the basement. In family child day care homes where a story or basement is split into two or more levels, the smoke detector shall be installed in the upper level, except that when the lower level contains a sleeping or napping area,

an operable detector shall be located on each level. When sleeping rooms are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway. In family child day care homes where the ceiling height of a room open to the hallway serving the bedrooms exceeds that of the hallway by 24 inches or more, smoke detectors shall be installed in the hallway and the adjacent room. Detectors shall sound an alarm audible in all areas of the building.

(b) Sprinkler and Standpipe Systems. When required by other provisions of this code, automatic sprinkler systems and standpipes shall be installed as specified in Chapter 38.

NEW SECTION

WAC 51-20-1215 FAMILY CHILD DAY CARE HOMES.

Section 1215. For family child day care homes with more than six children, each floor level used for family child day care purposes shall be served by two remote exits. Outside exit doors shall be operable from the inside without the use of keys or any special knowledge or effort.

Basements located more than four feet below grade level shall not be used for family child day care homes unless one of the following conditions exist:

(a) Exit stairways from the basement open directly to the exterior of the building without entering the first floor; or

(b) One of the two required exits discharges directly to the exterior from the basement level, and a self-closing door is installed at the top or bottom of the interior stair leading to the floor above; or

(c) One of the two required exits is an operable window or door, approved for emergency escape or rescue, that opens directly to a public street, public alley, yard or exit court is provided; or

(d) A residential sprinkler system is provided throughout the entire building in accordance with National Fire Protection Association Standard 13d.

Floors located more than four feet above grade level shall not be occupied by children in family child day care homes.

EXCEPTIONS: 1. Use of toilet facilities while under supervision of an adult staff person.

2. Family child day care homes may be allowed on the second story if one of the following conditions exist:

(a) Exit stairways from the second story open directly to the exterior of the building without entering the first floor; or

(b) One of the two required exits discharges directly to the exterior from the second story level, and a self-closing door is installed at the top or bottom of the interior stair leading to the floor below; or

(c) A residential sprinkler system is provided throughout the entire building in accordance with National Fire Protection Association Standard 13d.

Every sleeping or napping room in a family child day care home shall have at least one operable window for emergency rescue.

EXCEPTION: Sleeping or napping rooms having doors leading to two separate exits ways, or a door leading directly to the exterior of the building.

Rooms or spaces containing a commercial-type cooking kitchen, boiler, maintenance shop, janitor closet, laundry, woodworking shop, flammable or combustible storage, or painting operation shall be separated from the family child day care area by at least one-hour fire-resistive construction.

EXCEPTION: A fire-resistive separation shall not be required where the food preparation kitchen contains only a domestic cooking range, and the preparation of food does not result in the production of smoke or grease laden vapors.

NEW SECTION

WAC 51-20-1216 RECYCLABLE MATERIALS AND SOLID WASTE STORAGE. Section 1216. (a) General. Group R, Division 1 Occupancies shall be provided with external space for the storage of recyclable materials and solid waste.

(b) External Storage Space. 1. Exterior solid waste and recycling storage areas shall have a minimum size as indicated in Table No. 12-A. The dimensions of the storage area shall accommodate containers consistent with current methods of collection.

2. The storage area shall be accessible to residents and haulers in order to assure efficient and safe collection. Points of collection shall be located within 200 feet of each dwelling unit.



3. All solid waste and recyclable materials storage areas shall be contained on a concrete or equivalent pad and shall be enclosed with a six (6) foot high solid fence.

4. One sign identifying each exterior solid waste and recycling storage area is required. Each sign shall not exceed one-square-foot and shall be posted on the exterior of the storage area adjacent to the access point.

#### NEW SECTION

WAC 51-20-1223 DIVISION II. REQUIREMENTS FOR GROUP R, DIVISION 4 AND DIVISION 5 OCCUPANCIES. Section 1223. General. (a) Purpose. The purpose of this division is to provide minimum standards of safety for residential group care facilities.

(b) Scope. 1. General. The provisions of this division shall apply to buildings or portions thereof that are to be used for Group R, Division 4 and Division 5 Occupancies.

#### OPTION 1

2. Applicability of other provisions. Except as specifically required by this division, Group R, Division 4 and Division 5 Occupancies shall meet all applicable provisions of this code. Group R, Division 4 and Division 5 Occupancies need not be accessible to people with disabilities.

#### or OPTION 2

2. Applicability of other provisions. Except as specifically required by this division, Group R, Division 4 and Division 5 Occupancies shall meet all applicable provisions of this code. Group R, Division 4 and Division 5 Occupancies shall be accessible to people with disabilities.

(c) Definitions. For the purpose of this division, certain terms are defined as follows:

GROUP R, DIVISION 4 OCCUPANCIES shall be residential group care facilities for ambulatory, nonrestrained persons who may have a mental or physical impairment (each accommodating more than five and not more than 16 clients or residents, excluding staff).

GROUP R, DIVISION 5 OCCUPANCIES shall be residential group care facilities for semi-ambulatory and non-ambulatory, nonrestrained persons who have a mental or physical impairment (each accommodating more than five and not more than 16 clients or residents, excluding staff).

AMBULATORY PERSONS means persons physically and mentally capable of walking or traversing a normal path to safety, including the ascent and descent of stairs, without the physical assistance of another person.

NON-AMBULATORY PERSONS means persons physically or mentally unable to walk or traverse a normal path to safety without the physical assistance of another person.

SEMI-AMBULATORY PERSONS means persons physically and mentally capable of traversing a normal path to safety with the use of mobility aids, but unable to ascend or descend stairs without the physical assistance of another person.

SEPARATE EXIT SYSTEM is a path of exit travel separated in such a manner from other required exits as to provide an atmospheric separation which precludes contamination by both paths by the same fire.

#### NEW SECTION

WAC 51-20-1224 CONSTRUCTION, HEIGHT AND ALLOWABLE AREA. Section 1224. (a) General. Unless otherwise specified in this chapter, buildings or portions of buildings classified as Group R, Division 4 or Division 5 may be constructed of any materials allowed by this code, shall not exceed two stories in height nor be located above the second story in any building. Group R, Division 4 Occupancies shall not exceed 3,000 square feet in floor area per story except as provided in Sections 505 and 507.

#### OPTION 1

Where an approved automatic sprinkler system is installed in accordance with UBC Standard No. 38-3, floor areas in a Group R, Division 4 Occupancy may be increased to 6,000 square feet per story.

#### or OPTION 2

Where an approved automatic sprinkler system is installed in accordance with UBC Standard No. 38-1, floor areas in a Group R, Division 4 Occupancy may be increased to 6,000 square feet per story.

(b) Special Provisions. (1) Residential or quick response standard sprinkler heads shall be used in all sprinkler systems installed in Group R, Division 4 and Division 5 Occupancies.

(2) Group R, Division 4 Occupancies having more than 3,000 square feet of floor area above the first story shall be of not less than one-hour fire-resistive construction throughout.

(3) All buildings classed as Group R, Division 5 shall:

(A) Have installed an approved fully automatic fire extinguishing system conforming to UBC Standard No. 38-1; and,

(B) In buildings with individual floor areas over 6,000 square feet, have an approved smoke barrier dividing the floor into at least two compartments, provided that each compartment shall provide no less than 30 square feet per occupant; and,

(C) Be a minimum Type V, One-hour construction.

EXCEPTION: Buildings classified as Group R, Division 5 may be of Type V-N construction provided:

(i) The entire building has an interior wall and ceiling covering consisting of 1/2 inch gypsum wall board or an approved equal installed in accordance with Section 4711; and,

(ii) An approved smoke detection system, supervised by an approved central, proprietary, or remote station service, is installed throughout the entire structure and interconnected to the sprinkler system.

(D) Be equipped with an approved smoke detector and automatic shutoff in each single system providing heating and cooling air. Automatic shutoffs shall shut down the air moving equipment when smoke is detected in a circulating airstream or an alternate when smoke is detected in rooms served by the system.

Where required, smoke detectors shall be installed in the main circulating-air duct ahead of any fresh air inlet or installed in each room or space served by the return-air duct. Activation of any detector shall cause the air-moving equipment to automatically shut down.

(c) Mixed Occupancies. Group R, Division 4 and Division 5 Occupancies shall be separated from Group H Occupancies by a four-hour fire-resistive occupancy separation and shall be separated from all other occupancies by a one-hour fire-resistive occupancy separation.

EXCEPTIONS: 1. An occupancy separation need not be provided between a Group R, Division 4 or Division 5 Occupancy and a carport having no enclosed uses above, provided the carport is entirely open on two or more sides.

2. In the one-hour occupancy separation between a Group R, Division 4 or Division 5 Occupancy and a Group M, Division 1 Occupancy, the separation may be limited to the installation of materials approved for one-hour fire-resistive construction on the garage side and a self-closing, tight-fitting solid-wood door 1 3/8 inch in thickness, or a self-closing tight-fitting door having a fire-protection rating of not less than 20 minutes when tested in accordance with Part II UBC Standard No. 43-2, which is part of this code, is permitted in lieu of a one-hour fire assembly. Fire dampers need not be installed in air ducts passing through the wall, floor or ceiling separating a Group R, Division 4 or Division 5 Occupancy from a Group M, Division 1 Occupancy, provided such ducts within the Group M Occupancy are constructed of steel having a thickness not less than 0.019 inch (No. 26 galvanized sheet gauge) and have no openings into the Group M Occupancy.

#### NEW SECTION

WAC 51-20-1225 LOCATION ON PROPERTY. Section 1225. Exterior walls located less than 3 feet from property lines shall be of one-hour fire-resistive construction. Openings shall not be permitted in exterior walls located less than 3 feet from property lines. For other requirements, see Section 504 and Part IV.

#### NEW SECTION

WAC 51-20-1226 EXITS AND EMERGENCY ESCAPES. Section 1226. (a) General. 1. Group R, Division 4 and Division 5 Occupancies shall be provided with exits as required by this section and Chapter 33 of this code.

2. All Group R, Division 5 Occupancies located above the first floor shall have at least two exits directly to the exterior of the building, or into separate exit systems in accordance with Section 3309(a) and this chapter.

(b) Exits Required. 1. Number of exits. Every story, basement or portion thereof housing a Group R, Division 4 or Division 5 Occupancy shall have not less than two exits.

EXCEPTIONS: 1. Basements used exclusively for the service of the building may have one exit. For the purpose of this exception, storage

rooms, laundry rooms, maintenance offices and similar uses shall not be considered as providing service to the building.  
 2. Storage rooms, laundry rooms and maintenance offices not exceeding 300 square feet in floor area may be provided with only one exit.

2. Distance to exits. The maximum travel distance specified in Chapter 33 shall be reduced by 50 percent.

**OPTION 1**

(c) Corridor Width. Corridors shall be not less than 36 inches in width.

(d) Stairways. Stairways shall be constructed as required by Section 3306 of this code.

**EXCEPTION:** In buildings that are converted to a Group R, Division 4 or Division 5 Occupancy, existing stairways may have an 8-inch maximum rise and 9-inch minimum run. Existing stairways may be 30 inches in width in Group R, Division 4 Occupancies, and 36 inches in width in Group R, Division 5 Occupancies.

**or OPTION 2**

(c) Corridor Width. Corridors shall be not less than 44 inches in width.

(d) Stairways. Stairways shall be constructed as required by Section 3306 of this code.

**EXCEPTION:** In buildings that are converted to a Group R, Division 4 or Division 5 Occupancy, existing stairways may have an 8-inch maximum rise and 9-inch minimum run. Existing stairways may be 30 inches in width in Group R, Division 4 Occupancies, and 44 inches in width in Group R, Division 5 Occupancies.

(e) Emergency Exit Illumination. In the event of power failure, exit illumination shall be automatically provided from an emergency system. Emergency systems shall be supplied from storage batteries or an on site generator set and the system shall be installed in accordance with the requirements of the Electrical Code.

(f) Emergency Escape. Every sleeping room shall be provided with emergency escape or rescue facilities as required by Section 1204 of this code.

**NEW SECTION**

WAC 51-20-1227 **LIGHT, VENTILATION AND SANITATION.** Section 1227. Light, ventilation and sanitation shall be as specified in Section 1205.

**NEW SECTION**

WAC 51-20-1228 **YARDS AND COURTS.** Section 1228. Yards and courts shall be as specified in Section 1206.

**NEW SECTION**

WAC 51-20-1229 **ROOM DIMENSIONS.** Section 1229. Room dimensions shall be as specified in Section 1207.

**NEW SECTION**

WAC 51-20-1230 **SECTION 1230.** No requirements.

**NEW SECTION**

WAC 51-20-1231 **SHAFT ENCLOSURES.** Section 1231. Exits shall be enclosed as specified in Chapter 33.

Elevator shafts, vent shafts, dumbwaiter shafts, clothes chutes and other vertical openings shall be enclosed and the enclosure shall be as specified in Section 1706.

**NEW SECTION**

WAC 51-20-1232 **FIRE ALARM SYSTEMS.** Section 1232. An approved automatic and manual fire alarm system, supervised by an approved central, proprietary, or remote station service, shall be provided in Group R, Division 4 and Division 5 Occupancies in accordance with Section 14.104 (g) of the Fire Code.

**EXCEPTION:** Heat detectors need not be provided where an approved automatic sprinkler system that is interconnected to the fire alarm system is provided throughout the building.

**NEW SECTION**

WAC 51-20-1233 **HEATING.** Section 1233. All habitable rooms shall be provided with heating facilities capable of maintaining a room temperature of 70° F. at a point 3 feet above the floor.

**NEW SECTION**

WAC 51-20-1234 **SPECIAL HAZARDS.** Section 1234. (a) Heating Equipment. All heating equipment shall be permanently installed. Chimneys and heating apparatus shall conform to the requirements of Chapter 37 of this code and the Mechanical Code.

(b) Flammable Liquids. The storage and handling of gasoline, fuel oil or other flammable liquids shall be in accordance with the Fire Code.

**NEW SECTION**

WAC 51-20-1251 **TABLE NO. 12-A.**

**TABLE No. 12-A**  
**Minimum Size Requirements for Exterior Solid Waste and Recycling Storage Areas**

<u>Dwelling Units</u>	<u>Trash</u>	<u>Recyclables</u>	<u>Total Area</u>
2 - 6	12 sq. ft.	12 sq. ft.	24 sq. ft.
7 - 15	24 sq. ft.	24 sq. ft.	48 sq. ft.
16 - 25	48 sq. ft.	48 sq. ft.	96 sq. ft.
26 - 50	96 sq. ft.	96 sq. ft.	192 sq. ft.
51 - 75	144 sq. ft.	144 sq. ft.	288 sq. ft.
76 - 100	192 sq. ft.	192 sq. ft.	384 sq. ft.
101 - 125	240 sq. ft.	240 sq. ft.	480 sq. ft.
126 - 150	288 sq. ft.	288 sq. ft.	576 sq. ft.
151 - 175	336 sq. ft.	336 sq. ft.	672 sq. ft.
176 - 200	384 sq. ft.	384 sq. ft.	768 sq. ft.
201+	Every additional 25 dwelling units shall require an additional 48 square feet for trash and 48 square feet for recyclables.		

**NEW SECTION**

WAC 51-20-1800 CHAPTER 18. Type I Fire-resistive Buildings.

**NEW SECTION**

WAC 51-20-1807 SPECIAL PROVISIONS FOR GROUP B, DIVISION 2 OFFICE BUILDINGS AND GROUP R, DIVISION 1 OCCUPANCIES. Section 1807. (a) Scope. This section applies to all Group B, Division 2 office and Group R, Division 1 Occupancies, each having floors used for human occupancy located more than 75 feet above the lowest level of fire department access. Such buildings shall be provided with an approved automatic sprinkler system in accordance with Section 1807(c).

(b) Certificate of Occupancy. All mechanical and electrical equipment and other required life safety systems shall be approved and installed in accordance with approved plans and specifications pursuant to this section and shall be tested and proved to be in proper working condition to the satisfaction of the building official before issuance of the Certificate of Occupancy. Such system shall be maintained in accordance with the Fire Code.

(c) Automatic Sprinkler System. 1. System design. The automatic sprinkler system shall be provided throughout the building. The sprinkler system shall be designed using the parameters set forth in U.B.C. Standard No. 38-1 and the following:

A. Shutoff valves and a water-flow device shall be provided for each floor. The sprinkler riser may be combined with the standpipe riser.

B. In Seismic Zones Nos. 2, 3 and 4, in addition to the main water supply, a secondary on-site supply of water equal to the hydraulically calculated sprinkler design demand plus 100 gallons per minute additional for the total standpipe system shall be provided. This supply shall be automatically available if the principal supply fails and shall have a duration of 30 minutes.

2. Modifications. The following modifications of code requirements are permitted:

A. The fire-resistive time periods set forth in Table No. 17-A may be reduced by one hour for interior bearing walls, exterior bearing and nonbearing walls, roofs and the beams supporting roofs, provided they do not frame into columns. Vertical shafts other than stairway enclosures and elevator shafts may be reduced to one hour when sprinklers are installed within the shafts at alternate floors. The fire-resistive time period reduction as specified herein shall not apply to exterior bearing and nonbearing walls whose fire-resistive rating has already been reduced under the exceptions contained within Section 1803(a) or 1903(a).

B. Except for corridors in Group B, Division 2 and Group R, Division 1 Occupancies and partitions separating dwelling units or guest rooms, all interior nonbearing partitions required to be one-hour fire-resistive construction by Table No. 17-A may be of noncombustible construction without a fire-resistive time period.

C. Travel distance from the most remote point in the floor area to a horizontal exit or to an enclosed stairway may be 300 feet.

D. Fire dampers, other than those needed to protect floor-ceiling assemblies to maintain the fire resistance of the assembly, are not required.

E. Emergency windows required by Section 1204 are not required.

(d) Smoke-detection Systems. At least one approved smoke detector suitable for the intended use shall be installed:

1. In every mechanical equipment, electrical, transformer, telephone equipment, elevator machine or similar room.

2. In the main return- and exhaust-air plenum of each air-conditioning system and located in a serviceable area downstream of the last duct inlet.

3. At each connection to a vertical duct or riser serving two or more stories from a return-air duct or plenum of an air-conditioning system. In Group R, Division 1 Occupancies, an approved smoke detector may be used in each return-air riser carrying not more than 5,000 cfm and serving not more than 10 air inlet openings.

The actuation of any detector required by this section shall operate the voice alarm system and shall place into operation all equipment necessary to prevent the recirculation of smoke.

(e) Alarm and Communication Systems. The alarm and communication systems shall be designed and installed so that damage to any terminal unit or speaker will not render more than one zone of the system inoperative.

The voice alarm and public address system may be a combined system. When approved by the fire department, a communications system may be combined with the voice alarm system and the public address system.

Three communication systems which may be combined as set forth above shall be provided as follows:

1. Voice alarm system. The operation of any smoke detector, sprinkler, waterflow device or manual fire alarm station shall automatically sound an alert signal to the desired areas followed by voice instructions giving appropriate information and direction to the occupants.

The central control station shall contain controls for the voice alarm system so that a selective or general voice alarm may be manually initiated.

The system shall be supervised to cause the activation of an audible trouble signal in the central control station upon interruption or failure of the audiopath including amplifiers, speaker wiring, switches and electrical contacts and shall detect opens, shorts and grounds which might impair the function of the system.

The alarm shall be designed to be heard clearly by all occupants within the building or designated portions thereof as is required for the public address system.

2. Public address system. A public address communication system designed to be clearly heard by all occupants of the building shall operate from the central control station. It shall be established on a selective or general basis to the following terminal areas:

A. Elevators.

B. Elevator lobbies.

C. Corridors.

D. Exit stairways.

E. Rooms and tenant spaces exceeding 1,000 square feet in area.

F. Dwelling units in apartment houses.

G. Hotel guest rooms or suites.

3. Fire department communication system. A two-way fire department communication system shall be provided for fire department use. It shall operate between the central control station and elevators, elevator lobbies, emergency and standby power rooms and at entries into enclosed stairways.

**OPTION 1**

(f) Central Control Station. A central control station for fire department operations shall be provided. The location of the central control station shall be approved by the fire department. The central control station room shall have a minimum of 96 square feet with a minimum dimension of 8 feet. It shall contain the following as a minimum:

1. The voice alarm and public address system panels.

2. The fire department communications panel.

3. Fire-detection and alarm system annunciator panels.

4. Annunciator visually indicating the location of the elevators and whether they are operational.

5. Status indicators and controls for air-handling systems.

6. Controls for unlocking all stairway doors simultaneously.

7. Sprinkler valve and water-flow detector display panels.

8. Emergency and standby power controls and status indicators.

9. A telephone for fire department use with controlled access to the public telephone system.

10. Fire pump status indicators.

11. Schematic building plans indicating the typical floor plan and detailing the building core, exit facilities, fire-protection systems, fire-fighting equipment and fire department access.

12. Work table.

All control panels in the central control station shall be permanently identified as to function.

Alarm, supervisory and trouble signals as required by Items 3 and 7 above shall be announced in compliance with the Fire Code in the central control station by means of an audible and visual indicator. For purposes of annunciation, zoning shall be in accordance with the following:

1. When the system serves more than one building, each building shall be considered separately.

2. Each floor shall be considered a separate zone. When one or more sprinkler risers serve the same floor, each riser shall be considered a separate zone.

**EXCEPTION:** When more than one riser serves the same system on the floor.

## OPTION 2

(f) Central Control Station. A central control station for fire department operations shall be provided. The location, size and arrangement of the central control station room shall be approved by the fire department. It shall contain the following as a minimum:

1. The voice alarm and public address system panels.
2. The fire department communications panel.
3. Fire-detection and alarm system annunciator panels.
4. Annunciator visually indicating the location of the elevators and whether they are operational.
5. Status indicators and controls for air-handling systems.
6. Controls for unlocking all stairway doors simultaneously.
7. Sprinkler valve and water-flow detector display panels.
8. Emergency and standby power controls and status indicators.
9. A telephone for fire department use with controlled access to the public telephone system.
10. Fire pump status indicators.
11. Schematic building plans indicating the typical floor plan and detailing the building core, exit facilities, fire-protection systems, fire-fighting equipment and fire department access.
12. Work table.

All control panels in the central control station shall be permanently identified as to function.

Alarm, supervisory and trouble signals as required by Items 3 and 7 above shall be annunciated in compliance with the Fire Code in the central control station by means of an audible and visual indicator. For purposes of annunciation, zoning shall be in accordance with the following:

1. When the system serves more than one building, each building shall be considered separately.
2. Each floor shall be considered a separate zone. When one or more sprinkler risers serve the same floor, each riser shall be considered a separate zone.

**EXCEPTION:** When more than one riser serves the same system on the floor.

(g) Smoke Control. Natural or mechanical ventilation for the removal of products of combustion shall be provided in every story and shall consist of one of the following:

1. Easily identifiable, manually operable windows or panels shall be distributed around the perimeter of the building at not more than 50-foot intervals. The area of operable windows or panels shall not be less than 20 square feet per 50 linear feet of perimeter.

**EXCEPTIONS:**

1. In Group R, Division 1 hotel occupancies, each guest room or suite having an exterior wall may be provided with 2 square feet of venting area in lieu of the area specified above.
2. Windows may be of fixed tempered glass provided that no coating or film is applied which will modify the natural breaking characteristics of the glass.

2. When a complete and approved automatic sprinkler system is installed, the mechanical air-handling equipment may be designed to accomplish smoke removal. Under fire conditions, the return and exhaust air shall be moved directly to the outside without recirculation to other sections of the building. The air-handling system shall provide a minimum of one exhaust air change each 10 minutes for the area involved.

3. Any other approved design which will produce equivalent results.

(h) Elevators. Elevators and elevator lobbies shall comply with the provisions of Chapter 51 and the following:

**NOTE:** A bank of elevators is a group of elevators or a single elevator controlled by a common operating system; that is, all those elevators which respond to a single call button constitute a bank of elevators. There is no limit on the number of cars which may be in a bank or group but there may not be more than four cars within a common hoistway.

1. Elevators on all floors shall open into elevator lobbies which are separated from the remainder of the building, including corridors and other exits, by walls extending from the floor to the underside of the fire-resistive floor or roof above. Such walls shall not be of less than one-hour fire-resistive construction. Openings through such walls shall conform to Section 3305(h).

**EXCEPTIONS:**

1. The main entrance level elevator lobby in office buildings.
2. Elevator lobbies located within an atrium complying with the provisions of Section 1715.
3. In fully sprinklered office buildings, corridors may lead through enclosed elevator lobbies if all areas of the building have access to at least one required exit without passing through the elevator lobby.

2. Each elevator lobby shall be provided with an approved listed smoke detector located on the lobby ceiling. When the detector is activated, elevator doors shall not open and all cars serving that lobby are to return to the main floor and be under manual control only. If the main floor detector or a transfer floor detector is activated, all cars serving the main floor or transfer floor shall return to a location approved by the fire department and building official and be under manual control only. The detector may serve to close the lobby doors and additional doors at the hoistway opening allowed in Section 5106.

3. Elevator hoistways shall not be vented through an elevator machine room. Cable slots entering the machine room shall be sleeved beneath the machine room floor and extend to not less than 12 inches below the shaft vent to inhibit the passage of smoke into the machine room.

(i) Standby Power, Light and Emergency Systems. 1. Standby power. Standby power-generating system conforming to U.B.C. Standard No. 18-1, which is a part of this code (see Chapter 60, Part II), shall be provided. The system shall be equipped with suitable means for automatically starting the generator set upon failure of the normal electrical supply systems and for automatic transfer of all functions required by this section at full power within 60 seconds of such normal service failure. System supervision with manual start and transfer override features shall be provided at the central control station.

An on-premises fuel supply sufficient for not less than two hours' full-demand operation of the system shall be provided.

The standby system shall have a capacity and rating that would supply all equipment required to be operational at the same time. The generating capacity need not be sized to operate all the connected electrical equipment simultaneously.

All power, lighting, signal and communication facilities specified in Subsections (d), (e), (f), (g), (h), (i) and (j) of this section, as applicable; fire pumps required to maintain pressure, standby lighting and normal circuits supplying exit signs and exit illumination shall be transferable to the standby source.

2. Standby lighting. Standby lighting shall be provided as follows:

A. Separate lighting circuits and fixtures sufficient to provide light with an intensity of not less than one footcandle measured at floor level in all exit corridors, stairways, smokeproof enclosures, elevator cars and lobbies and other areas which are clearly a part of the escape route.

B. All circuits supply lighting for the central control station and mechanical equipment room.

3. Emergency systems. The following are classified as emergency systems and shall operate within 10 seconds of failure of the normal power supply:

A. Exit sign and exit illumination as required by Sections 3313 and 3314.

B. Elevator car lighting.

(j) Exits. Exits shall comply with other requirements of this code and the following:

1. All stairway doors which are locked from the stairway side shall have the capability of being unlocked simultaneously without unlatching upon a signal from the central control station.

2. A telephone or other two-way communications system connected to an approved emergency service which operates continuously shall be provided at not less than every fifth floor in each required stairway where other provisions of this code permit the doors to be locked.

(k) Seismic Considerations. In Seismic Zones Nos. 2, 3 and 4, the anchorage of mechanical and electrical equipment required for life-safety systems, including fire pumps and elevator drive and suspension systems, shall be designed in accordance with the requirements of Section 2330.

NEW SECTION

WAC 51-20-2300 GENERAL DESIGN REQUIREMENTS.

NEW SECTION

WAC 51-20-2312 DEFINITIONS FOR WIND DESIGN. Section 2312. The following definitions apply only to this part:

**BASIC WIND SPEED** is the fastest-mile wind speed associated with an annual probability of 0.02 measured at a point 33 feet above the ground for an area having exposure category C.

**EXPOSURE B** has terrain with buildings, forest or surface irregularities 20 feet or more in height covering at least 20 percent of the area extending one mile or more from the site.

EXPOSURE C has terrain which is flat and generally open, extending one-half mile or more from the site in any full quadrant.

**EXPOSURE D**

**OPTION 1**

represents the most severe exposure in areas with basic wind speeds 80 miles per hour (mph) or greater and has terrain which is flat and unobstructed facing large bodies of water over one mile or more in width relative to any quadrant of the building site. Exposure D extends inland from the shoreline 1/4 mile or 10 times the building height, whichever is greater.

**OPTION 2**

represents the most severe exposure in areas with basic wind speeds greater than 80 miles per hour (mph) and has terrain which is flat and unobstructed facing large bodies of water over one mile or more in width relative to any quadrant of the building site. Exposure D extends inland from the shoreline 1/4 mile or 10 times the building height, whichever is greater.

**FASTEST-MILE WIND SPEED** is the wind speed obtained from wind velocity maps prepared by the National Oceanographic and Atmospheric Administration and is the highest sustained average wind speed based on the time required for a mile-long sample of air to pass a fixed point.

**OPEN STRUCTURE or STORY** is a partially enclosed structure that has a greater area of exterior wall openings on any one wall than the sum of the areas of the openings on all the other walls and has more than 15 percent of the wall area open. All windows and doors or other openings in exterior walls shall be considered as openings unless such openings and their frames are specifically detailed and designed to resist the loads on elements and components in accordance with the provisions of this section.

**SPECIAL WIND REGION** is an area where local records and terrain features indicate 50-year fastest-mile basic wind speed is higher than shown in Figure No. 23-1.

**UNENCLOSED STRUCTURE or STORY** is a structure which has openings on two or more sides but the sum of the areas of openings in each side is within 15 percent or less of each other.

**NEW SECTION**

WAC 51-20-2700 CHAPTER 27. Steel.

NEW SECTION

WAC 51-20-2710 STEEL STRUCTURES RESISTING FORCES INDUCED BY EARTHQUAKE MOTIONS IN SEISMIC ZONES NOS. 3 AND 4. Section 2710.

Sec. 2710. (a) General. Design and construction of steel framing in lateral-force-resisting systems in Seismic Zones Nos. 3 and 4 shall conform to the requirements of the code and to the requirements of this section.

(b) Definitions.

ALLOWABLE STRESSES are prescribed in U.B.C. Standard No. 27-15.

CHEVRON BRACING is that form of bracing where a pair of braces located either above or below a beam terminates at a single point within the clear beam span.

CONNECTION is the group of elements that connect the member to the joint.

DIAGONAL BRACING is that form of bracing that diagonally connects joints at different levels.

ECCENTRICALLY BRACED FRAME (EBF) is that form of braced frame where at least one end of each brace intersects a beam at a point away from the column girder joint.

GIRDER is the horizontal member in a seismic frame. The words beam and girder may be used interchangeably.

JOINT is the entire assemblage at the intersections of the members.

K BRACING is that form of bracing where a pair of braces located on one side of a column terminates at a single point within the clear column height.

LINK BEAM is that part of a beam in an eccentrically braced frame which is designed to yield in shear and/or bending so that buckling of the bracing members is prevented.

STRENGTH is the strength as prescribed in Section 2710 (d) 2.

V BRACING is that form of chevron bracing that intersects a beam from above and inverted V bracing is that form of chevron bracing that intersects a beam from below.

X BRACING is that form of bracing where a pair of diagonal braces cross near midlength of the bracing members.

(c) Symbols and Notations. The symbols and notations unique to this section are as follows:

- $M_p$  = plastic moment.
- $P_{DL}$  = axial dead load.
- $P_E$  = axial load on member due to earthquake.
- $P_{LL}$  = axial live load.
- $P_{sc}$  = compressive axial strength of member.
- $P_{st}$  = tensile axial strength of member.
- $V_s$  = shear strength of member.
- $Z$  = plastic section modulus.

(d) Materials. 1. Structural steel used in lateral-force-resisting systems shall conform to A 36, A 441, A 500, A 501, A 572 (Grades 42 and 50) and A 588. Structural steel conforming to A 283 (Grade D) may be used for base plates and anchor bolts.

EXCEPTION: Other steels permitted in this code may be used for the following:

- A. One-story buildings.
- B. Light-framed wall systems in accordance with Section 2710 (j).

2. Member strength. Where this section requires that the strength of the member be developed, the following shall be used:

	STRENGTH
Flexure	$M_s = ZF_y$
Shear	$V_s = 0.55 F_y d_t$
Axial compression	$P_{sc} = 1.7 F_c A$
Axial tension	$P_{st} = F_y A$
Connectors	
Full-penetration welds	$F_y A$
Partial penetration welds	1.7 Allowable
Bolts and fillet welds	1.7 Allowable

Members need not be compact unless otherwise required by this section.

(e) Column Requirements. 1. Column strength. Columns shall satisfy the load combinations required by Section 2303 (f) at allowable stress limits, with stress increases allowed by Section 2303 (d). In addition, in Seismic Zones Nos. 3 and 4, columns in frames shall have the strength to resist the axial loads resulting from the load combinations in Items A and B following.

## A. Axial Compression

$$1.0 P_{DL} + 0.7 P_{LL} + 3(R_w/8)P_E$$

## B. Axial Tension

$$0.85 P_{DL} + 3(R_w/8)P_E$$

EXCEPTION: The axial load combination as outlined in Items A and B above:

A. Need not exceed either the maximum force that can be transferred to the column, by elements of the structure, or the limit as determined by the overturning uplift which the foundation is capable of resisting.

B. Need not apply to columns in moment-resisting frames complying with Formulas (10-3a) or (10-3b) where  $f_c$  is equal to or less than  $0.3 F_y$  for all load combinations.

The load combinations from Items A and B need be used only when specifically referred to.

2. Column splices. Column splices shall have sufficient strength to develop the column forces determined from Section 2710 (e) 1. Welded column splices subject to net tensile forces shall comply with the more critical of the following:

A. Partial penetration welds shall be designed to resist 150 percent of the force determined from Section 2710 (c) 1 B.

B. Welding shall develop not less than 50 percent of the flange area strength of the smaller column.

Splices employing partial penetration welds shall be located at least three feet from girder flanges.

3. Slenderness evaluation. This paragraph is applicable when the provisions are applied to the effective length determination of columns of moment frames resisting earthquake forces. In the plane of the earthquake forces the factor  $K$  may be taken as unity when all of the following conditions are met:

A. The column is either continuous or is fixed at each joint.

B. The maximum axial compressive stress,  $f_c$ , does not exceed  $0.4 F_y$  under design loads.

C. The calculated story drift ratios are less than the values given in Section 2334 (h).

(f) Ordinary Moment Frame Requirements. Girder-to-column connections of ordinary moment frames shall meet the requirements of Section 2710 (g) 1 unless it can be shown that they are capable of resisting the combination of gravity loads and  $3(R_w/8)$  times the design seismic forces.

(g) Special Moment-resisting Frame (SMRF) Requirements. 1. Girder-to-column connection. A. Required strength. The girder-to-column connection shall be adequate to develop the lesser of the following:

(i) The strength of the girder in flexure.

(ii) The moment corresponding to development of the panel zone shear strength as determined from Formula (10-1).

EXCEPTION: Where a connection is not designed to contribute flexural resistance at the joint, it need not develop the required strength if it can be shown to meet the deformation compatibility requirements of Section 2337 (4) 4.

B. Connection strength. The girder-to-column connection may be considered to be adequate to develop the flexural strength of the girder if it conforms to the following:

(i) The flanges have full-penetration butt welds to the columns.

(ii) The girder web-to-column connection shall be capable of resisting the girder shear determined for the combination of gravity loads and the seismic shear forces which result from compliance with Section 2710 (g) 2 A. This connection strength need not exceed that required to develop gravity loads plus  $3(R_w/8)$  times the girder shear resulting from the prescribed seismic forces.

Where the flexural strength of the girder flanges is greater than 70 percent of the flexural strength of the entire section (i.e.,  $b_f(d-t)F_y > 0.7Z_xF_y$ ) the web connection may be made by means of welding or high-strength bolting.

For girders not meeting the criteria in the paragraph above, the girder web-to-column connection shall be made by means of welding the web directly or through shear tabs to the column. That welding shall have a strength capable of developing at least 20 percent of the flexural strength of the girder web. The girder shear shall be resisted by means of additional welds or friction-type slip-critical high-strength bolts or both.

C. Alternate connection. Connection configurations utilizing welds or high-strength bolts not conforming with paragraph B above may be used if they are shown by test or calculation to meet the criteria in paragraph A above. Where conformance is shown by calculation, 125 percent of the strengths of the connecting elements may be used.

D. Flange detail limitations. For steel whose specified ultimate strength is less than 1.5 times the specified yield strength, plastic hinges shall not form at locations in which the beam flange area has been reduced, such as for bolt holes. Bolted connections of flange plates of beam-column joints shall have the net-to-gross area ratio  $A_n/A_g$  equal to or greater than  $1.2 F_y/F_u$ .

2. Panel zone. A. Strength. The panel zone of the joint shall be capable of resisting the shear induced by beam bending moments due to gravity loads plus 1.85 times the prescribed seismic forces, but the shear strength need not exceed that required to develop  $0.8 \Sigma M_f$  of the girders framing into the column flanges at the joint. The joint panel zone shear strength may be obtained from the following formula:

$$V = 0.55 F_y d_t \left[ 1 + \frac{3b_c t_c^2}{d_c d_t} \right] \tag{10-1}$$

WHERE:

- $t$  = the total thickness of the joint panel zone including doubler plates.
- $d_b$  = the depth of the beam.
- $d_c$  = the column depth.
- $b_c$  = is the width of the column flange.
- $t_c$  = is the thickness of the column flange.

B. Thickness. The panel zone thickness,  $t_z$ , shall conform to the following formula:

$$t_z \geq (d_z + w_z)/90 \tag{10-2}$$

WHERE:

- $d_z$  = the panel zone depth between continuity plates.
- $w_z$  = the panel zone width between column flanges.

For this purpose,  $t_z$  shall not include any double plate thickness unless the doubler plate is connected to the column web with plug welds adequate to prevent local buckling of the plate.

C. Doubler plates. Doubler plates provided to reduce panel zone shear stress or to reduce the web depth thickness ratio shall be placed not more than  $1/16$  inch from the column web and shall be welded across the plate width top and bottom with at least a  $3/16$ -inch fillet weld. They shall be either butt or fillet welded to the column flanges to develop the shear strength of the doubler plate. Weld strength shall be as given in Section 2710 (d) 2.

3. Flange width-thickness ratio. Girders shall comply with U.B.C. Standard No. 27-15, except that the flange width-thickness ratio,  $b_f/2t_f$ , shall not exceed  $52/\sqrt{F_y}$ .

4. Continuity plates. When determining the need for girder tension flange continuity plates, the value of  $P_{bf}$  in U.B.C. Standard No. 27-15 shall be taken as  $1.8 (b_f)F_{yb}$ .

5. Strength ratio. At any moment frame joint, the following relationships shall be satisfied:

$$\Sigma \Sigma_c (F_{yc} - f_a) / \Sigma \Sigma_b F_{yb} > 1.0 \tag{10-3a}$$

or

$$\Sigma \Sigma_c (F_{yc} - f_a) / 1.25 \Sigma M_{ps} > 1.0 \tag{10-3b}$$

WHERE:

$f_a > 0$

$M_{ps}$  = the sum of beam moments when panel zone shear strength reaches the value specified in Formula (10-1).



## OPTION 1

EXCEPTION: Columns meeting the compactness limitations for beams given in Section 2710(g)3 need not comply with this requirement provided they conform to one of the following conditions:

A. Columns with  $f_c$  less than  $0.4 F_y$  for all load combinations other than loads specified in Section 2710(e)1, and

(i) Which are used in the top story of a multistory building with building period greater than 0.7 second; or

(ii) Which are used in single-story buildings; or

(iii) Where the sum of their resistance is less than 20 percent of the shear in a story, and is less than 33 percent of the shear on each of the column lines within that story. A column line is defined for the purpose of this exception as a single line of columns, or parallel lines of columns located within 10 percent of the plan dimension perpendicular to the line of columns; or

(iv) When the design for combined axial compression and bending is proportioned to satisfy U.B.C. Standard No. 27-15 without the one-third permissible stress increase.

B. Columns in any story which have lateral shear strength 50 percent greater than that of the story above.

C. Columns which lateral shear strengths are not included in the design to resist code-required shears.

## OPTION 2

EXCEPTION: Columns meeting the compactness limitations for beams given in Section 2710(g)3 need not comply with this requirement provided they conform to one of the following conditions:

A. Columns with  $f_c$  less than  $0.4 F_y$  for all load combinations other than loads specified in Section 2710(e)1, and

(i) Which are used in the top story of a multistory building with building period greater than 0.7 second; or

(ii) Where the sum of their resistance is less

than 20 percent of the shear in a story, and is less than 33 percent of the shear on each of the column lines within that story. A column line is defined for the purpose of this exception as a single line of columns, or parallel lines of columns located within 10 percent of the plan dimension perpendicular to the line of columns; or

(iii) When the design for combined axial compression and bending is proportioned to satisfy U.B.C. Standard No. 27-15 without the one-third permissible stress increase.

B. Columns in any story which have lateral shear strength 50 percent greater than that of the story above.

C. Columns which lateral shear strengths are not included in the design to resist code-required shears.

6. Trusses in SMRF. Trusses may be used as horizontal members in SMRF if the sum of the truss seismic force flexural strength exceeds the sum of the column seismic force flexural strength immediately above and below the truss by a factor of at least 1.25. For this determination the strengths of the members shall be reduced by the gravity load effects. In buildings of more than one story, the column axial stress shall not exceed  $0.4F_y$ , and the ratio of the unbraced column height to the least radius of gyration shall not exceed 60. Columns shall have allowable stresses reduced 25 percent when one end frames into a truss, and 50 percent when both ends frame into trusses. The connection of the truss chords to the column shall develop the lesser of the following:

A. The strength of the truss chord.

B. The chord force necessary to develop 125 percent of the flexural strength of the column.

7. Girder-column joint restraint. A. Restrained joint. Where it can be shown that the columns of SMRF remain elastic, the flanges of the columns need be laterally supported only at the level of the girder top flange.

Columns may be assumed to remain elastic if one of the following conditions is satisfied:

(i) The ratio in Formula (10-3a) or (10-3b) is greater than 1.25.

(ii) The flexural strength of the column is at least 1.25 times the moment that corresponds to the panel zone shear strength.

(iii) Girder flexural strength or panel zone strength will limit column stress ( $f_a + f_{bx} + f_{by}$ ) to  $F_y$  of the column.

(iv) The column will remain elastic under gravity loads plus  $3(R_w/8)$  times the prescribed seismic forces.

Where the column cannot be shown to remain elastic, the column flanges shall be laterally supported at the levels of the girder top and bottom flanges. The column flange lateral support shall be capable of resisting a force equal to one percent of the girder flange capacity at allowable stresses and at a limiting displacement perpendicular to the frame of 0.2 inch. Required bracing members may brace the column flanges directly or indirectly through the column web or the girder flanges.

B. Unrestrained joint. Columns without lateral support transverse to a joint shall conform to the requirements of U.B.C. Standard No. 27-15, with the column considered as pin ended and the length taken as the distance between lateral supports conforming with A above. The column stress,  $f_a$ , shall be determined from gravity loads plus the lesser of the following:

(i)  $3(R_w/8)$  times the prescribed seismic forces.

(ii) The forces corresponding to either 125 percent of the girder flexural strength or the panel zone shear strength.

The stress  $f_{by}$ , shall include the effects of the bracing force specified in Section 2710 (g) 7 A and P Δ.

$l/r$  for such columns shall not exceed 60.

At truss frames the column shall be braced at each truss chord for a lateral force equal to one percent of the compression yield strength of the chord.

8. Beam bracing. Both flanges of beams shall be braced directly or indirectly. The beam bracing between column center lines shall not exceed  $96r_y$ . In addition, braces shall be placed at concentrated loads where a hinge may form.

9. Changes in beam flange area. Abrupt changes in beam flange area are not permitted within possible plastic hinge regions of special moment-resistant frames.

10. Moment frame drift calculations. Moment frame drift calculations shall include bending and shear contributions from the clear girder and column spans, column axial deformation and the rotation and distortion of the panel zone.

EXCEPTIONS: 1. Drift calculations may be based on column and girder center lines where either of the following conditions is met:

A. It can be demonstrated that the drift so computed for frames of similar configuration is typically within 15 percent of that determined above.

B. The column panel zone strength can develop  $0.8 S M_x$  of girders framing to the column flanges at the joint.

2. Column axial deformations may be neglected if they contribute less than 10 percent to the total drift.

(h) Requirements for Braced Frames. 1. General. The provisions of this section apply to all braced frames except eccentrically braced frames (EBF) designed in accordance with Section 2710 (i). Those members which resist seismic forces totally or partially by shear or flexure shall be designed in accordance with Section 2710 (g) except Subsection 3.

2. Bracing members. A. Slenderness. In Seismic Zones Nos. 3 and 4, the  $l/r$  ratio for bracing members shall not exceed  $720/\sqrt{F_y}$ , except as permitted in Subsections 5 and 6 below.

B. Stress reduction. The allowable stress,  $F_{as}$ , for bracing members resisting seismic forces in compression shall be determined from the following formula:

$$F_{as} = BF_a \tag{10-4}$$

WHERE:

$F_a$  = the allowable axial compressive stress allowed in U.B.C. Standard No. 27-15.

$B$  = the stress-reduction factor determined from the following formula:

$$B = 1/[1 + Kl/r]/2C_p] \tag{10-5}$$

C. Lateral force distribution. The seismic lateral force along any line of bracing shall be distributed to the various members so that neither the sum of the horizontal components of the forces in members acting in tension nor the sum of the horizontal components of forces in members acting in compression exceed 70 percent of the total force.

EXCEPTION: Where compression bracing acting alone has the strength, neglecting the strength-reduction factor  $B$ , to resist  $3(R_w/8)$  times the prescribed seismic force such distribution is not required.

A line of bracing is defined, for the purpose of this provision, as a single line or parallel lines within 10 percent of the dimension of the structure perpendicular to the line of bracing.

D. Built-up members. The  $l/r$  of individual parts of built-up bracing members between stitches, when computed about a line perpendicular to the axis through the parts, shall not be greater than 75 percent of the  $l/r$  of the member as a whole.

E. Compression elements in braces. The width-thickness ratio of stiffened and unstiffened compression elements used in braces shall be as shown in U.B.C. Standard No. 27-15.

3. Bracing connections. A. Forces. Bracing connections shall have the strength to resist the lesser of the following:

- (i) The tensile strength of the bracing.
- (ii)  $3(R_w/8)$  times the force in the brace due to the prescribed seismic forces.
- (iii) The maximum force that can be transferred to the brace by the system.

Beam-to-column connections for beams that are part of the bracing system shall have the capacity to transfer the force determined above.

B. Net area. In bolted brace connections, the ratio of effective net section area to gross section area shall satisfy the formula:

$$\frac{A_e}{A_g} \geq \frac{1.2 \alpha F^*}{F_u} \tag{10-6}$$

WHERE:

$A_e$  = effective net area as defined in Section 2711 (b) 2.

$F^*$  = stress in brace as determined in Section 2710 (h) 3 A.

$F_u$  = minimum tensile strength.

$\alpha$  = fraction of the member force from Section 2710 (h) 2 A that is transferred across a particular net section.

4. Bracing configuration. A. Chevron bracing. Chevron bracing shall conform with the following:

(i) Bracing members shall be designed for 1.5 times the otherwise prescribed forces.

(ii) The beam intersected by chevron braces shall be continuous between columns.

(iii) Where chevron braces intersect a beam from below, i.e., inverted V brace, the beam shall be capable of supporting all tributary gravity loads presuming the bracing not to exist.

EXCEPTION: This limitation need not apply to penthouses, one-story buildings or the top story of buildings.

B. K bracing. K bracing is prohibited except as permitted in Subsection 5 below.

5. One- and two-story buildings. Braced frames not meeting the requirements of Section 2710 (h) 2 and 4 may be used in buildings not over two stories in height and in roof structures as defined in Chapter 36 if the braces have the strength to resist  $3(R_w/8)$  times the code equivalent static forces.

6. Nonbuilding structures. Nonbuilding structures with  $R_w$  values defined by Table No. 23-Q need comply only with the provisions of Section 2710 (h) 3.

(i) Eccentrically Braced Frame (EBF) Requirements. Eccentrically braced frames shall be designed in accordance with the following:

1. Link beam. There shall be a link beam provided at least at one end of each brace. Beams in EBFs shall comply with the requirements of U.B.C. Standard No. 27-15, except that the flange width-thickness ratio,  $b_f/2t_f$ , shall not exceed  $52/\sqrt{F_y}$ .

2. Link beam strength. A. Link beam shear strength,  $V_s$ , and flexural strength,  $M_s$ , are the strengths as defined in Section 2710 (d) 2. Where link beam strength is governed by shear, the flexural and axial capacities within the link shall be calculated using the beam flanges only.

B. A reduced flexural strength,  $M_{rs}$ , for use in Section 2710 (i) 7 and 12 is defined as  $Z(F_y - f_o)$ . Where  $f_o$  is less than  $0.15F_y$ ,  $f_o$  may be neglected.

3. Link beam rotation. The rotation of the link segment relative to the rest of the beam, at a total frame drift of  $3(R_w/8)$  times the drift determined for prescribed seismic forces, shall not exceed the following:

A. 0.060 radians for link segments having clear lengths of  $1.6 M_s/V_s$  or less.

B. 0.015 radians for link segments having clear lengths of  $2.6 M_s/V_s$  or greater.

C. A value obtained by linear interpolation for clear lengths between the above limits.

4. Link beam web. The web of the link beam shall be single thickness without doubler plate reinforcement. No openings shall be placed in the web of a link beam. The web shear shall not exceed  $0.8V_s$  under prescribed lateral forces.

5. Beam connection braces. Brace-to-beam connections shall develop the compression strength of the brace and transfer this force to the beam web. No part of the brace-to-beam connection shall extend into the web area of a link beam.

6. Link beam stiffeners. Link beams shall have full-depth web stiffeners on both sides of the beam web at the brace end of the link beam. In addition, for link beams with clear lengths within the limits in Section 2710 (i) 3 C, full-depth stiffeners shall be placed at a distance  $b_f$  from each end of the link. The stiffeners shall have a combined width not less than  $b - 2t_w$  and a thickness not less than  $0.75 t_w$  or less than  $3/8$  inch.

7. Intermediate stiffeners. Intermediate full-depth web stiffeners shall be provided in either of the following conditions:

A. Where the link beam strength is controlled by  $V_s$ .

B. Where the link beam strength is controlled by flexure and the shear determined by applying the reduced flexural strength,  $M_{rs}$ , exceeds  $0.45 F_y d t$ .

8. Web stiffener spacing. Where intermediate web stiffeners are required, the spacing shall conform to the requirements given below.

A. For link beams with rotation angle of 0.06 radians, the spacing shall not exceed  $38t - d/5$ .

B. For link beams with a rotation angle of 0.03 radians or less, the spacing shall not exceed  $56t_w - d/5$ . Interpolation may be used for rotation angles between 0.03 and 0.06 radians.

9. Web stiffener location. For beams 24 inches in depth and greater, intermediate full-depth web stiffeners are required on both sides of the web. Such web stiffeners are required only on one side of the beam web for beams less than 24 inches in depth. The stiffener thickness,  $t_w$ , of one side stiffeners shall not be less than  $3/8$  inch and the width shall not be less than  $(b_f/2) - t_w$ .

10. Stiffener welds. Fillet welds connecting the stiffener to the beam web shall develop a stiffener force of  $A_s t F_y$ . Fillet welds connecting the stiffener to the flanges shall develop a stiffener force of  $A_s t F_y/4$ , where  $A_s = b t$  of stiffener and  $b =$  width of stiffener plate.

11. Link beam-column connections. A. Where a link beam is connected to the column flange, the following requirements shall be met:

(i) The beam flanges shall have full-penetration welds to the column.

(ii) Where the link beam strength is controlled by shear in conformance with Section 2710 (i) 7, the web connection shall be welded to develop the full link beam web shear strength.

B. Where the link beam is connected to the column web, the beam flanges shall have full-penetration welds to the connection plates and the web connection shall be welded to develop the link beam web shear strength.

12. Brace strength. Each brace shall have a compressive strength at least 1.5 times the axial force corresponding to the controlling link beam strength. The controlling link beam strength is either the shear strength,  $V_s$ , or the reduced flexural strength,  $M_{rs}$ , whichever results in the lesser force in the brace.

13. Column strength. Columns shall be designed to remain elastic at 1.25 times the strength of the EBF bay, as defined in Subsection 12 above.

14. Roof link beam. A link beam is not required in roof beams for EBF over five stories.

15. Concentric brace in combination. The first story of an EBF bay over five stories in height may be concentrically braced if this story can be shown to have an elastic capacity 50 percent greater than the yield capacity of the story frames above the first story.

16. Axial forces. Axial forces in beams of EBF frames due to braces and due to transfer of seismic force to the end of the frames shall be included in the frame calculations.

17. Beam flanges. Top and bottom flanges of EBF frame beams shall be laterally braced at the ends of link beams and at intervals not exceeding  $76/\sqrt{F_y}$  times the beam flange width. End bracing shall be designed to resist 1.5 percent of the beam flange strength, defined as  $F_y b_f t_f$ . Intermediate bracing shall be designed to resist 1.0 percent of the beam flange force at the brace point using the link beam strength determined in Section 2710 (i) 12.

18. Beam-column connection. Beam connections to columns may be designed as pins in the plane of the beam web if the link beam is not adjacent to the column. Such connection shall have the capacity to resist a torsional moment of  $0.01F_y b_f t_f d$ .

(j) Stud Wall Systems. Stud wall systems may be used to resist the specified seismic forces in buildings not over five stories in height. Such systems shall comply with the following:

1. The  $l/r$  of the brace may exceed 200 and is unlimited.

2. All boundary members, chords and collectors shall be designed and detailed to transmit the induced axial forces.

3. Connection of the diagonal bracing member, top chord splices, boundary members and collectors shall be designed to develop the full tensile strength of the member or  $3(R_w/8)$  times the otherwise prescribed seismic forces.

4. Vertical and diagonal members of the braced bay shall be anchored so the bottom track is not required to resist uplift forces by bending of the track web.

5. Both flanges of studs in a bracing panel shall be braced to prevent lateral torsional buckling. Wire tied bridging shall not be considered to provide such restraint.

6. Screws shall not be used to resist lateral forces by pullout resistance.

7. Provision shall be made for pretensioning or other methods of installation of tension-only bracing to guard against loose diagonal straps.

(k) Nondestructive Testing. Welded connections between the primary members of special moment-resisting frames shall be tested by nondestructive methods for compliance with U.B.C. Standard No. 27-6 and job specifications. This testing shall be a part of the special inspection requirements of Section 306. A program for this testing shall be established by the person responsible for structural design and as shown on plans and specifications.

As a minimum, this program shall include the following:

1. All complete penetration groove welds contained in joints and splices shall be tested 100 percent either by ultrasonic testing or by radiography.

EXCEPTION: When approved, the nondestructive testing rate for an individual welder or welding operator may be reduced to 25 percent, provided the reject rate is demonstrated to be 5 percent or less of the welds tested for the welder or welding operator. A sampling of at least 40 completed welds for a job shall be made for such reduction evaluation. Reject rate is defined as the number of welds containing rejectable defects divided by the number of welds completed. For evaluating the reject rate of continuous welds over 3 feet in length where the effective throat thickness is 1 inch or less, each 12-inch increment or fraction thereof shall be considered as one

weld. For evaluating the reject rate on continuous welds over 3 feet in length where the effective throat thickness is greater than 1 inch, each 6 inches of length or fraction thereof shall be considered one weld.

When approved by the building official and outlined in the project plans and specifications, this nondestructive ultrasonic testing may be performed in the shop of an approved fabricator utilizing qualified test techniques in the employment of the fabricator.

2. Partial penetration groove welds when used in column splices shall be tested either by ultrasonic testing or radiography when required by the plans and specifications.

3. Base metal thicker than 1 1/2 inches, when subjected to through-thickness weld shrinkage strains, shall be ultrasonically inspected for discontinuities directly behind such welds after joint completion.

Any material discontinuities shall be accepted or rejected on the basis of the defect rating in accordance with the (larger reflector) criteria of U.B.C. Standard No. 27-6.

**NEW SECTION**

WAC 51-20-3000 CHAPTER 30. VENEER.

**NEW SECTION**

WAC 51-20-3007 PLASTIC VENEER. Section 3007.

When used within a building, plastic veneer shall comply with the interior finish requirements of Chapter 42. Exterior plastic veneer shall be of approved plastics materials as defined in Chapter 4 and shall comply with the following:

(a) Plastic veneer shall not be attached to any exterior wall to a height greater than 50 feet above grade.

(b) Sections of plastic veneer shall not exceed 300 square feet in area and shall be separated by a minimum of 4 feet vertically.

**EXCEPTIONS:** 1. The area and separation requirements and the smoke-density limitation are not applicable to plastic veneer applied to Type V-N buildings, provided the walls are not required to have a fire-resistive rating.

**OPTIONAL**

2. The area and separation requirements are not applicable to veneers of approved plastic materials meeting the ASTM Standard No. D3679-81a when applied to exterior surfaces that have a one-hour fire-resistive rating before the application of the veneer.

**NEW SECTION**

WAC 51-20-3100 CHAPTER 31 ACCESSIBILITY.

**PART I  
NEW CONSTRUCTION****NEW SECTION**

WAC 51-20-3101 SCOPE. Section 3101. (a) General. Buildings or portions of buildings shall be accessible to persons with disabilities as required by this chapter.

Chapter 31 has been amended to comply with the Federal Fair Housing Act (FFHA) Guidelines as published by the U.S. Department of Housing and Urban Development (March 1991) and the Americans With Disabilities Act (ADA) Guidelines as published by the U.S. Architectural and Transportation Barriers Compliance Board and Department of Justice (July, 1991).

Reference is made to Appendix Chapter 31 for FFHA and ADA requirements not regulated by this chapter.

(b) Design. The design and construction of accessible building elements shall be in accordance with this chapter. For a building, structure or building element to be considered to be accessible, it shall be designed and constructed to the minimum provisions of this chapter.

(c) Maintenance of Facilities. Any building, facility, dwelling unit or site which is constructed to be accessible or adaptable under this chapter shall be maintained accessible and/or adaptable during its occupancy.

**NEW SECTION**

WAC 51-20-3102 DEFINITIONS. Section 3102. For the purpose of the chapter certain terms are defined as follows:

**ACCESSIBLE** is approachable and usable by persons with disabilities.

**ACCESS AISLE** is an accessible pedestrian space between elements, such as parking spaces, seating, and desks, that provides clearances appropriate for use of the elements.

**ACCESSIBLE EXIT** is an exit, as defined in Section 3301 (b), which complies with this chapter and does not contain stairs, steps, or escalators.

**ACCESSIBLE ROUTE OF TRAVEL** is a continuous unobstructed path connecting all accessible elements and spaces in an accessible building or facility that can be negotiated by a person using a wheelchair and that is usable by persons with other disabilities.

**AREA FOR EVACUATION ASSISTANCE** is an accessible space which is protected from fire and smoke and which facilitates a delay in egress.

**AUTOMATIC DOOR** is a door equipped with a power-operated mechanism and controls that open and close the door automatically upon receipt of a momentary actuating signal. The switch that begins

the automatic cycle may be a photoelectric device, floor mat or manual switch (see also, Power-assisted Door).

**CLEAR** is unobstructed.

**CLEAR FLOOR SPACE** is unobstructed floor or ground space (see Section 3106 (b)).

**COMMON USE AREAS** are rooms, spaces or elements inside or outside a building that are made available for use by occupants of the building.

**CROSS SLOPE** is the slope that is perpendicular to the direction of travel.

**CURB RAMP** is a short ramp cutting through or built up to a curb.

**DETECTABLE WARNING** is a standardized surface feature built in or applied to walking surfaces or other elements to warn visually impaired persons of hazards on a circulation path.

**DWELLING UNIT, TYPE A** is an accessible dwelling unit that is designed and constructed to provide full wheelchair access to all accessible doors, a 60 inch minimum diameter unobstructed floor space for wheelchair access in kitchens and bathrooms, and accessible counter space.

**DWELLING UNIT, TYPE B** is an accessible dwelling unit that is designed and constructed to the U.S. Department of Housing and Urban Development Federal Fair Housing Act Accessibility Guidelines.

**ELEMENT** is an architectural or mechanical component of a building, facility, space, or site, such as telephones, curb ramps, doors, drinking fountains, seating, or water closets.

**LANDING** is a level area (except as otherwise provided), within or at the terminus of a stair or ramp.

**MARKED CROSSING** is a crosswalk or other identified path intended for pedestrian use in crossing a vehicular way.

**MULTISTORY DWELLING UNIT** is a dwelling unit with finished living space located on one floor, and the floor or floors immediately above or below it.

**PERSON WITH DISABILITY** is an individual who has an impairment, including a mobility, sensory or cognitive impairment, which results in a functional limitation in access to and using a building or facility.

**POWER-ASSISTED DOOR** is a door used for human passage with a mechanism that helps to open the door, or relieve the opening resistance of the door, upon the activation of a switch or a continued force applied to the door itself.

**PUBLIC USE AREAS** are those interior or exterior rooms or spaces which are made available to the general public. Public use may be provided at a privately or publicly owned building or facility.

**PRIMARY ENTRY** is the principal entrance through which most people enter the building. A building may have more than one primary entry.

**PRIMARY ENTRY LEVEL** is the floor or level of the building on which the primary entry is located.

**PRIMARY FUNCTION** is the major function for which the facility is intended.

**RAMP** is any walking surface having a running slope exceeding 1 inch vertical in 48 inches horizontal.

**SERVICE ENTRY** is an entrance intended primarily for delivery of goods or services.

**SINGLE-STORY DWELLING UNIT** is a dwelling unit with all finished living spaces located on one floor.

**SITE** is a parcel of land bounded by a property line or a designated portion of a public right-of-way.

**TACTILE** is an object that can be perceived using the sense of touch.

**TEXT TELEPHONE** is machinery or equipment that employs interactive graphic (i.e., typed) communications through the transmission of coded signals across the standard telephone network. Text telephones include telecommunications display devices or telecommunications devices for the deaf (TDD's), or computers.

**VEHICULAR WAY** is a route intended for vehicular traffic, such as a driveway or parking lot.

**NEW SECTION**

WAC 51-20-3103 BUILDING ACCESSIBILITY. Section 3103.

(a) Where required. 1. General. Accessibility to temporary or permanent buildings or portions thereof shall be provided for all occupancy classifications except as modified by this chapter. See also Appendix Chapter 31.

**EXCEPTIONS:** 1. Floors or portions of floors not customarily occupied, including, but not limited to, elevator pits, observation galleries

used primarily for security purposes, elevator penthouses, non-occupiable spaces accessed only by ladders, catwalks, crawl spaces, very narrow passage ways or freight elevators, piping and equipment catwalks and machinery, mechanical and electrical equipment rooms.

2. In other than Group R Occupancies; Group B, Division 2 retail Occupancies; terminals, depots and other stations used for transportation; and the professional offices of health care providers, floors above and below fully accessible levels that have areas of less than 3000 square feet per floor, need not be accessible provided that the primary entry level provides facilities equivalent to those located on the nonaccessible levels.

3. Temporary structures, sites and equipment directly associated with the construction process such as construction site trailers, scaffolding, bridging or material hoists are not required to be accessible.

Where provided, elevators shall meet the provisions of Section 3105 (c) of this code.

2. Group A Occupancies. A. General. All Group A Occupancies shall be accessible as provided in this chapter.

EXCEPTIONS: 1. In non-elevator buildings, where the area of mezzanine seating is not more than 25 percent of the total seating, an accessible means of vertical access to the mezzanine is not required; provided that the same services are provided in an accessible space which is not restricted to use only by persons with disabilities. Comparable facilities shall be available in all seating areas.

2. In banquet rooms or spaces where the head table or speaker's lectern is located on a permanent raised platform, the platform shall be accessible in compliance with Section 3106. Open edges on a raised platform shall be protected by a curb with a height of not less than 2 inches.

Stadiums, theaters, auditoriums and similar occupancies shall provide wheelchair spaces in accordance with Table No. 31-A. Removable seats shall be permitted in the wheelchair spaces.

Wheelchair spaces shall be accessible and shall be located in places with unobstructed sight lines. Where total seating capacity exceeds 300, wheelchair spaces shall be reasonably distributed throughout the seating plan.

In addition, one percent, but not less than one, of all fixed seats shall be aisle seats with no armrests, or removable or folding armrests on the aisle side.

B. Assistive Listening Devices. Any assembly occupancies shall have an assistive listening system complying with Section 3106 (u) 3.

Assistive listening devices shall be provided at a rate of 4 percent of the total number of seats, but in no case fewer than two. Signage complying with Section 3106 (p) shall be installed to notify patrons of the availability of the listening system.

3. Group B Occupancies. All Group B Occupancies shall be accessible as provided in this chapter. Group B Occupancies with assembly spaces shall comply with Section 3103 (a) 2. B.

4. Group E Occupancies. All Group E Occupancies shall be accessible as provided in this chapter. Group E Occupancies with assembly spaces shall comply with Section 3103 (a) 2. B.

5. Group H Occupancies. All Group H Occupancies shall be accessible as provided in this chapter.

6. Group I Occupancies. All Group I Occupancies shall be accessible in all public use, common use and employee use areas, and shall have accessible patient rooms, cells and treatment or examination rooms as follows:

A. In Group I, Division 1.1 hospitals which specialize in treating conditions that affect mobility, all patient rooms in each nursing unit, including associated toilet rooms and bathrooms.

B. In Group I, Division 1.1 hospitals which do not specialize in treating conditions that affect mobility, at least 1 in every 10 patient rooms in each nursing unit, including associated toilet rooms and bathrooms.

C. In Group I, Division 1.1 and Division 2 nursing homes and long-term care facilities, at least 1 in every 2 patient rooms, including associated toilet rooms and bathrooms.

D. In Group I, Division 3 mental health Occupancies, at least 1 in every 10 patient rooms, including associated toilet rooms and bathrooms.

E. In Group I, Division 3 jail, prison and similar Occupancies, at least 1 in every 100 rooms or cells, including associated bath facilities.

In Group I, Division 1.1 and 2 Occupancies, at least one accessible entrance that complies with Section 3103 (b) shall be under shelter.

Every such entrance shall include a passenger loading zone which complies with Section 3108 (b) 3.

7. Group M Occupancies. To the extent that accessible parking is required, Group M, Division 1 private garages which are accessory to dwelling units required to be accessible shall be accessible. Other Group M, Division 1 Occupancies shall be accessible.

EXCEPTION: In Group M, Division 1 agricultural buildings, access need only be provided to work areas and to and within common use facilities.

8. Group R Occupancies. A. General. All Group R Occupancies shall be accessible as provided in this chapter. Public- and common-use areas and facilities such as recreational facilities, laundry facilities, garbage and recycling collection areas, mailbox locations, lobbies, foyers and management offices, shall be accessible.

EXCEPTION: Public- and common-use areas within buildings exempted from providing both Type A and Type B dwelling units by Section 3103 (a) 8. B. need not be accessible, provided that equivalent public- and common-use areas which are accessible shall be provided for in other accessible buildings or portions of the site. Where no accessible dwelling units are required in a building, public- and common-use areas and facilities serving only that building need not be accessible.

B. Number of Dwelling Units. In all Group R, Division 1 apartment buildings the total number of units shall be as required by Table No. 31-B.

All other dwelling units shall be designed and constructed to the requirements for Type B units as defined in this chapter.

EXCEPTIONS: 1. Group R Occupancies containing three or fewer dwelling units or congregate residences accommodating 10 or fewer persons.

2. Dwelling units in Group R, Division 1 apartment buildings which are located on floors other than the primary entry level where no elevator is provided within the building. Where the primary entry level is not a Group R Occupancy, the first level of Group R Occupancy, including dwelling units, shall be accessible.

3. In Type B dwelling units with two or more stories in a non-elevator building.

#### OPTION 1

4. Subject to the approval of the building official, where multiple buildings are planned on a single site, individual, non-elevator buildings may be exempted from containing Type B dwelling units where the site terrain is impractical for providing accessibility. In no case shall the number of Type B dwelling units provided on entry levels (on the entire site), when defined as the percentage of the total number of units on entry levels, be smaller than the percentage of the site which is less steep than 10 percent grade, or smaller than 20 percent of the total number of entry level units on the site. See also Appendix Chapter 31, Division II.

#### OPTION 2 DO NOT INCLUDE EXCEPTION 4

C. Number of Guest Rooms. In all hotels and lodging houses containing more than 10 guest rooms, accessible guest rooms, including associated bathing, shower and toilet facilities, shall be provided in accordance with Table No. 31-C. Additional sleeping rooms or suites complying with Sections 3106 (n) 3 and 3106 (o) shall also be provided in accordance with Table No. 31-D. In addition, public- and common-use areas of all hotels and lodging houses shall be accessible.

EXCEPTION: Group R, Division 3 lodging houses.

D. Proportional Distribution. Accessible dwelling units and accessible hotel or motel units shall be apportioned among efficiency dwelling units, single bedroom units and multiple bedroom units in proportion to the numbers of such units in the building.

E. Congregate Residences. In congregate residences with multi-bed rooms or spaces, a percentage equal to the minimum number of accessible rooms required by Table No. 31-C shall be accessible in accordance with Section 3106 (z).

9. Other Parking Facilities. Principal use parking facilities which are not accessory to the use of any building or structure shall provide accessible spaces in accordance with Table No. 31-C.

(b) Design and Construction. 1. General. When accessibility is required by this chapter, it shall be designed and constructed in accordance with this chapter.

2. Accessible Route of Travel. When a building, or portion of a building, is required to be accessible, an accessible route of travel shall



be provided to all portions of the building, to accessible building entrances and connecting the building to accessible skywalks and tunnels, and the public way. Except within an accessible dwelling unit, the accessible route of travel to areas of primary function may serve but shall not pass through kitchens, storage rooms, toilet rooms, bathrooms, closets or other similar spaces.

Accessible routes of travel serving any accessible space or element shall also serve as a means of egress for emergencies or connect to an area of evacuation assistance.

When more than one building or facility is located on a site, accessible routes of travel shall be provided connecting accessible buildings and accessible site facilities. The accessible route of travel shall be the most practical direct route connecting accessible building entrances, accessible site facilities and the accessible site entrances.

**EXCEPTION:** For sites where natural terrain or other unusual property characteristics do not allow the provision of an accessible route of travel from the public way to the building, the point of vehicular debarkation may be substituted for the accessible entrance to the site.

3. Primary entry access. At least 50% of all public entrances, or a number equal to the number of exits required by Section 3303 (a), whichever is greater, shall be accessible. One of the accessible public entrances shall be the primary entry to a building. At least one accessible entrance must be a ground floor entrance. Public entrances do not include loading or service entrances.

**EXCEPTION:** In Group R, Division 1 apartment buildings only the primary entry need be accessible, provided that the primary entry provides an accessible route of travel to all dwelling units required to be accessible.

Where a building has multiple entries to individual tenant spaces or individual ground floor dwelling units within a building, each entry shall be accessible.

4. Signs. A. International Symbol of Access. The following elements and spaces of accessible facilities shall be identified by the International Symbol of Access:

1. Accessible parking spaces
2. Accessible entrances when not all entrances are accessible (inaccessible entrances shall have directional signage to indicate the route to the nearest accessible entrance)
3. Accessible passenger loading zone(s)
4. Accessible toilet and bathing facilities when not all are accessible

**EXCEPTIONS:** 1. Toilet and bathing facilities within dwelling units, patient rooms and guest rooms.  
2. Individual entrances into dwelling units, patient rooms and guest rooms.

At every major junction along or leading to an exterior accessible route of travel, there shall be a sign displaying the International Symbol of Access. Signage shall indicate the direction to accessible entrances and facilities.

A list of accessible rooms shall be permanently posted for staff use at each hotel/motel reception or check-in desk.

B. Other Signs. Where provided, permanent signs which identify rooms and spaces shall comply with Sections 3106 (p) 2, 3, and 5. Where provided, other signs which provide direction to or information about the building or portion of a building shall comply with Section 3106 (p) 3 and 4.

**EXCEPTION:** Building directories and all temporary signs.

## NEW SECTION

WAC 51-20-3104 EGRESS AND AREAS FOR EVACUATION ASSISTANCE. Section 3104. (a) General. In buildings or portions of buildings required to be accessible, accessible means of egress shall be provided in the same number as required for exits by Chapter 33. When an exit required by Chapter 33 is not accessible, an area for evacuation assistance shall be provided.

### OPTION 1

**EXCEPTION:** Areas of evacuation assistance are not required in buildings where an approved, automatic fire extinguishing system is installed in accordance with U.B.C. Standard No. 38-1.

### OPTION 2

**EXCEPTION:** Areas of evacuation assistance are not required in buildings where an approved, automatic fire extinguishing system with quick response standard sprinkler heads is installed in accordance with U.B.C. Standard No. 38-1.

Every area for evacuation assistance shall comply with the requirements of this code and shall adjoin an accessible route of travel which shall comply with Section 3106.

(b) Areas for Evacuation Assistance. 1. Location and Construction. An area for evacuation assistance shall be one of the following:

A. A portion of a landing within a smokeproof enclosure, complying with Section 3310.

B. A portion of an exterior exit balcony, located immediately adjacent to an exit stairway, when the exterior exit balcony complies with Section 3305. Openings to the interior of the building located within 20 feet of the area for evacuation assistance shall be protected with fire assemblies having a three-fourths-hour fire-protection rating.

### OPTION 1

C. A portion of a one-hour fire-resistive corridor complying with Sections 3305 (g) and (h) located immediately adjacent to an exit enclosure.

### OPTION 2

Delete subsection (b) 1. C. and renumber remaining subsections.

D. A vestibule located immediately adjacent to an exit enclosure and constructed to the same fire-resistive standards as required by Section 3305 (g) and (h).

E. A portion of a stairway landing within an exit enclosure which is vented to the exterior and is separated from the interior of the building by not less than one-hour fire-resistive door assemblies.

F. When approved by the building official, an area or room which is separated from other portions of the building by a smoke barrier. Smoke barriers shall have a fire-resistive rating of not less than one hour and shall completely enclose the area or room. Doors in the smoke barrier shall be tight-fitting smoke- and draft-control assemblies having a fire-protection rating of not less than 20 minutes and shall be self-closing or automatic closing. The area or room shall be provided with an exit directly to an exit enclosure. When the room or area exits into an exit enclosure which is required to be of more than one-hour fire-resistive construction, the room or area shall have the same fire-resistive construction, including the same opening protection, as required for the adjacent exit enclosure.

G. An elevator lobby complying with Section 3104 (d).

2. Size. Each area for evacuation assistance shall provide at least two wheelchair spaces not smaller than 30 inches by 48 inches for each space. The area for evacuation assistance shall not encroach on any required exit width. The total number of such 30-inch by 48-inch wheelchair spaces per story shall not be less than 1 for every 200 persons of calculated occupant load served by the area for evacuation assistance.

**EXCEPTION:** The building official may reduce the minimum number of 30-inch by 48-inch areas to one for each area for evacuation assistance on floors where the occupant load is less than 200.

3. Stairway Width. Each stairway adjacent to an area for evacuation assistance shall have a minimum clear width of 48 inches.

4. Two-way Communication. A telephone with controlled access to a public telephone system or another method of two-way communication shall be provided between each area for evacuation assistance and the primary entry. The fire department may approve location other than the primary entry.

5. Identification. Each area for evacuation assistance shall be identified by a sign which states: AREA FOR EVACUATION ASSISTANCE and the International Symbol of Access. The sign shall be illuminated when exit sign illumination is required. The sign shall comply with Sections 3314 (c) and (d). In each area for evacuation assistance, instructions on the use of the area under emergency conditions shall be posted adjoining the two-way communication system.

(c) Accessible Exits. All exterior exits which are located adjacent to accessible areas and within 6 inches of grade shall be accessible.

## OPTION 1

(d) Area for Evacuation Assistance, High-rise Alternative. Within a building of any height or occupancy, constructed in accordance with the requirements of Section 1807 or 1907, an area for evacuation assistance may be located in the elevator lobby when:

1. The area for evacuation assistance complies with the requirements for size, two-way communication and identification as specified in Section 3104 (b); and,
2. Elevator shafts and adjacent lobbies are pressurized as required for smokeproof enclosures in Section 3310. Such pressurization system shall be activated by smoke detectors on each floor located in a manner approved by the building official. Pressurization equipment and its ductwork within the building shall be separated from other portions of the building by a minimum two-hour fire-resistive construction.

## OPTION 2

(d) Area for Evacuation Assistance, High Rise Alternative. Within a building of any height or occupancy, constructed in accordance with the requirements of Section 1807 or 1907, an area for evacuation assistance may be located in the elevator lobby, or adjacent to the elevator where no lobby is required, when:

1. The area for evacuation assistance complies with the requirements for size, two-way communication and identification as specified in Section 3104 (b); and,
2. Elevator shafts are pressurized as required for smokeproof enclosures in Section 3310. Such pressurization system shall be activated by smoke detectors on each floor located in a manner approved by the building official. Pressurization equipment and its ductwork within the building shall be separated from other portions of the building by a minimum of two-hour fire-resistive construction.
3. The manager of the building shall establish and maintain a written fire- and life-safety emergency plan which, in addition to other provisions, shall specifically address the evacuation of persons with disabilities, and which has been approved by the building official and fire chief.

## NEW SECTION

WAC 51-20-3105 FACILITY ACCESSIBILITY. Section 3105.

(a) General. Where buildings are required to be accessible, building facilities shall be accessible to persons with disabilities as provided in this section. Where specific floors of a building are required to be accessible, the requirements shall apply only to the facilities located on accessible floors.

All building facilities or elements required by this section to be accessible shall be designed and constructed in accordance with Section 3106.

(b) Bathing and Toilet Facilities. 1. Bathing Facilities. When bathing facilities are provided, at least 2 percent, but not less than 1, bathtub or shower shall be accessible. In dwelling units where both a bathtub and shower are provided in the same room, only one need be accessible.

2. Toilet Facilities. Toilet facilities located within Type A and Type B dwelling units, guest rooms and congregate residences shall comply with Sections 3106 (k) and 3106 (aa).

In each toilet facility in other occupancies, at least one wheelchair accessible toilet stall with an accessible water closet shall be provided. When there are 6 or more water closets within a toilet facility, at least one other accessible toilet stall complying with Section 3106 (k) 3. shall be installed.

3. Lavatories, Mirrors and Towel Fixtures. At least one accessible lavatory shall be provided within any toilet facility. Where mirrors, towel fixtures and other toilet and bathroom accessories are provided, at least one of each shall be accessible.

4. Adaptable Fixtures in Dwelling Units. A. Grab Bars. Grab bars may be omitted in bathing and toilet facilities within Type A or B dwelling units provided all structural reinforcements for grab bar installation are provided in the appropriate locations in the adjoining walls.

B. Kitchen Counters. Cabinets or shelving may be installed beneath the counter space required by Section 3106 (l) 2. provided such cabinetry or shelving is not permanent and is easily removable.

C. Lavatories. Cabinets or shelving may be installed beneath bathroom lavatories provided such cabinetry or shelving is not permanent and is easily removable.

(c) Elevators. 1. Where Required. In multi-story buildings or portions thereof required to be accessible by Section 3103, at least one

elevator shall serve each level, including mezzanines. If an elevator is not required but is nonetheless provided, the elevator shall be accessible.

- EXCEPTIONS:
1. In Group R, Division 1 Occupancies an elevator is not required where accessible dwelling units and guest rooms are accessible by ramp or by grade level route of travel.
  2. In a building of three or fewer stories an elevator is not required where ramps, grade-level entrances or accessible horizontal exits from an adjacent building is provided to each floor.
  3. In multistory parking garages, an elevator is not required where an accessible route of travel is provided from accessible parking spaces on levels with accessible horizontal connections to the primary building served.
  4. In Group R, Division 1 hotels and motels less than 3 stories in height, an elevator is not required provided that accessible guest rooms are provided on the first story.

2. Design. All elevators shall be accessible.

- EXCEPTIONS:
1. Private elevators serving only one dwelling unit.
  2. Where more than one elevator is provided in the building, elevators used exclusively for movement of freight.

Elevators required to be accessible shall be designed and constructed to comply with Chapter 296-81 of the Washington Administrative Code.

3. Platform Lifts. Platform lifts may be used in lieu of an elevator under one of the following conditions subject to approval by the building official:

1. To provide an accessible route of travel to a performing area in a Group A Occupancy; or,
2. To provide unobstructed sight lines and distribution for wheelchair viewing positions in Group A Occupancies; or,
3. To provide access to spaces with an occupant load of less than 5; or,
4. To provide access where existing site constraints or other constraints make use of a ramp or elevator infeasible.

All platform lifts used in lieu of an elevator shall be independently operated and shall comply with chapter 296-81 of the Washington Administrative Code.

(d) Other Building Components. 1. Water Fountains. On any floor where water fountains are provided, at least 50 percent, but in no case less than one fountain shall be accessible.

2. Telephones. On any floor where public telephones are provided at least one telephone shall be accessible. On any floor where 2 or more banks of multiple telephones are provided, at least one telephone in each bank shall be accessible.

In transportation facilities and assembly occupancies where multiple phone banks are provided, at least one text telephone shall be provided on each floor.

All accessible telephones and at least 25 percent of all other public pay telephones shall be provided with volume controls in accordance with Section 3106 (n).

Where four or more public pay telephones are provided at a building site, and at least one is in an interior location, at least one interior telephone shall be a text telephone in accordance with Section 3106 (n).

3. Kitchens. Kitchens within accessible dwelling units shall be designed in accordance with Section 3106.

Kitchens, kitchenettes or wet bars in other than dwelling unit which are provided accessory to a sleeping room, guest room or suite, shall be designed in accordance with Section 3106. Countertops and sinks shall be mounted at a maximum height of 34 inches above the floor. At least 50 percent of shelf space in cabinets and appliances shall be within the reach ranges of Section 3106.

EXCEPTION: Kitchens in Type B dwelling units need not comply with Section 3106 (l) 1.

4. Swimming Pools. Where common or public use swimming pools, hot tubs, spas and similar facilities are provided, they shall be accessible. Swimming pools shall be accessible by transfer tier, hydraulic chair, ramp or other means. Hot tubs and spas shall be accessible only to the edge of the facility.

## OPTION 1

5. Fixed or Built-in Seating or Tables. Where fixed or built-in seating or tables are provided at least 5 percent, but no fewer than two, shall be accessible. Accessible fixed or built-in seating or tables shall

comply with Section 3106 (s). In eating and drinking establishments, such seating or tables shall be distributed throughout the facility.

#### OPTION 2

5. Fixed or Built-in Seating or Tables. Where fixed or built-in seating or tables are provided at least 10 percent, but no fewer than one, shall be accessible. Accessible fixed or built-in seating or tables shall comply with Section 3106 (s). In eating and drinking establishments, such seating or tables shall be distributed throughout the facility.

6. Storage, Shelving and Display Units. Where fixed or built-in storage facilities such as cabinets, shelves, closets and drawers are provided in accessible spaces, at least one of each type provided shall contain storage space complying with Section 3106 (r).

Self service shelves or display units in retail occupancies shall be located on an accessible route in accordance with Section 3103 (b) 2.

7. Customer Service Facilities. A. Dressing, Fitting and Examination Rooms. Where dressing, fitting or examination rooms are provided for use by the general public, patients, customers or employees, 5 percent, but not less than one in each group of rooms serving distinct and different functions shall be accessible in accordance with Section 3106 (x).

B. Counters and Windows. Where customer sales and service counters or windows are provided a portion of the counter or at least one window, shall be accessible in accordance with Section 3106 (x).

C. Shelving and Display. Self service shelves or display units in retail occupancies shall be located on an accessible route in accordance with Section 3103 (b) 2.

D. Check-out Aisles. Accessible check-out aisles shall be installed in accordance with Table No. 31-E and Section 3106 (x).

8. Controls, Operating Mechanisms and Hardware. Controls, operating mechanisms and hardware, including switches that control lighting and ventilation and electrical convenience outlets, in accessible spaces, along accessible routes, or as parts of accessible elements shall comply with Section 3106 (c).

**EXCEPTION:** Floors or portions of floors not customarily occupied, including, but not limited to, elevator pits, observation galleries used primarily for security purposes, elevator penthouses, non-occupiable spaces accessed only by ladders, catwalks, crawl spaces, very narrow passage ways or freight elevators, piping and equipment catwalks and machinery, mechanical and electrical equipment rooms.

9. Alarms. Alarm systems where provided, shall include both audible and visible alarms. The alarm devices shall be located in all sleeping accommodations and common use areas including toilet rooms and bathing facilities, hallways, and lobbies.

**EXCEPTIONS:** 1. Alarm systems in Group I, Division 1.1 and 1.2 Occupancies may be modified to suit standard health care design practice.  
2. Visible alarms in Group R, Division 1 apartment buildings.

#### NEW SECTION

WAC 51-20-3106 SECTION 3106. Accessible Design and Construction Standards. (a) General. Where accessibility is required by this chapter, it shall be designed and constructed in accordance with this section, unless otherwise specified in this chapter.

(b) Space Allowance and Reach Ranges. 1. Wheelchair Passage Width. The minimum clear width for single wheelchair passage shall be 36 inches. The minimum width for two wheelchairs to pass is 60 inches.

**EXCEPTION:** The minimum width for single wheelchair passage may be 32 inches for a maximum distance of 24 inches.

2. Wheelchair Turning Spaces. Wheelchair turning spaces shall be designed and constructed to satisfy one of the following requirements:

1. A turning space not less than 60 inches in diameter; or,  
2. A turning space at T-shaped intersections where minimum corridor width is not less than 36 inches. Each T shall be clear of obstructions not less than 24 inches in each direction.

3. Unobstructed Floor Space. A floor and vertical space above such floor space free of any physical obstruction, including door swings, to a height of 29 inches shall be provided. Where a pair of doors occurs the swing of the inactive leaf may be considered unobstructed floor space. A toe space which is a minimum of 9 inches in height and 6 inches in depth may be considered a part of the unobstructed floor space.

4. Clear Floor or Ground Spaces and Maneuvering Clearance Space for Wheelchairs.

A. Size. The minimum clear floor or ground space required to accommodate a single, stationary wheelchair occupant shall be not less than 30 inches by 48 inches.

B. Approach. Wheelchair spaces shall be designed to allow for forward or parallel approach to an accessible feature.

C. Knee and Toe Clearances. Spaces under obstructions, work surfaces or fixtures may be included in the clear floor or ground space provided that they are at least 30 inches in width, a minimum of 27 inches in height and not greater than 25 inches in depth. Toe spaces under obstructions, work surfaces or fixtures may be included in the clear floor or ground space provided that they are not more than 6 inches in depth and a minimum 9 inches in height.

D. Approach to Wheelchair Spaces. One full unobstructed side of the clear floor or ground space for a wheelchair shall adjoin or overlap an accessible route of travel, or shall adjoin another wheelchair clear space. Clear space located in an alcove or otherwise confined on all or part of three sides shall be not less than 36 inches in width where forward approach is provided, or 60 inches in width where parallel approach is provided.

E. Forward Reach. Where the clear floor space only allows forward approach to an object, the maximum high forward reach allowed shall be not higher than 48 inches. Reach obstructions 20 inches or less in depth may project into the clear space provided that knee clearance is maintained in accordance with Section 3106 (b) 2. B. Reach obstructions greater than 20 inches in depth may project into the clear space provided that the reach obstruction shall not exceed 25 inches in depth and the maximum high forward reach shall not exceed 44 inches in height. The minimum low forward reach shall be not lower than 15 inches.

F. Side Reach. Where the clear floor space allows parallel approach by a person in a wheelchair, the maximum high side reach allowed shall be not higher than 54 inches. Obstructions no greater than 34 inches in height and no more than 24 inches in depth may be located in the side reach area provided that when such obstructions are present the side reach shall be not more than 46 inches. The minimum low side reach shall be not lower than 9 inches.

(c) Controls and Hardware. 1. Operation. Handles, pulls, latches, locks and other operating devices on doors, windows, cabinets, plumbing fixtures and storage facilities, shall have a lever or other shape which will permit operation by wrist or arm pressure and does not require tight grasping, pinching or twisting to operate.

2. Mounting Heights. The highest operable part of environmental and other controls, dispensers, receptacles and other operable equipment shall be within at least one of the reach ranges specified in Section 3306 (b), and not less than 36 inches above the floor. Electrical and communications system receptacles on walls shall be mounted a minimum of 15 inches in height above the floor. Door hardware shall be mounted at not less than 36 inches and not more than 48 inches above the floor.

3. Clear Floor Space. Clear floor space that allows a forward or a side approach shall be provided at all controls or hardware.

(d) Accessible Route of Travel. 1. Width. The minimum clear width of an accessible route of travel shall be 36 inches except at doors (see Section 3106 (j) 2.). Where an accessible route includes a 180 degree turn around an obstruction which is less than 48 inches in width, the clear width of the accessible route of travel around the obstruction shall be 42 inches minimum.

#### OPTION 1

##### FOR THE MINIMUM WIDTH OF EXTERIOR ROUTES OF TRAVEL, ADD THE FOLLOWING EXCEPTION:

**EXCEPTION:** For exterior accessible routes of travel, the minimum clear width shall be 44 inches.

#### OPTION 2

##### FOR THE MINIMUM WIDTH OF EXTERIOR ROUTES OF TRAVEL, DO NOT ADOPT THE EXCEPTION.

Where an accessible route is less than 60 inches in width, passing spaces at least 60 inches by 60 inches shall be located at intervals not to exceed 200 feet. A T-shaped intersection of two corridors or walks may be used as a passing space.

2. Height. Accessible routes shall have a clear height of not less than 79 inches. Where the vertical clearance of an area adjoining an accessible route of travel is less than 79 inches but more than 27 inches, a continuous permanent barrier shall be installed to prevent traffic into such areas of reduced clearance.

3. Slope. An accessible route of travel shall have a running slope not greater than 1 vertical in 12 horizontal. An accessible route of travel with a running slope greater than 1 vertical in 20 horizontal shall comply with Section 3106 (h). Cross slopes of an accessible route of travel shall not exceed 1 vertical in 48 horizontal.

4. Changes in Level. Changes in level along an accessible route of travel shall comply with Section 3106 (f). Stairs shall not be part of an accessible route of travel. Any raised area within an accessible route of travel shall be cut through to maintain a level route or shall have curb ramps at both sides and a level area not less than 48 inches long connecting the ramps.

5. Surfaces. A. General. All floor and ground surfaces in an accessible route of travel shall comply with Section 3106 (g).

B. Detectable Warnings. Curb ramps shall have detectable warnings complying with Section 3106 (g). Detectable warnings shall extend the full width and depth of the curb ramp.

6. Edge Protection. Guardrails designed and constructed in accordance with Section 1712 shall be provided on any portion of an accessible route of travel which is more than 30 inches above grade or floor below. Any portion of the edge of an accessible route of travel which is more than 8 inches above adjacent grade or floor shall be provided with a protective railing with the top of the rail at a height of 34 inches nominal and a mid-rail at a height of 18 inches nominal; or with shoulder slopes.

Shoulder slopes shall abut any accessible route of travel; shall be at the same grade as its edges; and shall have a slope, downward from the edge, of not more than 1 vertical in 48 horizontal for a distance of not less than 36 inches.

**EXCEPTION:** Where curbs, walls, handrails or guardrails abut the accessible route of travel. Curbs where provided shall be not less than 2 inches in height.

7. Illumination. Illumination shall be provided along the accessible route of travel, at any time the building is occupied, with an intensity of not less than one footcandle on the surface of the route.

8. Curb Ramps. A. Slope. Slopes of curb ramps shall comply with Section 3106 (h). Transitions from ramps to walks, gutters or vehicular ways shall be flush and free of abrupt changes in height. Maximum slopes of adjoining gutters and road surfaces immediately adjacent to the curb ramp or accessible route of travel shall not exceed 1 vertical in 20 horizontal.

B. Width. Curb ramps shall be not less than 36 inches in width, exclusive of the required side slopes.

C. Side Slopes of Curb Ramps. Curb ramps located where pedestrians must walk across the ramp, or where not protected by handrails or guardrails, shall have sloped sides. The maximum side slope shall be 1 vertical in 10 horizontal. Curb ramps with returned curbs may be used where pedestrians would not normally walk across the ramp.

D. Location. Built-up curb ramps shall be located so as not to project into vehicular ways nor be located within accessible parking spaces.

E. Obstructions. Curb ramps shall be located or protected to prevent their obstruction by parked vehicles.

F. Location at Marked Cross Walks. Curb ramps at marked cross walks shall be wholly contained within the markings, excluding any sloped sides.

9. Vehicular Areas. Where an accessible route of travel crosses or adjoins a vehicular way, and where there are no curbs, railings or other elements detectable by a person who has a severe vision impairment separating the pedestrian and vehicular areas, the boundary between the areas shall be defined by a continuous detectable warning not less than 36 inches wide, complying with Section 3106 (g).

(e) Protruding Objects. Protruding objects shall not reduce the clear width of an accessible route of travel or maneuvering space. Any wall- or post-mounted object with its leading edge between 27 inches and 79 inches above the floor may project not more than 4 inches into the required width within a corridor. Any wall- or post-mounted projection greater than 4 inches shall extend to the floor. Protruding objects shall not reduce the clear width of an accessible route of travel or maneuvering space.

(f) Changes in Level. Accessible routes of travel and accessible spaces within buildings shall have continuous common floor or ramp surfaces. Abrupt change in height greater than 1/4 inch shall be beveled to 1 vertical in 2 horizontal. Changes in level greater than 1/2 inch shall be accomplished by means of a ramp meeting the requirements of Section 3106 (h). For Type B dwelling units, see also Section 3106 (aa).

(g) Floor Coverings and Surface Treatments. 1. General. All surfaces shall be firm and stable.

2. Carpeting. Carpeting and floor mats in accessible areas shall be securely fastened to the underlying surface, and shall provide a firm, stable, continuous and relatively smooth surface.

3. Slip-Resistant Surfaces. Showers, locker rooms, swimming pool, spa and hot tub decks, toilet rooms and other areas subject to wet conditions shall have slip-resistant floors.

Exterior accessible routes of travel shall have slip-resistant surfaces.

4. Grates. Within an accessible route of travel grates shall have openings no more than 1/2 inch in least clear distance between solid parts. The maximum vertical surface change shall be 1/8 inch.

5. Expansion and Construction Joints. Expansion and construction joints in exterior routes of travel shall have a width of not more than 1/2 inch, shall be filled with a firm, compressible, elastic material, and shall be substantially level with the surface of the accessible route of travel.

(h) Ramps. 1. General. Ramps required to be accessible shall comply with Section 3307 and the provisions of this section.

2. Slope and Rise. The maximum slope of a ramp shall be 1 vertical in 12 horizontal. The maximum rise for any run shall be 30 inches.

3. Width. The minimum width of a ramp shall be not less than 36 inches for interior ramps and 44 inches for exterior ramps.

4. Landings. Ramps within the accessible route of travel shall have landings at the top and bottom, and at least one intermediate landing shall be provided for each 30 inches of rise. Landings shall have a minimum dimension measured in the direction of ramp run of not less than 60 inches. Where the ramp changes direction at a landing, the landing shall be not less than 60 inches by 60 inches. The width of any landing shall be not less the width of the ramp.

5. Handrails. Ramps having slopes steeper than 1 vertical in 20 horizontal shall have handrails as required for stairways, except that intermediate handrails as required in Section 3306 (i) are not required. Handrails shall be continuous provided that they shall not be required at any point of access along the ramp, nor at any curb ramp. Handrails shall extend at least 12 inches beyond the top and bottom of any ramp segment.

**EXCEPTION:** Ramps having a rise less than or equal to 6 inches or a run less than or equal to 72 inches need not have handrails.

6. Exterior Ramps. Exposed ramps and their approaches shall be constructed to prevent the accumulation of water on walking surfaces.

(i) Stairways. 1. General. Stairways required to be accessible shall comply with Section 3306 and provisions of this section.

2. Open Risers. Open risers shall not be permitted.

**EXCEPTION:** Stairways in Group R, Division 1 apartment buildings may have open risers.

3. Nosings. Stair nosings shall be flush, slip-resistant and rounded to a radius of 1/2 inch maximum. Risers shall be sloped or the underside of the nosing shall have an angle of not less than 60 degrees from the horizontal. Nosings shall project no more than 1 1/2 inches.

4. Exterior Stairways. Exposed stairways and their approaches shall be constructed to prevent the accumulation of water on walking surfaces.

(j) Doors. 1. General. Doors required to be accessible shall comply with Section 3304 and provisions of this section. For the purpose of this section, gates shall be considered to be doors. An accessible gate or door shall be provided adjacent to any turnstile or revolving door. Where doorways have two independently operated door leaves, then at least one leaf shall comply with this section.

2. Clear Width. Doors shall be capable of opening so that the clear width of the opening is not less than 32 inches.

**EXCEPTION:** Doors not requiring full user passage, such as shallow closets, may have a clear opening not less than 20 inches.

3. Maneuvering Clearances at Doors. Except as provided in Section 3106 (aa), all doors shall have minimum maneuvering clearances as follows:

A. Where a door must be pulled to be opened, an unobstructed floor space shall extend at least 18 inches beyond the strike jamb.

B. Where a door must be pushed to be opened and is equipped with a closer and a latch, an unobstructed floor space shall extend at least 12 inches beyond the strike jamb.

C. Where two doors are in series, the minimum distance between two hinged or pivoted doors shall be 48 inches in addition to any area needed for door swing.

4. Thresholds at Doors. Thresholds at doors shall comply with Section 3106 (e).

5. Automatic and Power-Assisted Doors. Door closers or power operators shall be operable as required by Section 3304 (h).

EXCEPTION: Floor pad or electric eye actuated power operators.

All power operated doors shall remain in the fully open position for not less than 6 seconds before closing. Touch switches shall be mounted 36 inches above the floor and not less than 18 inches nor more than 36 inches horizontally from the nearest point of travel of the moving door. Other power operated doors must be actuated from a location not less than 36 inches from the nearest point of travel of the moving door. Power operated doors shall automatically reopen when they encounter an obstruction other than the strike jamb.

6. Door Closers. Where provided, door closers shall be adjusted to close from an open position of 70 degrees in not less than 3 seconds, to a point 3 inches from the latch, when measured to the leading edge of the door.

7. Vision Panels. Where vision panels are provided in a door, the bottom of the glass shall be not more than 40 inches above the floor.

(k) Bathrooms, Toilet Rooms, Bathing Facilities and Shower Rooms. 1. General. Bathrooms, toilet rooms, bathing facilities and shower rooms shall be designed in accordance with this section. For dwelling units, see also Section 3106 (aa).

2. Unobstructed Floor Space. An unobstructed floor space shall be provided within bathrooms, toilet rooms, bathing facilities and shower rooms of sufficient size to inscribe a circle with a diameter not less than 60 inches. Doors in any position may encroach into this space by not more than 12 inches. The clear floor spaces at fixtures, the accessible route of travel and the unobstructed floor space may overlap.

3. Wheelchair Accessible Toilet Stalls. A. Dimensions. Wheelchair accessible toilet stalls shall be at least 60 inches in width. Where wall-hung water closets are installed, the depth of the stall shall be not less than 56 inches. Where floor mounted water closets are installed, the depth of the stall shall be not less than 59 inches. Entry to the compartment shall have a clear width of 32 inches. Toilet stall doors shall not swing into the clear floor space required for any fixture. Except for door swing, a clear unobstructed access not less than 48 inches in width shall be provided to toilet stalls.

EXCEPTION: Partitions may project not more than one inch, in the aggregate, into the required width of the stall.

B. Toe Clearances. In toilet stalls, the front partition and at least one side partition shall provide a toe clearance of at least 9 inches above the floor.

EXCEPTION: Toe clearance is not required in a stall with a depth greater than 60 inches.

4. Other Accessible Toilet Stalls. Other accessible toilet stalls shall be at least 36 inches in width, with an outward swinging, self-closing door. Grab bars shall be installed on each side of the toilet stall and shall comply with Sections 3106 (k) 4. C. and 3106 (k) 9.

5. Water Closets. A. Clear Floor Space. The lateral distance from the center line of the water closet to the nearest obstruction, including grab bars, shall be not less than 15 inches on one side and 41 inches on the other side. In other than stalls, a clear floor space not less than 32 inches shall be provided in front of the water closet.

B. Height. The height of water closets shall be a minimum of 17 inches and a maximum of 19 inches measured to the top of the seat. Seats shall not be sprung to return to a lifted position.

C. Grab Bars. Grab bars shall be installed at one side and the back of the toilet stall. The top of grab bars shall be not less than 33 inches and not more than 36 inches above and parallel to the floor. Grab bars located at the side shall be a minimum of 42 inches in length with the front end positioned not less than 18 inches in front of the water closet, and located not more than 18 inches from the center line of the water closet. Grab bars located at the back shall be a minimum of 36 inches in length. Grab bars shall be mounted not more than 9 inches behind the water closet seat.

D. Flush Controls. Flush controls shall be mounted for use from the wide side of the water closet area and not more than 44 inches above the floor.

E. Dispensers. Toilet paper and other dispensers shall be installed within easy reach of the water closet, and shall not interfere with grab bar utilization.

6. Urinals. A clear floor space measuring 30 inches by 48 inches shall be provided in front of urinals. Urinal shields shall have a clear space between them of not less than 29 inches and shall not extend

farther than the front edge of the urinal rim. Urinals shall be stall-type or wall-hung with an elongated rim at a maximum of 17 inches above the floor. Flush controls shall be mounted not more than 44 inches above the floor.

7. Lavatories and Sinks. A. Clear Floor Space. A clear floor space not less than 30 inches by 48 inches shall be provided in front of lavatories and sinks.

B. Height. Lavatories and sinks shall be mounted with the rim or counter surface not higher than 34 inches above the finished floor.

C. Knee and Toe Clearances. (i) Lavatories. The total depth of clear space beneath a lavatory shall be not less than 17 inches of which toe clearance shall be not more than 6 inches of the total depth. Knee clearance shall be not less than 29 inches in height and 30 inches in width.

(ii) Sinks. Knee clearance not less than 27 inches in height, 30 inches in width and 19 inches in depth shall be provided underneath sinks.

D. Exposed Pipes and Surfaces. Hot water and drain pipes exposed under lavatories and sinks shall be insulated or otherwise covered. There shall be no sharp or abrasive surfaces under lavatories or sinks.

E. Faucets. Faucet control handles shall be located not more than 17 inches from the front edge of the lavatory, sink or counter, and shall comply with Section 3106 (c). Self-closing valves shall remain open for at least 10 seconds per operation.

F. Sink Depth. Sinks shall be not less than 6-1/2 inches in depth.

8. Mirrors, Dispensers and Other Fixtures. Mirrors or shelves shall be installed so that the bottom of the mirror or the top of the shelf is within 40 inches of the floor.

Drying equipment, towel or other dispensers, and disposal fixtures shall be mounted so as not to exceed 40 inches above the finished floor to any rack, operating controls, receptacle or dispenser.

9. Bathtubs. A. Clear Floor Space. A clear floor space not less than 60 inches in length shall be provided along the tub. Where the required seat is located at the end of the tub, the clear floor space shall be not less than 75 inches in length. The clear floor space shall be not less than 30 inches in width where access to the space is parallel to the tub and not less than 48 inches in width where access to the space is at right angles to the tub. A lavatory which complies with Subsection 5, above, may be located in the clear floor space for the tub.

B. Seats. An in-tub seat or a seat at the end of the tub shall be provided. In-tub seats shall be portable and removable, not less than 12 inches in width and extend the full width of the tub. Seats at the end of the tub shall be constructed flush with the top of the tub and shall extend not less than 15 inches from the end of the tub. Seats shall be mounted securely and shall not slip during use.

C. Grab Bars. All required grab bars shall be installed parallel to the floor. Lower grab bars shall be installed centered 9 inches above the tub rim. Upper or single grab bars shall be installed centered not less than 33 inches and not more than 36 inches above the floor of the clear space.

Where a tub has a seat at the end, two grab bars not less than 48 inches in length shall be installed on the wall opposite the clear floor space, one end of each shall terminate where the tub abuts the seat.

Where a tub has an in-tub seat, two grab bars not less than 24 inches in length shall be installed on the wall opposite the clear floor space. The grab bars shall extend to not less than 24 inches from one end of the tub and not less than 12 inches from the other end. One grab bar shall be installed on the wall at the end of the tub opposite the drain, extending at least 12 inches from the clear floor space.

For all bathtubs one grab bar shall be installed on the wall at the end of the tub nearest the drain, extending at least 24 inches from the clear floor space.

D. Controls and Fixtures. Faucets and other controls shall be located above the tub rim and below the grab bars, shall be not more than 24 inches laterally from the clear floor space and shall comply with Section 3106 (c).

A shower spray unit with a hose at least 60 inches long that can be used as a fixed shower head or as a hand-held shower shall be provided.

E. Bathtub Enclosures. Where provided, enclosures for bathtubs shall not obstruct controls or transfer from wheelchairs onto bathtub seats or into tubs. Enclosures on bathtubs shall not have tracks mounted on their rims.

10. Shower Stalls. A. Configuration. Shower stalls shall have one of the following configurations:

- (i) 36 inches by 36 inches, nominal, with a seat; or,
- (ii) Not less than 30 inches in depth by 60 inches in length, without a seat.

**B. Clear Floor Space.** A clear floor space not less than 48 inches in length shall be provided adjacent to shower stalls. Where a seat is not installed, the clear floor space shall be not less than 60 inches in length. The clear floor space shall be not less than 36 inches in width. A lavatory which complies with Subsection 5 above, may be located in the clear floor space of a shower without a seat.

**C. Seats.** Where provided, a shower stall seat shall be mounted not less than 17 inches and not more than 19 inches above the floor, and shall extend the full depth of the stall. The seat shall be located on the wall opposite the controls and shall be mounted not more than 1-1/2 inches from the shower walls. The seat shall be not more than 16 inches in width.

**EXCEPTION:** A section of the seat not more than 15 inches in length and adjacent to the wall opposite the clear space, may be not more than 23 inches in width.

**D. Grab Bars.** All required grab bars shall be installed parallel to the floor. All grab bars shall be installed not less than 33 inches and not more than 36 inches above the floor of the clear space.

Where a seat is installed in the stall, a grab bar not less than 18 inches in length shall be installed on the wall opposite the clear floor space, one end of which shall terminate at the wall opposite the seat. A grab bar not less than 27 inches in length shall also be installed on the wall opposite the seat.

In stalls where a seat is not installed, grab bars shall be provided on all permanent stall walls. Grab bars located on either end of the stall shall be not less than 27 inches in length. The grab bar located opposite the clear space shall be not less than 48 inches in length.

**E. Controls and Fixtures.** Faucets and other controls shall be located on the same wall as the shower spray unit, and shall be installed not less than 38 inches or more than 48 inches above the shower floor and shall comply with Section 3106 (c).

A shower spray unit with a hose at least 60 inches long that can be used as a fixed shower head or as a hand-held shower shall be provided.

**EXCEPTION:** In unmonitored facilities where vandalism is a consideration, a fixed shower head may be installed not more than 48 inches above the stall floor.

**F. Thresholds.** In shower stalls with seats, thresholds shall be flush or beveled with a maximum edge height of 1/2 inch, and a maximum slope not more than 1 vertical in 2 horizontal.

Thresholds in shower stalls without seats shall be level with the adjacent clear space.

**G. Shower Enclosures.** Where provided, enclosures for shower stalls shall not obstruct controls or transfer from wheelchairs onto shower seats.

**11. Structural Requirements for Grab Bars, and Tub and Shower Seats. A. General.** All grab bars, and tub and shower seats required to be accessible shall comply with this section.

**B. Size and Spacing of Grab Bars.** Grab bars shall have an outside diameter of not less than 1-1/4 inch nor more than 1-1/2 inches and shall provide a clearance of 1-1/2 inches between the grab bar and the wall.

**C. Structural Strength.** The structural strength of grab bars, tub and shower seats, fasteners and mounting devices shall meet the following specification:

(1) Bending stress in a grab bar or seat induced by the maximum bending moment from the application of 300 lbs. shall be less than the allowable stress for the material of the grab bar or seat.

(2) Shear stress induced in a grab bar or seat by the application of 300 lbs. shall be less than the allowable shear stress for the material of the grab bar or seat. If the connection between the grab bar or seat and its mounting bracket or other support is considered to be fully restrained, then direct and torsional shear stresses shall be totaled for the combined shear stress, which shall not exceed the allowable shear stress.

(3) Shear force induced in a fastener or mounting device from the application of 300 lbs. shall be less than the allowable lateral load of either the fastener or mounting device or the supporting structure, whichever is the smaller allowable load.

(4) Tensile force induced in a fastener by a direct tension force of 300 lbs. plus the maximum moment from the application of 300 lbs. shall be less than the allowable withdrawal load between the fastener and the supporting structure.

**D. Special Hazards.** A grab bar and any wall or other surface adjacent to it shall be free of any sharp or abrasive elements. Edges shall have a minimum radius of 1/8 inch.

(l) Kitchens. **1. Clear Floor Space.** An unobstructed floor space shall be provided within kitchens of sufficient size to inscribe a circle with a diameter not less than 60 inches. Doors in any position may encroach into this space by not more than 12 inches. The clear floor spaces at fixtures, the accessible route of travel and the unobstructed floor space may overlap.

**2. Counter Surfaces and Shelving.** Within Type A dwelling units, a counter surface, a minimum of 30 inches wide by 24 inches deep, shall be provided at a maximum height of 34 inches, with a space beneath at least 27 inches in height.

In other than dwelling units, at least 50 percent of shelf space in cabinets, refrigerators and freezers shall be within the reach ranges specified in Sections 3106 (b) 2. D. or 3106 (b) 2. E.

(m) Water Fountains. **1. Clear Floor Space.** Wall- and post-mounted cantilevered units shall have a minimum clear floor space in front of the units 30 inches in width by 48 inches in depth in order to allow a person in a wheelchair to approach the unit facing forward.

Free-standing or built-in units not having a clear space under them shall have a clear floor space at least 30 inches in depth by 48 inches in width in order to allow a person in a wheelchair to make a parallel approach to the unit.

**2. Knee Space.** Wall- and post-mounted cantilevered units shall have knee space in accordance with Section 3106 (b) 2. B. The knee space shall be not less than 19 inches in depth.

**3. Spout Location.** Spouts shall be located not more than 36 inches above the floor or ground surface. Spouts shall be located in the front of the unit and shall direct a water flow not less than 4 inches in height, in a trajectory parallel to the front of the unit.

**4. Controls.** Controls shall be located not more than 6 inches from the front of the unit and shall comply with Section 3106 (c). The force required to activate the control shall not exceed 5 pounds.

**5. Water Fountains in Alcoves.** Where a unit is installed in an alcove greater than 8 inches in depth, the alcove shall be not less than 48 inches in width. A minimum 24 inches of clear space shall be provided from the spout to the nearest side wall of the alcove. Recessed units shall be installed such that the spout is not recessed beyond the plane of the wall.

(n) Telephones. **1. Clear Floor or Ground Space.** A clear floor or ground space not less than 30 inches by 48 inches that allows either a forward or parallel approach by a person using a wheelchair shall be provided in front of telephones. Bases, enclosures and fixed seats shall not project into the clear floor space.

**2. Height.** The highest operable part of a telephone shall be within the reach ranges specified in Sections 3106 (b) 2. D. or 3106 (b) 2. E. Where a counter or other writing surface is provided it shall have a clear height of not less than 29 inches.

**3. Equipment for Persons with Hearing Impairments.** Telephones shall be equipped with volume controls and a receiver that generates a magnetic field in the area of the receiver cap. Volume controls shall be capable of increasing volume not less than 12 dbA or more than 18 dbA above normal.

**4. Controls.** Telephones shall have pushbutton controls where service for such equipment is available.

**5. Cord Length.** The cord from the telephone to the handset shall be not less than 29 inches in length.

**6. Text Telephones.** Text telephones shall be permanently affixed within, or adjacent to the telephone enclosure. Where an acoustic coupler is used, the telephone cord shall be sufficiently long to allow connection of the text telephone and the telephone receiver.

**EXCEPTION:** Public pay telephones designed to accommodate a portable text telephone may be used provided that the following conditions are met:

A. The public pay telephone is equipped with a shelf and an electrical outlet within or adjacent to the telephone enclosure; and,

B. The shelf is not less than 10 inches by 10 inches in dimension with a vertical clearance above the shelf of not less than 6 inches; and,

C. The telephone handset is capable of being placed flush on the surface of the shelf.

(o) Alarms. **1. Audible Alarms.** Audible alarms shall produce a sound in accordance with UFC Standard No. 14-1.

**2. Visible Alarms.** Visible alarm signal appliances shall be integrated into the building or facility alarm system. Where single station audible alarms are provided, single station visible alarm signals shall be provided.

**EXCEPTION:** Dwelling units in Group R, Division 1 apartment buildings.

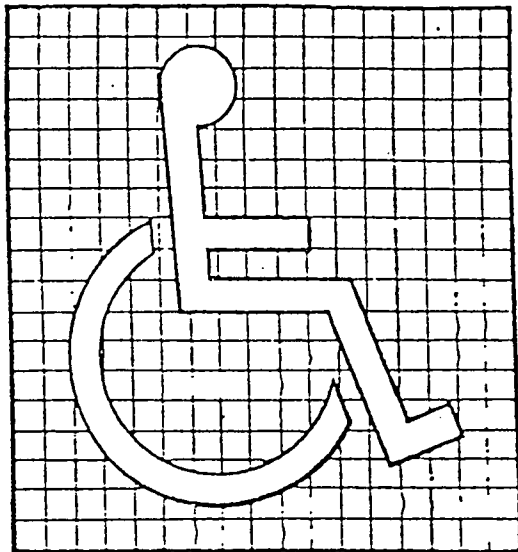
Visible alarms shall be located not less than 80 inches above floor level, or 6 inches below the ceiling, whichever is lower, and at an interval of not less than 50 feet horizontal, in rooms, corridors and hallways.

In rooms or spaces exceeding 100 feet in horizontal dimension, with no obstructions exceeding 6 feet in height above the finished floor, visible alarms may be placed around the perimeter at intervals not to exceed 100 feet horizontally.

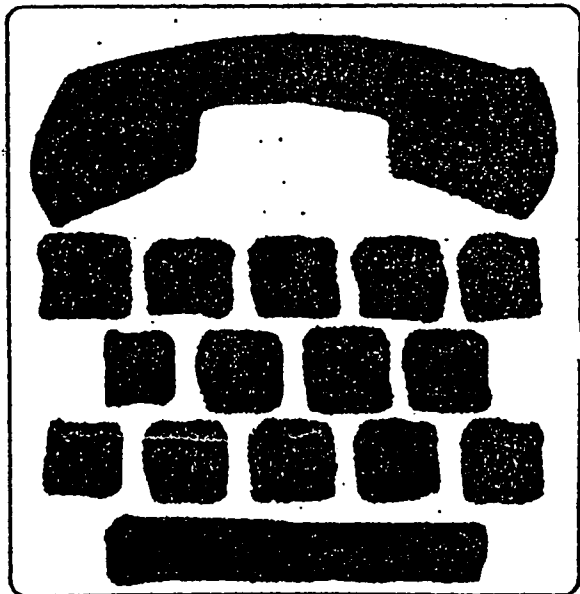
Guidelines for visible alarm type, color, intensity and flash rate are found in Appendix Chapter 31, Division V.

3. Access to Manual Fire Alarm Systems. Manual fire alarm devices shall be mounted not more than 54 inches above the floor provided that parallel approach is provided.

(p) Signage. 1. International Symbol of Access. A. General. The International Symbol of Access shall be as shown below:



B. Text Telephones. Text Telephones required by Section 3105 (d) 2. shall be identified by the International Text Telephone symbol as shown below:



C. Assistive Listening Systems. Permanently installed assistive listening systems that are required by Section 3103 (a) 2. B. shall be identified by the International Symbol of Access for Hearing Loss as shown below:



D. Volume Control Telephones. Telephones required by Section 3105 (d) 2. to have volume controls shall be identified by a handset containing a depiction of a telephone handset with radiating sound waves.

2. Mounting Location and Height. Signs shall be installed on the wall adjacent to the latch side of the door. Mounting height shall be not less than 54 inches, and not more than 66 inches. Mounting location for such signage shall be such that a person may approach within 3 inches of signage without encountering protruding objects or standing within the swing of a door.

3. Finish and Color. The character and background of interior signs shall be eggshell, matte, or other non-glare finish. All exterior signs depicting the International Symbol of Access shall be white on a blue background.

OPTION 1

All interior signs shall be white on a blue background.

OPTION 2

For interior signs, characters and symbols shall contrast with their background. Either light characters on a dark background or dark characters on a light background are acceptable.

4. Character Proportion and Height. Letters and numbers on signs shall have a width-to-height ratio between 3:5 and 1:1 and a stroke-width-to-height ratio between 1:5 and 1:10.

Characters and numbers on signs shall be sized according to the viewing distance from which they are to be read. The minimum character height for signs that are suspended or projected overhead is 3 inches for upper case letters. Lower case letters are permitted.

5. Raised and Brailled Characters and Pictorial Symbol Signs (Pictograms). Letters and numerals shall be raised not less than 1/32 inch; be upper case, simple typeface; and shall be accompanied with Grade 2 Braille. Raised characters shall be not less than 5/8 inch or more than 2 inches in height. Where provided, pictograms shall be accompanied by the equivalent verbal description placed directly below the pictogram. The border dimension of the pictogram shall be not less than 6 inches in height.

(q) Detectable Warnings. 1. Walking Surfaces. Detectable warnings on walking surfaces shall consist of a pattern of raised and lowered surfaces. The differences in height of the raised and lowered surfaces shall be 1/5 inch, nominal.

2. Doors To Hazardous Areas. Knobs or handles or other operating hardware on doors leading to loading platforms, stages, mechanical equipment rooms or other areas hazardous to the blind shall be knurled or otherwise rough to the touch. Such surfaces shall not be provided for emergency exit doors or any doors other than those to hazardous areas. Textured surfaces for detectable door warnings shall be consistent within a building, facility, site or complex of buildings.

(r) Storage, Shelving and Display Units. 1. Clear Floor Space. Storage, shelving and display units shall have a clear floor space not less than 30 inches by 48 inches that allows either a forward or parallel approach.

2. Height. Accessible storage, shelving and display units shall be within the reach ranges specified in Sections 3106 (b) 2. D. or 3106 (b) 2. E. Clothes rods shall be not more than 54 inches above the floor.

(s) Seating, Tables, and Sinks. 1. Clear Floor Space. Seating spaces at tables, and sinks shall have a clear floor space of not less than 30 inches by 48 inches that allows forward approach. The clear floor space shall not overlap knee space by more than 19 inches.

2. Knee Clearances. Knee spaces at tables, counters, and sinks shall be provided in accordance with Section 3106 (b) 2. B. No projection which might obstruct the arm of a wheelchair may intrude into this clearance height, within 24 inches horizontally from the table edge.

3. Height. The tops of tables, and sinks shall be not less than 28 inches nor more than 34 inches in height above the floor or ground.

(t) Aisles. All aisles, including check out aisles, food service lines and aisles between fixed tables, shall be not less than 36 inches in width.

(u) Assembly Areas. 1. Wheelchair Spaces. A. Location. Wheelchair spaces shall be an integral part of any fixed seating plan and shall be dispersed throughout the seating area. Spaces shall adjoin an accessible route of travel that also serves as a means of egress and shall be located to provide lines of sight comparable to those for all viewing areas.

EXCEPTION: Accessible viewing positions may be clustered for bleachers, balconies and other areas having sight lines that require slopes of greater than 5 percent. Equivalent accessible viewing positions may be located on levels having accessible egress.

B. Size. Wheelchair spaces shall be not less than 33 inches in width. Where forward or rear approach is provided, wheelchair spaces shall be not less than 48 inches in depth. Where side approach is provided, wheelchair spaces shall be not less than 60 inches in depth.

C. Surfaces. The ground or floor surfaces at wheelchair locations shall be level and shall comply with Section 3106 (g).

2. Access to Performance Areas. An accessible route of travel shall connect wheelchair seating locations with performance areas, including stages, arena floors, dressing rooms, locker rooms and other spaces used by performers.

3. Placement of Assistive Listening Systems. Where an assistive listening system serves individual fixed seats, such seats shall have a clear line of sight and shall be located not more than 50 feet from the stage or performance area.

(v) Restaurants and Cafeterias. 1. Aisles. Aisles to fixed tables required to be accessible shall comply with 3106 (s).

2. Food Service Lines. A. Clear Floor Space. Food service lines shall comply with Section 3106 (t).

B. Height. Tray slides shall be mounted not more than 34 inches in height above the floor.

C. Counters and Bars. Where service of food or drink is provided, at counters more than 34 inches in height, to customers seated on stools or standing, a portion of the main counter shall be provided in compliance with Section 3106 (s), or service shall be available at accessible tables within the same area.

D. Tableware and Condiment Areas. Self-service shelves and dispensing devices for tableware, dishware, condiments, food and beverages shall be installed to comply with Section 3106 (s).

(w) Patient Bedrooms. Each patient room shall be designed and constructed to provide a 180-degree turn that complies with Section 3106 (b) 1. Each patient room shall have a minimum clear floor space not less than 36 inches on each side of the bed.

(x) Customer Service Facilities. 1. Dressing, Fitting and Examination Rooms. A. Clear Floor Space. Dressing, fitting and examination rooms shall have a clear floor space complying with Section 3106 (b).

EXCEPTION: Dressing, fitting and examination rooms that are entered through a curtained opening need not comply with Section 3106 (b) 2.

B. Doors. All doors to accessible dressing, fitting and examination rooms shall comply with Section 3106 (j).

C. Benches. Every accessible dressing or fitting room shall have a bench installed adjacent to the longest wall in the room. The bench shall be not less than 24 inches in width and 48 inches in length, and shall be mounted not less than 17 inches nor more than 19 inches above the finished floor.

Clear floor space shall be provided adjacent to the bench to allow for parallel transfer, and the structural strength of the bench shall comply with Section 3106 (k) 9. C.

Where benches are installed in dressing and fitting rooms adjacent to showers, swimming pools, or other wet locations, water shall not accumulate upon the surface of the bench and the bench shall have a slip resistant surface.

D. Mirrors. Mirrors provided in accessible dressing and fitting rooms shall be not less than 18 inches in width by 54 inches in height and shall be mounted opposite the bench.

2. Counters and Windows. Where counters are required to be accessible, the accessible portion shall be not less than 36 inches in length and not more than 36 inches in height above the finished floor.

Where accessible windows are required, they shall be no more than 36 inches in height above the finished floor.

EXCEPTION: An auxiliary counter with a maximum height of 36 inches is installed in close proximity to the main counter.

3. Check-out Aisles. The width of accessible check-out aisles shall comply with Section 3106 (t). Counters in accessible check-out aisles shall be not more than 38 inches in height, and the top of the raised edge of the counter shall not exceed 40 inches in height above the finished floor.

Accessible check-out aisles shall be identified by the International Symbol of Access in accordance with Section 3106 (p) 1.

(y) Libraries. 1. Reading and Study Areas. At least 5 percent or a minimum of one of each element of fixed seating, tables or study carrels shall comply with Section 3106 (s). Clearances between fixed accessible tables and study carrels shall comply with Section 3106 (s).

2. Check-Out Areas. At least one lane at each check-out area shall comply with Section 3106 (t). Any traffic control or book security gates or turnstiles shall comply with Section 3106 (j).

3. Card Catalogs, Magazine Displays and Reference Stacks. A. Aisles. Aisles between card catalogs, magazine displays or reference stacks shall comply with Section 3106 (t).

B. Height. Card catalogs, magazine displays or reference stacks shall have a reach height of not more than 54 inches for side approach and not more than 48 inches for forward approach.

(z) Hotels and Congregate Residences. 1. Clear Floor Space. Each sleeping room shall have a space complying with Section 3106 (b) 1, along both sides of each bed.

EXCEPTION: In rooms with two beds, only one 36 inch wide maneuvering space need be provided between the two beds.

2. Accessible Route of Travel. An accessible route complying with Section 3103 (b) 2. shall connect all accessible spaces and elements including telephones, patios, terraces, balconies, carports, garages or parking spaces with all accessible sleeping rooms.

3. Doors. Doors within all sleeping rooms, suites or other covered units shall comply with Section 3106 (j).

4. Storage. Where fixed or built-in storage is provided in accessible units, sleeping rooms or suites, including cabinets, shelves, closets and drawers shall comply with Section 3106 (r).

5. Controls. All controls in accessible units, sleeping rooms and suites shall comply with Section 3106 (c).

(aa) Dwelling Units. 1. Type A and B Dwelling Units. Type A and B dwelling units shall comply with Section 3106.

EXCEPTIONS: 1. Kitchens in Type B dwelling units need not comply with Section 3106 (l) 1., provided that:

A. A clear space at least 30 inches by 48 inches that allows parallel approach by a person in a wheelchair is provided at the range or cook top and sink, and either a parallel or forward approach is provided at all other appliances; and,

B. In all other kitchens clearance between all opposing counters, base cabinets, countertops, appliances and walls shall be not less than 40 inches; and,

C. In "U" shaped kitchens with a sink, range or cooktop at the base of the "U", an unobstructed floor space of sufficient size to inscribe a circle with a diameter of not less than 60 inches shall be provided.

2. Bathrooms in Type B dwelling units need not comply with Section 3106 (k) 1 provided that sufficient maneuvering space which is not less than 30 inches by 48 inches is provided within the bathroom. Doors may swing into the clear floor space provided at any fixture, but shall not encroach on the required maneuvering space.

3. Doors in Type B dwelling units other than the primary entry door, need not comply with Section 3106 (j) 4. A.

4. Lofts in Type A or B dwelling units need not be accessible.

5. Raised or sunken floors in Type B dwelling units need not be accessible provided that they do not interfere with the accessible route of travel through the unit.

6. Counter surfaces in Type B dwelling units need not comply with Section 3106 (l) 2.



7. Within an individual dwelling unit in an elevator building, access to other levels is not required if the accessible level complies with all requirements for accessible dwelling units and contains a bathroom.
8. In Type B dwelling units, exterior deck, patio, or balcony surfaces may be no more than 4 inches below the floor level of the interior surface if the exterior surface is constructed of an impervious material such as concrete, brick or flagstone.
9. Grab bars may be omitted in bathing and toilet facilities within Type A or B dwelling units provided all structural reinforcements for grab bar installation are provided in the appropriate locations in the adjoining walls.
10. In Type B dwelling units the lateral distance between the open side of a water closet and adjacent walls, vanities or lavatories, may be reduced from 41 inches to not less than 15 inches.
11. Seats for bathtubs or showers are not required in Type B dwelling units.
12. In Type B dwelling units the clear floor space for bathtubs or showers may be reduced to not less than 30 inches in width by 48 inches in length.

#### NEW SECTION

**WAC 51-20-3107 PARKING FACILITIES.** Section 3107. (a) Accessible Parking Required. For other than Group R, Division 1 apartment buildings, when parking lots or garage facilities are provided, accessible parking spaces shall be provided in accordance with Table No. 31-F. In addition, one in every eight accessible parking spaces, but in no case less than one, shall comply with the van parking space requirements in Section 3107 (b).

For Group I, Division 1.1, 1.2 and 2 medical care Occupancies specializing in the treatment of persons with mobility impairments, 20 percent of parking spaces provided accessory to such occupancies shall be accessible.

For Group R, Division 1 apartment buildings where parking is provided, one accessible parking space shall be provided for each Type A dwelling unit. In addition, where the total parking provided on a site exceeds 1 parking space per dwelling unit, not less than 2 percent, and in no case less than 1 space, of this additional parking shall be accessible.

Accessible parking spaces shall be located on the shortest possible accessible route of travel to an accessible building entrance. In facilities with multiple accessible building entrances with adjacent parking, accessible parking spaces shall be dispersed and located near the accessible entrances. Wherever practical, the accessible route of travel shall not cross lanes of vehicular traffic. Where crossing traffic lanes is necessary, the route of travel shall be designated and marked as a crosswalk.

(b) Design and Construction. 1. General. When accessible parking spaces are required by this section, they shall be designed and constructed in accordance with this section.

2. Size. Parking spaces shall be not less than 96 inches in width and shall have an adjacent access aisle not less than 60 inches in width. Where two adjacent spaces are provided, the access aisle may be shared between the two spaces. Boundaries of access aisles shall be marked so that aisles will not be used as parking space.

Van accessible parking spaces shall have an adjacent access aisle not less than 96 inches in width.

3. Vertical Clearance. Where accessible parking spaces are provided for vans, the vertical clearance shall be not less than 114 inches.

4. Slope. Accessible parking spaces and access aisles shall be located on a surface with a slope not to exceed 1 vertical in 48 horizontal.

5. Surface. Parking spaces and access aisles shall be firm, stable, smooth and slip resistant.

(c) Signs. Every parking space required by this section shall be identified by a sign, centered between 3 and 5 feet above the parking surface, at the head of the parking space. The sign shall include the International Symbol of Access and the phrase "State Disabled Parking Permit Required".

#### NEW SECTION

**WAC 51-20-3108 PASSENGER DROP-OFF AND LOADING ZONES.** Section 3108. (a) Location. Where provided, passenger drop-off and loading zones shall be located on an accessible route of travel.

(b) Design and Construction. 1. General. Passenger drop-off and loading zones shall be designed and constructed in accordance with this section.

2. Passenger Drop-off Zones. A. Size. Drop-off zones shall be not less than 12 feet in width by 25 feet in length with the long dimension abutting and parallel to an accessible route of travel.

B. Slope. Such zones shall be located on a surface with a slope not exceeding 1 vertical in 48 horizontal.

3. Passenger Loading Zones. A. Size. Passenger loading zones shall provide an access aisle not less than 5 feet in width by 20 feet in length with the long dimension abutting and parallel to: (1) the vehicle space on one side and (2) an accessible route of travel on the other.

B. Slope. Such zones shall be located on a surface with a slope not exceeding 1 vertical in 48 horizontal.

### PART II ACCESSIBILITY FOR EXISTING BUILDINGS

#### NEW SECTION

**WAC 51-20-3109 SCOPE.** Section 3109. 1. General. The provisions of this part apply to renovation, alteration and additions to existing buildings including those identified as historic buildings. This chapter includes minimum standards for removing architectural barriers, and providing and maintaining accessibility for persons with disabilities to existing buildings and their related facilities.

2. Equivalent facilitation. Departures from specific technical and scoping requirements of this part by the use of alternate methods are permitted where such methods will provide equivalent or greater access to, and usability of, the facility. Alternate methods shall permit individuals with disabilities to approach, enter and use a site, building, facility or portion thereof; as easily, safely, conveniently and independently as the specified method.

#### NEW SECTION

**WAC 51-20-3110 DEFINITIONS.** Section 3110. For the purpose of this part, certain terms are designated as follows:

**ALTERATION** is any change, addition or modification in construction or occupancy.

**ALTERATION, SUBSTANTIAL** is any alteration where the total cost of all alterations (including but not limited to electrical, mechanical, plumbing and structural changes) for a building or facility within any 12-month period amounts to 60 percent or more of the assessed value.

**TECHNICALLY INFEASIBLE** means that an alteration has little likelihood of being accomplished because existing structural conditions would require removing or altering a load-bearing member or because site constraints prohibit modification or addition of elements, spaces or features necessary to provide accessibility.

#### NEW SECTION

**WAC 51-20-3111 ADDITIONS.** Section 3111. New additions may be made to existing buildings without making the entire building comply, provided the new additions conform to the provisions of Part I of this chapter except as follows:

1. Entries. Where a new addition to a building or facility does not have an accessible entry, at least one entry in the existing building or facility shall be accessible.

2. Accessible Route. Where the only accessible entry to the addition is located in the existing building or facility, at least one accessible route of travel shall be provided through the existing building or facility to all rooms, elements and spaces in the new addition which are required to be accessible.

3. Toilet and Bathing Facilities. Where there are no toilet rooms and bathing facilities in an addition and these facilities are provided in the existing building, then at least one toilet and bathing facility in the existing facility shall comply with Section 3106 or with Section 3112 (c) 5.

4. Group I Occupancies. Where patient rooms are added to an existing Group I Occupancy, a percentage of the additional rooms equal to the requirement of Section 3103 (a) 6., but in no case more than the total number of rooms required by Section 3103 (a) 6. shall comply with Section 3106 (w). Where toilet or bath facilities are part of the accessible rooms, they shall comply with Section 3106 (k).

5. Group R, Division 1 Apartment Buildings. Additions of 10 or fewer dwelling units in Group R, Division 1 apartment buildings need not comply with Part I of this chapter.

**NEW SECTION**

**WAC 51-20-3112 ALTERATIONS.** Section 3112. Alterations. (a) General. 1. Compliance. Alterations to existing buildings or facilities shall comply with this section. No alteration shall reduce or have the effect of reducing accessibility or usability of a building, portion of a building or facility. If compliance with this section is technically infeasible, the alteration shall provide access to the maximum extent feasible.

**EXCEPTION:** Except when substantial as defined by Section 3110, alterations to Group R, Division 1 apartment buildings need not comply with this section.

2. Existing Elements. If existing elements, spaces, essential features or common areas are altered, each such altered element, space feature or area shall comply with the applicable provisions of Part I of this chapter and Appendix Chapter 31 Division II.

3. Installation of Stairs or Escalators. If an escalator or new stairway is planned or installed requiring major structural changes, then a means of vertical transportation (e.g. elevator, platform lift) shall be provided in accordance with this chapter.

4. Other Requirements. A. Where alterations of single elements, when considered together, provide access to an area of a building or facility, the entire area or space shall be accessible.

B. No alteration of an existing element, space or area of a building shall impose a requirement for greater accessibility than that which would be required for new construction.

C. Where the alteration work is limited solely to the electrical, mechanical or plumbing system or hazardous materials removal, and does not involve the alteration, structural or otherwise, of any elements and spaces required to be accessible under these standards, Chapter 31 does not apply.

D. Where alterations would increase the number of interior or exterior public pay phones or where the existing facility has four or more public pay phones, at least one interior text telephone shall be provided in accordance with Section 3106 (n).

E. Where a building has an accessible entrance, altered entrances need not be made accessible unless they provide access to areas of primary function.

F. Where sleeping rooms are altered in an existing Group R, Division 1 hotel or motel, at least 1 sleeping room that complies with Section 3106 (z) shall be provided for each 25 sleeping rooms or fraction thereof. In addition, at least 1 sleeping room for each 25 sleeping rooms or fraction thereof shall have telephones, visible alarms, and visible notification devices in accordance with Section 3103 (a) 8. C. (ii).

G. Where patient rooms are altered in an existing Group I Occupancy, a percentage of the altered rooms equal to the requirement of Section 3103 (a) 6., but in no case more than the total number of rooms required by Section 3103 (a) 6. shall comply with Section 3106 (w). Where toilet or bath facilities are part of the accessible rooms, they shall comply with Section 3106 (k).

(b) Substantial Alterations. Where substantial alteration as defined in Section 3110 occurs to a building or facility, the entire building or facility shall comply with Part I of this code.

(c) Modifications. 1. General. The following modifications set forth in this section may be used for compliance where the required standard is technically infeasible or when providing access to historic buildings:

2. Ramps. Curb ramps and ramps constructed on existing sites, or in existing buildings or facilities, may have slopes and rises as specified for existing facilities in Chapter 31, where space limitations prohibit the use of 1 vertical in 12 horizontal slope or less provided that:

A. A slope not greater than 1 vertical in 10 horizontal is allowed for a maximum rise of 6 inches.

B. A slope not greater than 1 vertical in 8 horizontal is allowed for a maximum rise of 3 inches.

C. Slopes greater than 1 vertical in 8 horizontal are prohibited.

3. Stairs. Full extension of stair handrails is not required when such extension would be hazardous or impossible due to plan configuration. When an accessible elevator is provided, existing stairs need not be made accessible.

4. Elevators. Elevators shall comply with Chapter 296-81, Washington Administrative Code.

5. Platform Lifts. Upon the approval of the building official, platform lifts may be used in lieu of elevators in alterations in locations in addition to those permitted in Part I of this chapter, if installation of an elevator is technically infeasible.

6. Doors. A. Clearance. When existing elements prohibit strict compliance with the clearance requirements, a projection of 5/8 inch maximum is permitted for the latch side door stop.

B. Thresholds. Existing thresholds measuring 3/4 inch high or less which are modified to provide a beveled edge on each side, may be retained.

7. Toilet Rooms. A. Shared Facilities. The addition of one unisex toilet facility accessible to all occupants on the floor may be provided in lieu of making existing toilet facilities accessible when it is technically infeasible to comply with either part of Chapter 31.

B. Number. The number of toilet facilities and water closets required by the Uniform Plumbing Code may be reduced by one, in order to provide accessible features.

8. Assembly Areas. Seating shall adjoin an accessible route of travel that also serves as a means of emergency egress or route to an area for evacuation assistance. In alterations, accessibility to raised or sunken dining areas, or to all parts of outdoor seating areas is not required provided that the same services and amenities are provided in an accessible space usable by the general public and not restricted to use by people with disabilities.

9. Dressing Rooms. Where it is technically infeasible to meet the requirements of Part I of this chapter, one dressing room for each sex, or a unisex dressing room, on each level shall be accessible.

**NEW SECTION**

**WAC 51-20-3113 HISTORIC PRESERVATION.** Section 3113. (a) General. Generally, the accessibility provisions of this part shall be applied to historic buildings and facilities as defined in Section 104 (f) of this code.

The building official, shall determine whether provisions required by this part for accessible routes of travel (interior or exterior), ramps, entrances, toilets, parking or signage would threaten or destroy the historic significance of the building or facility.

If it is determined that any of the accessibility requirements listed above would threaten or destroy the historic significance of a building or facility, the modifications of Section 3112 (c) for that feature may be utilized.

(b) Special Provisions. Where removing architectural barriers or providing accessibility would threaten or destroy the historic significance of a building or facility, the following special provisions may be used:

1. At least one accessible route from a site access point to an accessible route shall be provided.

2. At least one accessible entrance which is used by the public shall be provided.

**EXCEPTION:** Where it is determined by the building official that no entrance used by the public can comply, access at any accessible entrance which is unlocked during business hours may be used provided directional signs are located at the main entry. The route of travel for the accessible entry shall not pass through hazardous areas, storage rooms, closets, kitchens or spaces used for similar purposes.

3. Where toilet facilities are provided, at least one toilet facility complying with Section 3111 and 3112 shall be provided along an accessible route. Such toilet facility shall be a shared facility available to both sexes.

4. Accessible routes from an accessible entrance to all publicly used spaces, on at least the level of the accessible entrance, shall be provided. Access should be provided to all levels of a building or facility when practical. Displays and written information and documents shall be located where they can be seen by a seated person.

**NEW SECTION**

**WAC 51-20-3114 APPEAL.** Section 3114 (a) Request for Appeal. An appeal from the standards for accessibility for existing buildings may be filed with the board of appeals when:

1. Existing structural elements or physical constraints of the site prevent full compliance or would threaten or destroy the historical significance of a historic building, or

2. For accessible routes of travel, the cost of compliance with this part would exceed 20% of the total project cost, inclusive of the cost of eliminating barriers, within a 12-month period.

(b) Review. 1. Consideration of Alternative Methods. Review of appeal requests shall include consideration of alternative methods which may provide partial access.

2. Waiver or Modification of Requirements. The appeals board may waive or modify the requirements of this section when it is determined that compliance with accessibility requirements would threaten or destroy the historic significance of a building or facility.

NEW SECTION

WAC 51-20-3151 SECTION 3151.

TABLE NO. 31-A  
WHEELCHAIR SPACES REQUIRED IN ASSEMBLY AREAS

Capacity of Seating in Assembly Area	Number of Required Wheelchair Spaces
4 to 25	1
26 to 50	2
51 to 300	4
301 to 500	6
over 500	6 plus 1 for each 100 over 500

NEW SECTION

WAC 51-20-3152 SECTION 3152.

OPTION 1

TABLE NO. 31-B  
REQUIRED TYPE A DWELLING UNITS

Total Number of Dwelling Units on Site	Required Number of Type A Dwelling Units
0-10	None
11-20	1
21-40	2
41-60	3
61-80	4
81-100	5
For every 20 units or fractional part thereof, over 100	1 additional

OPTION 2

TABLE NO. 31-B  
REQUIRED TYPE A DWELLING UNITS

Total Number of Dwelling Units on Site	Required Number of Type A Dwelling Units
0-10	None
11-33	1
34-66	2
67-100	3
For every 33 units or fractional part thereof, over 100	1 additional

NEW SECTION

WAC 51-20-3153 SECTION 3153.

TABLE NO. 31-C-NUMBER OF ACCESSIBLE ROOMS AND ROLL-IN SHOWERS

TOTAL NUMBER OF ROOMS <sup>1</sup>	MINIMUM REQUIRED ACCESSIBLE ROOMS <sup>1</sup>	ROOMS WITH ROLL-IN SHOWERS
1-25	1	
26-50	2	
51-75	3	1
76-100	4	1
101-150	5	2
151-200	6	2
201-300	7	3
301-400	8	4
401-500	9	4 plus 1 for every 100 rooms or fraction thereof, over 400.
501-1000	2% of total	
Over 1000	20 plus 1 for every 100 rooms or fraction thereof, over 1000	

<sup>1</sup>. For congregate residences the numbers in these columns shall apply to beds rather than rooms.

NEW SECTION

WAC 51-20-3154 SECTION 3154.

**TABLE NO. 31-D-NUMBER OF  
ACCESSIBLE ROOMS FOR PERSONS  
WITH HEARING IMPAIRMENTS**

TOTAL NUMBER OF ROOMS	MINIMUM REQUIRED NUMBER
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1000	2% of total rooms
Over 1000	20 plus 1 for every 100 rooms, or fraction thereof, over 1000.

NEW SECTION

WAC 51-20-3155 SECTION 3155.

**TABLE NO. 31-E  
REQUIRED CHECK-OUT AISLES**

<u>Total Check-out Aisles Units on Site</u>	<u>Minimum Number of Accessible Check-out Aisles</u>
<u>1-4</u>	<u>1</u>
<u>5-8</u>	<u>2</u>
<u>8-15</u>	<u>3</u>
<u>Over 15</u>	<u>3 plus 20% of additional aisles</u>

NEW SECTION

WAC 51-20-3156 SECTION 3156.

**TABLE NO. 31-F-NUMBER OF ACCESSIBLE PARKING SPACES**

TOTAL PARKING SPACES IN LOT OR GARAGE	MINIMUM REQUIRED NUMBER OF ACCESSIBLE SPACES
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-999	2% of total spaces
Over 1000	20 spaces plus 1 space for every 100 spaces, or fraction thereof, over 1000.

**NEW SECTION**

WAC 51-20-3200 CHAPTER 32. Roof Construction and Covering.

**NEW SECTION**

WAC 51-20-3207 ROOF DRAINAGE. Section 3207. (a) General. Roof systems shall be sloped a minimum of 1/4 inch in 12 inches for drainage. See Section 2305(f).

(b) Roof Drains. Unless roofs are sloped to drain over roof edges, roof drains shall be installed at each low point of the roof.

Roof drains shall be sized and discharged in accordance with the Plumbing Code.

(c) Overflow Drains and Scuppers. Where roof drains are required, overflow drains having the same size as the roof drains shall be installed with the inlet flow line located 2 inches above the low point of the roof, or overflow scuppers having three times the size of the roof drains may be installed in adjacent parapet walls with the inlet flow line located 2 inches above the low point of the adjacent roof and having a minimum opening height of 4 inches.

Overflow drains shall be connected to drain lines independent from the roof drain lines.

**OPTIONAL**

EXCEPTION: Storm drains overflow leaders may be connected to the vertical riser to the roof drain.

(d) Concealed Piping. Roof drains and overflow drains, when concealed within the construction of the building, shall be installed in accordance with the Plumbing Code.

(e) Over Public Property. Roof drainage water from a building shall not be permitted to flow over public property.

EXCEPTION: Group R, Division 3 and Group M Occupancies.

**NEW SECTION**

WAC 51-20-3300 CHAPTER 33. Exits.

**NEW SECTION**

WAC 51-20-3304 DOORS. Section 3304. (a) General. This section shall apply to every exit door serving an area having an occupant load of 10 or more, or serving hazardous rooms or areas, except that Subsections (c), (i), (j) and (k) shall apply to all exit doors regardless of occupant load. Buildings or structures used for human occupancy

shall have at least one exterior exit door that meets the requirements of Subsection (f). Doors and landings at doors which are located within an accessible route of travel shall also comply with Chapter 31.

(b) Swing and Opening Force. Exit doors shall be of the pivoted or side-hinged swinging type. Exit doors shall swing in the direction of exit travel when serving any hazardous area or when serving an occupant load of 50 or more. The door latch shall release when subjected to a 15-pound force, and the door shall be set in motion when subjected to a 30-pound force. The door shall swing to full-open position when subjected to 15-pound force. Forces shall be applied to the latch side. Except that at exit doors within the accessible route of travel such force shall not exceed 8.5 pounds, and at sliding and folding doors, and interior swinging doors such force shall not exceed 5 pounds. At exterior doors where environmental conditions require greater closing pressure, power operated doors shall be used within the accessible route of travel.

See Section 4507 for doors swinging over public property.

- EXCEPTIONS:
1. Group I, Division 3 Occupancy used as a place of detention.
  2. In other than accessible dwelling units doors within or serving an individual dwelling unit.
  3. Special door conforming with subsection (h).

Double-acting doors shall not be used as exits when any of the following conditions exist:

1. The occupant load served by the door is 100 or more.
2. The door is part of a fire assembly.
3. The door is part of a smoke- and draft-control assembly.
4. Panic hardware is required or provided on the floor.

A double-acting door shall be provided with a view panel of not less than 200 square inches.

(c) Type of Lock or Latch. Exit doors shall be openable from the inside without the use of a key or any special knowledge or effort.

- EXCEPTIONS:
1. In Group B Occupancies, key-locking hardware may be used on the main exit when the main exit consists of a single door or pair of doors if there is a readily visible, durable sign on or adjacent to the door stating THIS DOOR TO REMAIN UNLOCKED DURING BUSINESS HOURS. The sign shall be in letters not less than 1 inch high on a contrasting background. When unlocked, the single door or both leaves of a pair of doors must be free to swing without operation of any latching device. The use of this exception may be revoked by the building official for due cause.
  2. Exit doors from individual dwelling units; Group R, Division 3 congregate residences; and guest rooms of Group R Occupancies having an occupant load of 10 or less may be

provided with a night latch, dead bolt or security chain, provided such devices are openable from the inside without the use of a key or tool and mounted at a height not to exceed 48 inches above the finished floor.

Manually operated edge- or surface-mounted flush bolts and surface bolts are prohibited. When exit doors are used in pairs and approved automatic flush bolts are used, the door leaf having the automatic flush bolts shall have no door knob or surface-mounted hardware. The unlatching of any leaf shall not require more than one operation.

**EXCEPTIONS:** 1. Group R, Division 3 Occupancies.  
2. When a pair of doors serving a room not normally occupied are needed for the movement of equipment, manually operated edge or surface bolts may be used and a door closer need not be provided on the inactive leaf.

(d) **Panic Hardware.** Panic hardware, when installed, shall comply with the requirements of U.B.C. Standard No. 33-4. The activating member shall be mounted at a height of not less than 30 inches or more than 44 inches above the floor. The unlatching force shall not exceed 15 pounds when applied in the direction of exit travel.

When balanced doors are used and panic hardware is required, panic hardware shall be of the push-pad type and the pad shall not extend across more than one half of the width of the door measured from the latch side.

(e) **Special Egress-control Devices.** When approved by the building official, exit doors in Group B, Division 2 Occupancies may be equipped with approved listed special egress-control devices of the time-delay type, provided the building is protected throughout by an approved automatic sprinkler system and an approved automatic smoke-detection system. Such devices shall conform to all of the following:

1. Automatically deactivate the egress-control device upon activation of either the sprinkler system or the detection system.
2. Automatically deactivate the egress-control device upon loss of electrical power to any one of the following:
  - A. The egress-control device.
  - B. The smoke-detection device.
  - C. Exit illumination as required by Section 3313.
3. Be capable of being deactivated by a signal from a switch located in an approved location.
4. Initiate an irreversible process which will deactivate the egress-control device whenever a manual force of not more than 15 pounds is applied for two seconds to the panic bar or other door-latching hardware. The egress-control device shall deactivate within an approved time period not to exceed a total of 15 seconds. The time delay established for each egress-control device shall not be field adjustable.
5. Actuation of the panic bar or other door-latching hardware shall activate an audible signal at the door.
6. The unlatching shall not require more than one operation.

A sign shall be provided on the door located above and within 12 inches of the panic bar or other door-latching hardware reading: **KEEP PUSHING. THIS DOOR WILL OPEN IN . . . . . SECONDS. ALARM WILL SOUND.**

Sign letter shall be at least 1 inch in height and shall have a stroke of not less than 1/8 inch.

Regardless of the means of deactivation, relocking of the egress-control device shall be by manual means only at the door.

(f) **Width and Height.** Every required exit doorway shall be of a size as to permit the installation of a door not less than 3 feet in width and not less than 6 feet 8 inches in height. When installed, exit doors shall be capable of opening so that the clear width of the exit is not less than 32 inches. In computing the exit width required by Section 3303 (b), the net dimension of the exitway shall be used.

(g) **Door Leaf Width.** A single leaf of an exit door shall not exceed 4 feet in width.

(h) **Special Doors.** Revolving, sliding and overhead doors shall not be used as required exits. Where a turnstile is used, a gate or door to accommodate persons with disabilities shall be installed.

**EXCEPTION:** Horizontal sliding doors complying with U.B.C. Standard No. 43-13 may be used in:  
A. Elevator lobbies.  
B. Smoke barriers of Group I, Division 1.1 Occupancies.

Power-operated doors complying with U.B.C. Standard No. 33-1 may be used for exit purposes. Such doors when swinging shall have two guide rails installed on the swing side projecting out from the face of the door jambs for a distance not less than the widest door leaf.

Guide rails shall be not less than 30 inches in height with solid or mesh panels to prevent penetration into door swing and shall be capable of resisting a horizontal load at top of rail of not less than 50 pounds per lineal foot.

**EXCEPTIONS:** 1. Walls or other type separators may be used in lieu of the above guide rail, provided all the criteria are met.  
2. Guide rails in industrial or commercial occupancies not accessible to the public may conform with the exception to the third paragraph of Section 1712.  
3. Doors swinging toward flow of traffic shall not be permitted for use by untrained pedestrian traffic unless actuating devices start to function at least 8 feet 11 inches beyond door in open position and guide rails extend 6 feet 5 inches beyond door in open position.

Clearances for guide rails shall be as follows:

1. Six inches maximum between rails and leading edge of door at the closest point in its arc of travel.
2. Six inches maximum between rails and the door in an open position.
3. Two inches minimum between rail at hinge side and door in open position.
4. Two inches maximum between freestanding rails and jamb or other adjacent surface.

(i) **Floor Level at Doors.** Regardless of the occupant load, there shall be a floor or landing on each side of a door. When access for persons with disabilities is required by Chapter 31, the floor or landing shall not be more than 1/2 inch lower than the threshold of the doorway. When such access is not required, such dimension shall not exceed 1 inch. Landings shall be level except for exterior landings, which may have a slope not to exceed 1/4 inch per foot.

**EXCEPTIONS:** 1. In Group R, Division 3, and Group M Occupancies and within individual units of Group R, Division 1 Occupancies:  
A. A door may open at the top step of an interior flight of stairs, provided the door does not swing over the top step.  
B. A Door may open at a landing that is not more than 8 inches lower than the floor level, provided the door does not swing over the landing.  
C. Screen doors and storm doors may swing over stairs, steps or landings.  
2. Doors serving building equipment rooms which are not normally occupied.

(j) **Landings at Doors.** Landings shall have a width not less than the width of the stairway or the width of the door, whichever is the greater. Doors in the fully open position shall not reduce a required dimension by more than 7 inches. When a landing serves an occupant load of 50 or more, doors in any position shall not reduce the landing dimension to less than one half its required width. Landings shall have a length measured in the direction of travel of not less than 44 inches.

**EXCEPTION:** In Group R, Division 3, and Group M Occupancies and within individual units of Group R, Division 1 Occupancies, such length need not exceed 36 inches.

A Landing which has no adjoining door shall comply with Section 3306 (g).

(k) **Door Identification.** Glass doors shall conform to the requirements specified in Section 5406.

Exit doors shall be marked so that they are readily distinguishable from the adjacent construction.

(l) **Additional Doors.** When additional doors are provided for egress purposes, they shall conform to all provisions of this chapter.

**EXCEPTION:** Approved revolving doors having leaves which will collapse under opposing pressures may be used in exit situations, provided:  
A. Such doors have a minimum width 6 feet 6 inches.  
B. At least one conforming exit door is located adjacent to each revolving door.  
C. The revolving door shall not be considered to provide any exit width.

**NEW SECTION**

**WAC 51-20-3305 CORRIDORS AND EXTERIOR EXIT BALCONIES.** Section 3305. (a) General. This section shall apply to every corridor serving as a required exit for an occupant load of 10 or more except that subsection (b) shall apply to all corridors. For the purposes of this section, the term "corridor" shall include "exterior exit balconies" and any covered or enclosed exit passageway, including walkways, tunnels and malls. Partitions, rails, counters and similar space dividers not over 5 feet 9 inches in height above the floor shall not be construed to form corridors.

Exit corridors shall not be interrupted by intervening rooms.

**EXCEPTION:** Foyers, lobbies or reception rooms constructed as required for corridors shall not be construed as intervening rooms.

Corridors which are located within an accessible route of travel shall also comply with Chapter 31.

For Group I Occupancies see Section 3320(c).

(b) **Width.** The minimum corridor width shall be determined as specified in Section 3303(b), but shall not be less than 44 inches, except as specified herein. Corridors serving an occupant load of 49 or less shall not be less than 36 inches in width. For special requirements for Groups E and I Occupancies, see Sections 3318 and 3320.

(c) **Height.** Corridors and exterior exit balconies shall have a clear height of not less than 7 feet measured to the lowest projection from the ceiling.

(d) **Projections.** The required width of corridors shall be unobstructed.

**EXCEPTION:** Handrails and doors, when fully opened, shall not reduce the required width by more than 7 inches. Doors in any position shall not reduce the required width by more than one half. Other nonstructural projections such as trim and similar decorative features may project into the required width 1 1/2 inches on each side.

(e) **Access to Exits.** When more than one exit is required, they shall be so arranged that it is possible to go in either direction from any point in a corridor to a separate exit, except for dead ends not exceeding 20 feet in length.

(f) **Changes in Elevation.** When a corridor or exterior exit balcony is accessible to the handicapped, changes in elevation of the floor shall be made by means of a ramp, except as provided for doors by Section 3304(i).

(g) **Construction.** Walls of corridors serving a Group R, Division 1 or Group I Occupancy having an occupant load of 10 or more and walls of corridors serving other occupancies having an occupant load of 30 or more shall be of not less than one-hour fire-resistive construction and the ceilings shall not be less than that required for a one-hour fire-resistive floor or roof system.

**EXCEPTIONS:**

1. One-story buildings housing Group B, Division 4 Occupancies.
2. Corridors more than 30 feet in width where occupancies served by such corridors have at least one exit independent from the corridor. (See Chapter 56 for covered malls.)
3. Exterior sides of exterior exit balconies.
4. In Group I, Division 3 Occupancies such as jails, prisons, reformatories and similar buildings with open-barred cells forming corridor walls, the corridors and cell doors need not be fire resistive.
5. Corridor walls and ceilings need not be of fire-resistive construction within office spaces having an occupant load of 100 or less when the entire story in which the space is located is equipped with an automatic sprinkler system throughout and smoke detectors are installed within the corridor in accordance with their listing.
6. In other than Type I or II construction, exterior exit balcony roof assemblies may be of heavy-timber construction without concealed spaces.
7. Within office spaces occupied by a single tenant, partial height partitions which form corridors and which do not exceed 6 feet in height need not be fire resistive, provided they are constructed in accordance with Section 1705 and are not more than three fourths of the floor-to-ceiling height.

When the ceiling of the entire story is an element of a one-hour fire-resistive floor or roof system, the corridor walls may terminate at the ceiling. When the room-side fire-resistive membrane of the corridor wall is carried through to the underside of a fire-resistive floor or roof above, the corridor side of the ceiling may be protected by the use of ceiling materials as required for one-hour floor or roof system construction or the corridor ceiling may be of the same construction as the corridor walls.

Ceilings of noncombustible construction may be suspended below the fire-resistive ceiling.

For wall and ceiling finish requirements, see Table No. 42-B.

For restrictions on the use of corridors to convey air, see Chapter 10 of the Mechanical Code.

(h) **Openings.** 1. **Doors.** When corridor walls are required to be of one-hour fire-resistive construction by Section 3305(g), every interior door opening shall be protected by a tight-fitting smoke- and draft-control assembly having a fire-protection rating of not less than 20 minutes when tested in accordance with U.B.C. Standard No. 43-2.

Said doors shall not have louvers. The door and frame shall bear an approved label or other identification showing the rating thereof, the name of the manufacturer and the identification of the service conducting the inspection of materials and workmanship at the factory during fabrication and assembly. Doors shall be maintained self-closing or shall be automatic closing by actuation of a smoke detector in accordance with Section 4306(b). Smoke- and draft-control door assemblies shall be provided with a gasket so installed as to provide a seal where the door meets the stop on both sides and across the top.

**EXCEPTIONS:**

1. Viewports may be installed if they require a hole not larger than 1 inch in diameter through the door, have at least a 1/4-inch-thick glass disc and the holder is of metal which will not melt out when subject to temperatures of 1,700°F.
2. Protection of openings in the interior walls of exterior exit balconies is not required when it is possible to exit in two directions.

#### OPTION 1

2. **Openings other than doors.** Where corridor walls are required to be of one-hour fire-resistive construction by Section 3305(g), interior openings for other than doors or ducts shall be protected by fixed glazing listed and labeled for a fire-protection rating of at least three-fourths hour in accordance with Section 4306(i). The total area of all openings, other than doors, in any portion of an interior corridor shall not exceed 25 percent of the area of the corridor wall of the room which it is separating from the corridor. For duct openings, see Section 4306.

**EXCEPTION:** Protection of openings in the interior walls of exterior exit balconies is not required when it is possible to exit in two directions.

#### OPTION 2

2. **Openings other than doors.** Where corridor walls are required to be of one-hour fire-resistive construction by Section 3305(g), interior openings for other than doors or ducts shall be protected by fixed glazing listed and labeled for a fire-protection rating of at least three-fourths hour in accordance with Section 4306 (i) or approved 1/4-inch-thick wired glass installed in steel frames. The total area of all openings, other than doors, in any portion of an interior corridor shall not exceed 25 percent of the area of the corridor wall of the room which it is separating from the corridor. For duct openings, see Section 4306.

**EXCEPTION:** Protection of openings in the interior walls of exterior exit balconies is not required when it is possible to exit in two directions.

(i) **Location on Property.** Exterior exit balconies shall not be located in areas where openings are not permitted or where openings are required to be protected due to location on the property.

(j) **Elevators.** Elevators opening into a corridor serving a Group R, Division 1 or Group I Occupancy having an occupant load of 10 or more, or a corridor serving other occupancies having an occupant load of 30 or more shall be provided with an elevator lobby at each floor containing such a corridor. The lobby shall completely separate the elevators from the corridor by construction conforming to Section 3305(g) and all openings into the lobby wall contiguous with the corridor shall be protected as required by Section 3305(h).

**EXCEPTIONS:**

1. In office buildings classed as a Group B, Division 2 Occupancy, separations need not be provided from a street floor lobby, provided the entire street floor is protected with an automatic sprinkler system.
2. Elevators not required to meet the shaft enclosure requirements of Section 1706.
3. When additional doors are provided in accordance with Section 5106.

Elevator lobbies shall comply with Section 5106.

In fully sprinklered office buildings, corridors may lead through enclosed elevator lobbies if all areas of the building have access to at least one required exit without passing through the elevator lobby.

#### NEW SECTION

WAC 51-20-3306 STAIRWAYS. Section 3306. (a) **General.** Every stairway having two or more risers serving any building or portion thereof shall conform to the requirements of this section. When aisles in assembly rooms have steps, they shall conform with the provisions in Section 3315.



**EXCEPTION:** Stairs or ladders used only to attend equipment are exempt from the requirements of this section.

(b) **Width.** The minimum stairway width shall be determined as specified in Section 3303 (b), but shall not be less than 44 inches except as specified herein. Stairways serving an occupant load of 49 or less shall not be less than 36 inches in width.

Handrails may project into the required width a distance of 3 1/2 inches from each side of a stairway. Stringers and other projections such as trim and similar decorative features may project into required width 1 1/2 inches on each side.

(c) **Rise and Run.** The rise of every step in a stairway shall not be less than 4 inches or greater than 7 inches. Except as permitted in Subsections (d) and (f), the run shall not be less than 11 inches as measured horizontally between the vertical planes of the furthestmost projection of adjacent treads. Except as permitted in Subsections (d), (e) and (f), the largest tread run within any flight of stairs shall not exceed the smallest by more than 3/8 inch. The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch.

**EXCEPTIONS:**

1. Private stairways serving an occupant load of less than 10 and stairways to unoccupied roofs may be constructed with an 8-inch maximum rise and a 9-inch minimum run.
2. Where the bottom or top riser adjoins a sloping public way, walk or driveway having an established grade and serving as a landing, the bottom or top riser may be reduced along the slope to less than 4 inches in height with the variation in height of the bottom or top riser not to exceed 3 inches in every 3 feet of stairway width.

(d) **Winding Stairways.** In Group R, Division 3 Occupancies and in private stairways in Group R, Division 1 Occupancies, winders may be used if the required width of run is provided at a point not more than 12 inches from the side of the stairway where the treads are narrower, but in no case shall any width of run be less than 6 inches at any point.

(e) **Circular Stairways.** Circular stairways may be used as an exit, provided the minimum width of run is not less than 10 inches and the smaller radius is not less than twice the width of the stairway. The largest tread width or riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch.

(f) **Spiral Stairways.** In Group R, Division 3 Occupancies and in private stairways within individual units of Group R, Division 1 Occupancies, spiral stairways may be installed. Such stairways may be used for required exits when the area served is limited to 400 square feet.

The tread must provide a clear walking area measuring at least 26 inches from the outer edge of the supporting column to the inner edge of the handrail. A run of at least 7 1/2 inches is to be provided at a point 12 inches from where the tread is the narrowest. The rise must be sufficient to provide 6-foot 6-inch headroom. The rise shall not exceed 9 1/2 inches.

(g) **Landings.** Stairways shall have landings at the top and bottom. Every landing shall have a dimension measured in the direction of travel not less than the width of the stairway. Such dimension need not exceed 44 inches when the stair has a straight run. There shall not be more than 12 feet vertically between landings. For landings with adjoining doors, see Section 3304 (j).

**EXCEPTION:** Stairs serving an unoccupied roof are exempt from these provisions.

(h) **Basement Stairways.** When a basement stairway and a stairway to an upper story terminate in the same exit enclosure, an approved barrier shall be provided to prevent persons from continuing on into the basement. Directional exit signs shall be provided as specified in Section 3314.

(i) **Handrails.** Stairways shall have handrails on each side, and every stairway required to be more than 88 inches in width shall be provided with not less than one intermediate handrail for each 88 inches of required width. Intermediate handrails shall be spaced approximately equally across the entire width of the stairway.

**EXCEPTIONS:**

1. Stairways less than 44 inches in width or stairways serving one individual dwelling unit in Group R, Division 1 or 3 Occupancies, or a Group R, Division 3 congregate residence may have one handrail.
2. Private stairways 30 inches or less in height may have handrails on one side only.
3. Stairways having less than four risers and serving one individual dwelling unit in Group R, Division 1 or 3, or a Group R, Division 3 congregate residence or serving Group M Occupancies need not have handrails.

The top of handrails and handrail extensions shall be placed not less than 34 inches or more than 38 inches above the nosing of treads and landings. Handrails shall be continuous the full length of the stairs and, except for private stairways, at least one handrail shall extend in the direction of the stair run not less than 12 inches beyond the top riser or less than 23 inches beyond the bottom riser. Ends shall be returned or shall terminate in newel posts or safety terminals.

The handgrip portion of handrails shall be not less than 1 1/2 inches or more than 2 inches in cross-sectional dimension or the shape shall provide an equivalent gripping surface. The handgrip portion of handrails shall have a smooth surface with no sharp corners.

Handrails projecting from a wall shall have a space of not less than 1 1/2 inches between the wall and the handrail. Any recess containing a handrail shall allow a clearance of not less than 18 inches above the top of the rail, and shall be not more than 3 inches in horizontal depth.

Handrails shall not rotate within their fittings.

(j) **Guardrails.** Stairways open on one or both sides shall have guardrails as required by Section 1712.

(k) **Exterior Stairway Protection.** Except in Group R, Division 3 Occupancies, all openings in the exterior wall below and within 10 feet, measured horizontally, of an exterior exit stairway serving a building over two stories in height or a floor level having such openings in two or more floors below shall be protected by self-closing fire assembly having a three-fourths-hour fire-protection rating. Exterior stairways enclosed on three or more sides shall comply with the flame-spread requirements for interior stairways.

**EXCEPTIONS:**

1. Openings may be unprotected when two separated exterior stairways serve an exterior exit balcony.
2. Protection of openings is not required for open parking garages conforming to Section 709.

(l) **Interior Stairway Construction.** Interior stairways shall be constructed as specified in Part IV of this code.

Except when enclosed useable space under stairs is prohibited by Section 3309 (f), the walls and soffits of the enclosed space shall be protected on the enclosed side as required for one-hour fire-resistive construction.

All required interior stairways which extend to the top floor in any building four or more stories in height shall have, at the highest point of the stair shaft, an approved hatch openable to the exterior not less than 16 square feet in area with a minimum dimension of 2 feet.

**EXCEPTION:** The hatch need not be provided on smokeproof enclosures or on stairways that extend to the roof with an opening onto that roof.

Stairways exiting directly to the exterior of a building four or more stories in height shall be provided with means for emergency entry for fire department access.

(m) **Exterior Stairway Construction.** Exterior stairways shall be constructed as specified in Part IV of this code.

Exterior stairways shall not project into yards where openings are not permitted or protection of openings is required.

Enclosed usable space under stairs shall have the walls and soffits protected on the enclosed side as required for one-hour fire-resistive construction.

Stairways exiting directly to the exterior of a building four or more stories in height shall be provided with means for emergency entry for fire department access.

(n) **Stairway to Roof.** In buildings four or more stories in height, one stairway shall extend to the roof surface, unless the roof has a slope greater than 4 in 12. See Subsection 3306 (l) for roof hatch requirements.

(o) **Headroom.** Every stairway shall have a headroom clearance of not less than 6 feet 8 inches. Such clearances shall be measured vertically from a plane parallel and tangent to the stairway tread nosings to the soffit above at all points.

(p) **Stairway Identification.** Approved stairway identification signs shall be located at each floor level in all enclosed stairways in buildings four or more stories in height. The sign shall identify the stairway, indicate whether there is roof access, the floor level, and the upper and lower terminus of the stairway. The sign shall be located approximately 5 feet above the floor landing in a position which is readily visible when the door is in the open or closed position. Signs shall comply with requirements of U.B.C. Standard No. 33-2.

**NEW SECTION**

WAC 51-20-3315 AISLES. Section 3315. (a) General. Aisles leading to required exits shall be provided from all portions of buildings. Aisles located within an accessible route of travel shall also comply with Chapter 31.

(b) Width in Occupancies without Fixed Seats. The width of aisles in occupancies without fixed seats shall comply with this section. Aisle widths shall be provided in accordance with the following:

1. In areas serving employees only, the minimum aisle width may be 24 inches but not less than the width required by the number of employees served.

2. In public areas of Group B, Division 2 Occupancies, and in assembly occupancies without fixed seats, the minimum clear aisle width shall be 36 inches where tables, counters, furnishings, merchandise or other similar obstructions are placed on one side of the aisle only and 44 inches when such obstructions are placed on both sides of the aisle.

(c) Width in Assembly Occupancies with Fixed Seats. Aisles in assembly occupancies with fixed seats shall comply with this section. The clear width of aisles shall be based on the number of occupants within the portion of the seating areas served by the aisle.

The clear width of an aisle in inches shall not be less than the occupant load served by the aisle multiplied by 0.3 for aisles with slopes greater than 1 vertical to 8 horizontal and not less than 0.2 for aisles with slopes of 1 vertical to 8 horizontal or less. In addition, when the rise of steps in aisles exceeds 7 inches, the aisle clear width shall be increased by 1 1/4 inches for each 100 occupants or fraction thereof served for each 1/4 inch of riser height above 7 inches.

Where exiting is possible in two directions, the width of such aisles shall be uniform throughout their length.

When aisles converge to form a single path of exit travel, the aisle width shall not be less than the combined required width of the converging aisle.

In assembly rooms with fixed seats arranged in rows, the clear width of aisles shall not be less than set forth above or less than the following:

48 inches for stairs having seating on both sides.

36 inches for stairs having seating on one side.

23 inches between a stair handrail and seating when the aisles are subdivided by the handrail.

42 inches for level or ramped aisles having seating on both sides.

36 inches for level or ramped aisles having seating on one side.

23 inches between a stair handrail and seating when an aisle does not serve more than five rows on one side.

(d) Aisle Termination. Aisles shall terminate at a cross aisle, foyer, doorway or vomitory. Aisles shall not have a dead end greater than 20 feet in length.

**EXCEPTION:** A longer dead-end aisle is permitted when seats served by the dead-end aisle are not more than 24 seats from another aisle measured along a row of seats having a minimum clear width of 12 inches plus 0.6 inch for each additional seat above seven in a row.

Each end of a cross aisle shall terminate at an aisle, foyer, doorway or vomitory.

**OPTION 1**

(e) Ramp Slope. The slope of ramped aisles shall not be more than 1 vertical in 8 horizontal. Ramped aisles shall have a slip-resistant surface.

**OPTION 2**

(e) Ramp Slope. The slope of ramped aisles shall not be more than 1 vertical in 8 horizontal. Ramped aisles shall have a slip-resistant surface.

**EXCEPTION:** When provided with fixed seating, theaters may have a slope not steeper than 1 vertical to 5 horizontal.

**OPTION 1**

(f) Aisle Steps. 1. When prohibited. Steps shall not be used in aisles having a slope of 1 vertical to 8 horizontal or less.

2. When required. Aisles with a slope steeper than 1 vertical to 8 horizontal shall consist of a series of risers and treads extending across the entire width of the aisle.

The height of risers shall not be more than 7 inches or less than 4 inches and the tread run shall not be less than 11 inches. The riser height shall be uniform within each flight and the tread run shall be

uniform throughout the aisle. Variations in run or height between adjacent treads or risers shall not exceed 3/16 inch. A contrasting marking stripe or other approved marking shall be provided on each tread at the nosing or leading edge such that the location of each tread is readily apparent when viewed in descent. Such stripe shall be a minimum of 1 inch wide and a maximum of 2 inches wide.

**EXCEPTION:** When the slope of aisle steps and the adjoining seating area is the same, the riser heights may be increased to a maximum of 9 inches and may be nonuniform but only to the extent necessitated by changes in the slope of the adjoining seating area to maintain adequate sightlines. Variations may exceed 3/16 inch between adjacent risers provided the exact location of such variations is identified with a marking stripe on each tread at the nosing or leading edge adjacent to the nonuniform riser. The marking stripe shall be distinctively different from the contrasting marking stripe.

**OPTION 2**

(f) Aisle Steps. 1. When prohibited. Steps shall not be used in aisles having a slope of 1 vertical to 8 horizontal or less.

2. When required. Aisles with a slope steeper than 1 vertical to 8 horizontal shall consist of a series of risers and treads extending across the entire width of the aisle, except as provided in subsection (e).

The height of risers shall not be more than 7 inches or less than 4 inches and the tread run shall not be less than 11 inches. The riser height shall be uniform within each flight and the tread run shall be uniform throughout the aisle. Variations in run or height between adjacent treads or risers shall not exceed 3/16 inch. A contrasting marking stripe or other approved marking shall be provided on each tread at the nosing or leading edge such that the location of each tread is readily apparent when viewed in descent. Such stripe shall be a minimum of 1 inch wide and a maximum of 2 inches wide.

**EXCEPTION:** When the slope of aisle steps and the adjoining seating area is the same, the riser heights may be increased to a maximum of 9 inches and may be nonuniform but only to the extent necessitated by changes in the slope of the adjoining seating area to maintain adequate sightlines. Variations may exceed 3/16 inch between adjacent risers provided the exact location of such variations is identified with a marking stripe on each tread at the nosing or leading edge adjacent to the nonuniform riser. The marking stripe shall be distinctively different from the contrasting marking stripe.

(g) Handrails. Handrails shall comply with the height, size and shape dimensions set forth in Section 3306(i) and shall have rounded terminations or bends. Ramped aisles having a slope steeper than 1 vertical to 15 horizontal and aisle stairs (two or more adjacent steps) shall have handrails located either at the side or within the aisle width. Handrails may project into the required aisle width a distance of 3 1/2 inches.

**EXCEPTIONS:** 1. Handrails may be omitted on ramped aisles having a slope not greater than 1 vertical in 8 horizontal when fixed seating is on both sides of the aisle.  
2. Handrails may be omitted when a guardrail is at the side of an aisle which conforms to the size and shape requirements for handrails.

Handrails located within the aisle width shall be discontinuous with gaps or breaks at intervals not to exceed five rows. These gaps or breaks shall have a clear width of not less than 22 inches or more than 36 inches measured horizontally. Such handrails shall have an additional intermediate handrail located 12 inches below the main handrail.

## NEW SECTION

WAC 51-20-3350 SECTION 3350.

## OPTION 1

TABLE NO. 33-A

MINIMUM EGRESS REQUIREMENTS<sup>1</sup>

USE <sup>2</sup>	MINIMUM OF TWO EXITS OTHER THAN ELEVATORS ARE REQUIRED WHERE NUMBER OF OCCUPANTS IS AT LEAST	OCCUPANT LOAD FACTOR <sup>3</sup> (sq. ft.)
1. Aircraft hangars (no repair)	10	500
2. Auction rooms	30	7
3. Assembly areas, concentrated use (without fixed seats Auditoriums Churches and chapels Dance floors Lobby accessory to assembly occupancy Lodge rooms Reviewing stands Stadiums  Waiting Area	50	7         3
4. Assembly areas, less-concentrated use Conference rooms Dining rooms Drinking establishments Exhibit rooms Gymnasiums Lounges Stages	50	15
5. Bowling alley (assume no occupant load for bowling lanes)	50	4
6. Children's homes and homes for the aged	6	80
7. Classrooms	50	20
8. Congregate residences (accommodating 10 or less persons and having an area of 3,000 square feet or less)	10	300
Congregate residences (accommodating more than 10 persons or having an area of more than 3,000 square feet)	10	200
9. Courtrooms	50	40
10. Dormitories	10	50
11. Dwellings	10	300
12. Exercising rooms	50	50
13. Garage, parking	30	200

TABLE NO. 33-A--MINIMUM EGRESS REQUIREMENTS<sup>1</sup>--(Continued)

USE <sup>2</sup>	MINIMUM OF TWO EXITS OTHER THAN ELEVATORS ARE REQUIRED WHERE NUMBER OF OCCUPANTS IS AT LEAST	OCCUPANT LOAD FACTOR <sup>3</sup> (sq. ft.)
14. Hospitals and sanitariums--		
Nursing homes	6	80
Sleeping rooms		
Treatment rooms	10	80
Health-care center	10	80
15. Hotels and apartments	10	200
16. Kitchen--commercial	30	200
17. Library reading room	50	50
18. Locker rooms	30	50
19. Malls (see Chapter 56)	--	---
20. Manufacturing areas	30	200
21. Mechanical equipment room	30	300
22. Nurseries for children (day care)	7	35
23. Offices	30	100
24. School shops and vocational rooms	50	50
25. Skating rinks	50	50 on the skating area; 15 on the deck
26. Storage and stock rooms	30	300
27. Stores--retail sales rooms	50	30
28. Swimming pools	50	50 for the pool area; 15 on the deck
29. Warehouses	30	500
30. All others	50	100

<sup>1</sup> Access to, and egress from, buildings for persons with disabilities shall be provided as specified in Chapter 31.

<sup>2</sup> For additional provisions on number of exits from Groups H and I Occupancies and from rooms containing fuel-fired equipment or cellulose nitrate, see Sections 3319, 3320 and 3321, respectively.

<sup>3</sup> This table shall not be used to determine working space requirements per person.

<sup>4</sup> Occupant load based on five persons for each alley, including 15 feet of runway.

## OPTION 2

TABLE NO. 33-A  
 MINIMUM EGRESS REQUIREMENTS<sup>1</sup>

USE <sup>2</sup>	MINIMUM OF TWO EXITS OTHER THAN ELEVATORS ARE REQUIRED WHERE NUMBER OF OCCUPANTS IS AT LEAST	OCCUPANT LOAD FACTOR <sup>3</sup> (sq. ft.)
1. Aircraft hangars (no repair)	10	500
2. Auction rooms	30	7
3. Assembly areas, concentrated use (without fixed seats Auditoriums Churches and chapels Dance floors Lobby accessory to assembly occupancy Lodge rooms Reviewing stands Stadiums	50	7
Waiting Area	50	3
4. Assembly areas, less-concentrated use Conference rooms Dining rooms Drinking establishments Exhibit rooms Gymnasiums Lounges Stages	50	15
5. Bowling alley (assume no occupant load for bowling lanes)	50	4
6. Children's homes and homes for the aged	6	80
7. Classrooms	50	20
8. Congregate residences (accommodating 10 or less persons and having an area of 3,000 square feet or less)	10	300
Congregate residences (accommodating more than 10 persons or having an area of more than 3,000 square feet)	10	200
9. Courtrooms	50	40
10. Dormitories	10	50
11. Dwellings	10	300
12. Exercising rooms	50	50
13. Garage, parking	30	200

TABLE NO. 33-A--MINIMUM EGRESS REQUIREMENTS<sup>1</sup>--(Continued)

USE <sup>2</sup>	MINIMUM OF TWO EXITS OTHER THAN ELEVATORS ARE REQUIRED WHERE NUMBER OF OCCUPANTS IS AT LEAST	OCCUPANT LOAD FACTOR <sup>3</sup> (sq. ft.)
14. Hospitals and sanitariums--		
Nursing homes	6	80
Sleeping rooms		
Treatment rooms	10	80
Health-care center	10	80
15. Hotels and apartments	10	200
16. Laboratories (B-2)		
Instructional and teaching laboratories at schools, colleges and universities	10	50
All other B-2 laboratories	10	100
17. Kitchen--commercial	30	200
18. Library reading room	50	50
19. Locker rooms	30	50
20. Malls (see Chapter 56)	--	---
21. Manufacturing areas	30	200
22. Mechanical equipment room	30	300
23. Nurseries for children (day care)	7	35
24. Offices	30	100
25. School shops and vocational rooms	50	50
26. Skating rinks	50	50 on the skating area; 15 on the deck
27. Storage and stock rooms	30	300
28. Stores--retail sales rooms	50	30
29. Swimming pools	50	50 for the pool area; 15 on the deck
30. Warehouses	30	500
31. All others	50	100

<sup>1</sup> Access to, and egress from, buildings for persons with disabilities shall be provided as specified in Chapter 31.  
<sup>2</sup> For additional provisions on number of exits from Groups H and I Occupancies and from rooms containing fuel-fired equipment or cellulose nitrate, see Sections 3319, 3320 and 3321, respectively.  
<sup>3</sup> This table shall not be used to determine working space requirements per person.  
<sup>4</sup> Occupant load based on five persons for each alley, including 15 feet of runway.

**NEW SECTION**

WAC 51-20-3800 CHAPTER 38. Fire-Extinguishing Systems.

**NEW SECTION**

WAC 51-20-3801 SCOPE. Section 3801. (a) General. All fire-extinguishing systems required in this code shall be installed in accordance with the requirements of this chapter.

Fire hose threads used in connection with fire-extinguishing systems shall be national standard hose thread or as approved by the fire department.

In buildings used for high-piled combustible storage, fire protection shall be in accordance with the Fire Code.

(b) Standard of Quality. All fire-extinguishing systems including automatic sprinkler systems, Class I, Class II and Class III standpipe systems, combined systems, special automatic extinguishing systems and basement pipe inlets shall be approved and shall be subject to such periodic tests as may be required. The location of all fire department hose connections shall be approved by the fire department.

The standards listed below labeled a "U.B.C. Standard" are also listed in Chapter 60, Part II, and are part of this code.

## 1. Fire-extinguishing system

A. U.B.C. Standard No. 38-1, Installation of Sprinkler Systems

B. U.B.C. Standard No. 38-3, Installation of Sprinkler Systems in Group R Occupancies Four Stories or Less

## 2. Standpipe systems

A. U.B.C. Standard No. 38-2, Standpipe Systems

(c) Definitions. For the purpose of this chapter, certain terms are defined as follows:

**AUTOMATIC FIRE-EXTINGUISHING SYSTEM** is an approved system of devices and equipment which automatically detects a fire and discharges an approved fire-extinguishing agent onto or in the area of a fire.

**COMBINED SYSTEM** is a system of water piping which serves 2 1/2-inch hose outlets for use by the fire department and also supplies water to fire sprinklers.

**FIRE DEPARTMENT INLET CONNECTION** is a connection through which the fire department can pump water into a standpipe system, or sprinkler system.

**STANDPIPE SYSTEM** is a wet or dry system of piping, valves, outlets and related equipment designed to provide water at specified pressures and installed exclusively for the fighting of fires, including the following:

Class I is a standpipe system equipped with 2 1/2-inch outlets.

Class II is a standpipe system directly connected to a water supply and equipped with 1 1/2-inch outlets and hose.

Class III is a standpipe system directly connected to a water supply and equipped with 2 1/2-inch outlets or 2 1/2-inch and 1 1/2-inch outlets when a 1 1/2-inch hose is required. Hose connections for Class III systems may be made through 2 1/2-inch hose valves with easily removable 2 1/2-inch by 1 1/2-inch reducers.

(d) Standards. Fire-extinguishing systems shall comply with U.B.C. Standards Nos. 38-1 and 38-2.

**EXCEPTIONS:** 1. Automatic fire-extinguishing systems not covered by U.B.C. Standard No. 38-1 or 38-2 shall be approved and installed in accordance with approved standards.

2. Automatic sprinkler systems may be connected to the domestic water-supply main when approved by the building official, provided the domestic water supply is of adequate pressure, capacity and sizing for the combined domestic and sprinkler requirements. In such case, the sprinkler system connection shall be made between the public water main or meter and the building shutoff valve, and there shall not be intervening valves or connections. The fire department connection may be omitted when approved by the fire department.

3. Automatic sprinkler systems in Group R Occupancies four stories or less may be in accordance with U.B.C. Standard No. 38-3. When residential sprinkler systems as set forth in U.B.C. Standard No. 38-3 are provided, exceptions to or reductions in code requirements based on the installation of an automatic fire-extinguishing system are not allowed.

(e) Modifications. When a residential sprinkler system as set forth in U.B.C. Standard No. 38-1 is provided, exception to, or reductions in, code requirements allowed because of the installation of an automatic fire-extinguishing system are not permitted.

(f) When sprinklers are installed in an insulated ceiling cavity not meeting exceptions of UBC Standard No. 38-1 or where blocked by

ducts or other similar obstructions, a space 6 inches or greater in depth with not less than 12 inches clearance from ducts or other similar obstructions shall be provided under all sprinklers.

**NEW SECTION**

WAC 51-20-3802 AUTOMATIC FIRE-EXTINGUISHING SYSTEMS. Section 3802. (a) Where Required. An automatic fire-extinguishing systems shall be installed in the occupancies and locations as set forth in this section.

For provisions on special hazards and hazardous materials, see the Fire Code.

(b) All Occupancies except Group R, Division 3 and Group M. Except for Group R, Division 3 and Group M Occupancies, an automatic sprinkler system shall be installed:

1. In every story or basement of all buildings when the floor area exceeds 1,500 square feet and there is not provided at least 20 square feet of opening entirely above the adjoining ground level in each 50 lineal feet or fraction thereof of exterior wall in the story or basement on at least one side of the building. Openings shall have a minimum dimension of not less than 30 inches. Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that firefighting or rescue cannot be accomplished from the exterior.

When openings in a story are provided on only one side and the opposite wall of such story is more than 75 feet from such openings, the story shall be provided with an approved automatic sprinkler system, or openings as specified above shall be provided on at least two sides of an exterior wall of the story.

If any portion of a basement is located more than 75 feet from openings required in this section, the basement shall be provided with an approved automatic sprinkler system.

2. At the top of rubbish and linen chutes and in their terminal rooms. Chutes extending through three or more floors shall have additional sprinkler heads installed within such chutes at alternate floors. Sprinkler heads shall be accessible for servicing.

3. In rooms where nitrate film is stored or handled.

4. In protected combustible fiber storage vaults as defined in the Fire Code.

(c) Group A Occupancies. 1. Drinking establishments. An automatic sprinkler system shall be installed in rooms used by the occupants for the consumption of alcoholic beverages and unseparated accessory uses where the total area of such unseparated rooms and assembly uses exceeds 5,000 square feet. For uses to be considered as separated, the separation shall not be less than as required for a one-hour occupancy separation. The area of other uses shall be included unless separated by at least a one-hour occupancy separation.

2. Basements. An automatic sprinkler system shall be installed in basements classified as a Group A Occupancy when the basement is larger than 1,500 square feet in floor area.

3. Exhibition and display rooms. An automatic sprinkler system shall be installed in Group A Occupancies which have more than 12,000 square feet of floor area which can be used for exhibition or display purposes.

4. Stairs. An automatic sprinkler system shall be installed in enclosed usable space below or over a stairway in Group A, Divisions 2, 2.1, 3 and 4 Occupancies. See Section 3309(f).

5. Every building containing a multitheater complex.

6. Amusement buildings. An automatic sprinkler system shall be installed in all amusement buildings. The main water-flow switch shall be electrically supervised. The sprinkler main cutoff valve shall be supervised. When the amusement building is temporary, the sprinkler water-supply system may be of an approved temporary type.

**EXCEPTION:** An automatic sprinkler system need not be provided when the floor area of a temporary amusement building is less than 1,000 square feet and the exit travel distance from any point is less than 50 feet.

7. Other areas. An automatic sprinkler system shall be installed under the roof and gridiron, in the tie and fly galleries, and in all places behind the proscenium wall of stages; over and within permanent platforms in excess of 500 square feet in area; and in dressing rooms, workshops and storerooms accessory to such stages or permanent platforms.

**EXCEPTIONS:** 1. Stages or platforms open to the auditorium room on three or more sides.  
2. Altars, pulpits or similar platforms and their accessory

rooms.

3. Stage gridirons when side-wall sprinklers with 135°F. rated heads with heat-baffle plates are installed around the entire perimeter of the stage except for the proscenium opening at points not more than 30 inches below the gridiron or more than 6 inches below the baffle plate.

4. Under stage or under platform areas less than 4 feet in clear height used exclusively for chair or table storage and lined on the inside with materials approved for one-hour fire-resistive construction.

(d) Group B, Division 2 Occupancies. An automatic sprinkler system shall be installed in retail sales rooms classed as Group B, Division 2 Occupancies where the floor area exceeds 12,000 square feet on any floor or 24,000 square feet on all floors or in Group B, Division 2 retail sales occupancies more than three stories in height. The area of mezzanines shall be included in determining the areas where sprinklers are required.

(e) Group E Occupancies. 1. Basements. An automatic sprinkler system shall be installed in basements classified as a Group E Occupancy when the basement is larger than 1,500 square feet in floor area.

2. Stairs. An automatic sprinkler system shall be installed in enclosed usable space below or over a stairway in Group E Occupancies. See Section 3309(f).

**LOCATION**

- Fabrication areas
- Service corridors
- Storage rooms without dispensing
- Storage rooms with dispensing
- Exit corridors

**OCCUPANCY HAZARD CLASSIFICATION**

- Ordinary Hazard Group 3
- Ordinary Hazard Group 3
- Ordinary Hazard Group 3
- Extra Hazard Group 2
- Ordinary Hazard Group 3<sup>1</sup>

<sup>1</sup> When the design area of the sprinkler system consists of a corridor protected by one row of sprinklers, the maximum number of sprinklers that needs to be calculated is 13.

(g) Group I Occupancies. An automatic sprinkler system shall be installed in Group I Occupancies.

EXCEPTION: In jails, prisons and reformatories, the piping system may be dry, provided a manually operated valve is installed at a continuously monitored location. Opening of the valve will cause the piping system to be charged. Sprinkler heads in such systems shall be equipped with fusible elements or the system shall be designed as required for deluge systems in U.B.C. Standard No. 38-1.

(h) Group R, Division 1 Occupancies. An automatic sprinkler system shall be installed throughout apartment houses three or more stories in height or containing 16 or more dwelling units, in congregate residences three or more stories in height and having an occupant load of 50 or more and in hotels three or more stories in height or containing 20 or more guest rooms. Residential or quick-response standard sprinklers shall be used in the dwelling units and guest room portions of the building.

NEW SECTION

WAC 51-20-3900 CHAPTER 39. Stages and Platforms.

NEW SECTION

WAC 51-20-3901 SCOPE. Section 3901. (a) Standards of Quality. Platforms and stages shall conform with the requirements of this chapter.

The standards listed below labeled a "UBC Standard" are also listed in Chapter 60, Part II, and are part of this code.

3. Division 1. An automatic fire-extinguishing system shall be installed in all buildings classified as Group E, Division 1 Occupancies.

EXCEPTION: Portable school classrooms, provided:  
A. Aggregate area of clusters of portable school classrooms does not exceed 9,100 square feet; and  
B. Clusters of portable school classrooms shall be separated as required in Chapter 5.

When not required by other provisions of this chapter, a fire-extinguishing system installed in accordance with UBC Standard No. 38-1 may be used for increases allowed in Chapter 5. Reductions in required fire flow shall be in accordance with the Fire Code.

(f) Group H Occupancies. 1. General. An automatic fire-extinguishing system shall be installed in Group H, Divisions 1, 2, 3 and 7 Occupancies.

2. Division 4. An automatic fire-extinguishing system shall be installed in Group H, Division 4 Occupancies having a floor area of more than 3,000 square feet.

3. Division 6. An automatic fire-extinguishing system shall be installed throughout buildings containing Group H, Division 6 Occupancies. The design of the sprinkler system shall not be less than that required under U.B.C. Standard No. 38-1 for the occupancy hazard classifications as follows:

- 1. UBC Standard No. 6-1, Proscenium Curtains
- 2. UBC Standard No. 38-1, Installation of Sprinkler Systems
- 3. UBC Standard No. 42-1, Test Method for Surface-burning Characteristics of Building Materials
- 4. UBC Standard No. 43-1, Fire Tests of Building Construction and Materials.

(b) Definitions. For the purpose of this chapter, certain terms are defined as follows:

BATTEN is a flown metal pipe or shape on which lights or scenery are fastened.

DROP is a large piece of scenic canvas or cloth which hangs vertically, usually across the stage area.

FLY is the space over the stage of a theater where scenery and equipment can be hung out of view. Also called lofts and rigging lofts.

FLY GALLERY is a narrow raised platform at the side of legitimate stage from which the lines for flying scenery are manipulated.

GRIDIRON is the arrangement of beams over a legitimate stage supporting the equipment for flying scenery and hanging battens from which curtains, scenery and lighting are hung.

LEG DROP is a long narrow strip of fabric used for masking. When used on either or both sides of the acting area, it is provided to designate an entry onto the stage by the actors. It is also used to mask the side stage area. They may also be called "wings."

PINRAIL is a beam at one side of a legitimate stage through which wooden or metal pins are driven and to which lines from the flies are fastened.

PLATFORM is that raised area within a building used for the presentation of music, plays or other entertainment; the head table for special guests; the raised area for lectures and speakers; boxing and



wrestling rings; theater in the round; and similar purposes wherein there are not overhead hanging curtains, drops, scenery or stage effects other than lighting.

**PLATFORM, PERMANENT**, is a platform used within an area for more than 30 days.

**PLATFORM, TEMPORARY**, is a platform used within an area for not more than 30 days.

**PROSCENIUM WALL** is the wall that separates the stage from the auditorium or house.

**STAGE** is a partially enclosed area within a building used for the purpose of entertainment and shall be classified as either:

Stage, Legitimate,

#### OPTION 1

is a stage wherein curtains, drops, leg drops, scenery, lighting devices or other stage effects are retractable horizontally or suspended overhead.

#### OPTION 2

is a stage wherein curtains, drops, leg drops, scenery, lighting devices or other stage effects are retractable horizontally or vertically.

**Stage, Regular**, is a stage wherein curtains, fixed leg drops, valances, scenery and other stage effects are hung and are not retractable, with the exception of a valance, a light trough, the main (house) curtain, a bank of lights and a single backdrop, which may be retractable without the stage being considered a legitimate stage.

**Stage, Thrust**, is a platform extending beyond the proscenium arch and into the audience.

**THEATER-IN-THE-ROUND** is an acting area in the middle of a room with the audience sitting all around it.

(c) **Materials and Design.** Materials used in the construction of platforms and stages shall conform to the applicable materials and design requirements as set forth in this code.

### NEW SECTION

**WAC 51-20-3903 STAGES.** Section 3903. (a) **Construction.** Regular stages and thrust stages shall be constructed of materials as required for the type of construction of the building in which it is located. In all cases the finish floor may be of wood.

Legitimate stages shall be constructed of materials as required for a Type I or II F.R. building. Legitimate stage floors may be constructed with a wood floor of not less than 2 inches in nominal thickness on a resilient mounting upon a concrete or masonry floor.

Openings through stage floors (traps) shall be equipped with tight-fitting trap doors of wood having a nominal thickness of not less than 2 inches with approved safety locks.

(b) **Accessory Rooms.** Dressing rooms, workshops and store rooms accessory to stages shall be separated from each other and from the stage by not less than one-hour fire-resistive construction, and openings within such separations shall be protected as required for corridors.

**EXCEPTION:** A separation is not required for stages having a floor area not exceeding 500 square feet.

#### OPTION 1

(c) **Vents.** Stages exceeding 1,000 square feet in floor area shall be provided with one or more vents constructed of noncombustible material. Vents shall be located near the center and above the highest part of any stage. They shall be raised above the stage roof and shall have a total vent area equal to at least 5 percent of the floor area of the stage.

The vents shall open by spring action or force of gravity sufficient to overcome the effects of neglect, rust, dirt, frost, snow or expansion by heat or warping of the framework. Glass, if used in vents, must be protected against falling onto the stage. A wire screen, if used under the glass, must be so placed that, if clogged, it cannot reduce the required venting area or interfere with the operating mechanism or obstruct the distribution of water from an automatic sprinkler. Vents shall be arranged to open automatically by the use of fusible links. The fusible links and operating cable shall hold each door closed against the minimum 30-pound counterforce which may be exerted by springs or counterweights. This minimum counterforce shall be exerted on each door through its entire arc of travel and for a minimum of 115 degrees. A manual control shall be provided at an approved location.

Springs, when employed to actuate vent doors, shall be capable of maintaining full required tension. Springs shall not be stressed more

than 50 percent of their rated capacity and shall not be located directly in the airstream or exposed to the outside.

A fusible link shall be placed in the cable control system on the underside of the vent at or above the roof line or as approved by the building official and shall be so located as not to be affected by the operation of an automatic sprinkler system. Remote, manual or electrical controls shall provide for both opening and closing of the vent doors for periodic testing and shall be located at a point on the stage designated by the building official. When remote control vents are electrical, power failure shall not affect its instant operation in the event of fire. Hand winches may be employed to facilitate operation of manually controlled vents.

Curbs for vents shall be as required for skylights.

#### OPTION 2

(c) **Vents.** Stages exceeding 1,000 square feet in floor area shall be provided with one or more vents constructed of noncombustible material. Vents shall be located near the center and above the highest part of any stage. They shall be raised above the stage roof and shall have a total vent area equal to at least 5 percent of the floor area of the stage.

The vents shall open by spring action or force of gravity sufficient to overcome the effects of neglect, rust, dirt, frost, snow or expansion by heat or warping of the framework. Glass, if used in vents, must be protected against falling onto the stage. A wire screen, if used under the glass, must be so placed that, if clogged, it cannot reduce the required venting area or interfere with the operating mechanism or obstruct the distribution of water from an automatic sprinkler. Vents shall be arranged to open automatically by the use of fusible links. The fusible links and operating cable shall hold each door closed against the minimum 30-pound counterforce which may be exerted by springs or counterweights. This minimum counterforce shall be exerted on each door through its entire arc of travel and for a minimum of 90 degrees. A manual control shall be provided at an approved location.

Springs, when employed to actuate vent doors, shall be capable of maintaining full required tension. Springs shall not be stressed more than 50 percent of their rated capacity and shall not be located directly in the airstream or exposed to the outside.

A fusible link shall be placed in the cable control system on the underside of the vent at or above the roof line or as approved by the building official and shall be so located as not to be affected by the operation of an automatic sprinkler system. Remote, manual or electrical controls shall provide for both opening and closing of the vent doors for periodic testing and shall be located at a point on the stage designated by the building official. When remote control vents are electrical, power failure shall not affect its instant operation in the event of fire. Hand winches may be employed to facilitate operation of manually controlled vents.

Curbs for vents shall be as required for skylights.

#### OPTION 1

(d) **Proscenium Walls.** Legitimate stages shall be completely separated from the seating area by a proscenium wall of not less than two-hour fire-resistive noncombustible construction.

Proscenium walls may have, in addition to the main proscenium opening, one opening at the orchestra pit level and not more than two openings into the auditorium at the stage floor level. Each of the latter two openings shall not be more than 25 square feet in area.

All openings in the proscenium wall of a legitimate stage shall be protected by a fire assembly having a 1 1/2-hour fire-protection rating. The main proscenium opening used for viewing performances shall be provided with an automatic-closing fire-protection curtain as provided in U.B.C. Standard No. 6-1. Such curtain materials shall conform to the following conditions:

1. The curtain shall be tested in accordance with U.B.C. Standard No. 43-1 as modified in U.B.C. Standard No. 6-1. The time period for testing shall be not less than 30 minutes, and the unexposed surface of the test sample shall not show any evidence of through penetration of flame or smoke, or excessive smoking (only the vapors escaping as a result of baking the sample).

2. The curtain shall be listed by an approved agency and have a permanent marking giving the manufacturer's name, the approved agency's name or insignia, the rating achieved, and a statement that the curtain shall be installed in accordance with U.B.C. Standard No. 6-1.

3. Curtain fabrics shall have a smoke density no greater than 25 when tested in accordance with U.B.C. Standard No. 42-1. The curtain fabric shall be tested in the condition in which it is to be used.

4. A water curtain or deluge system complying with U.B.C. Standard No. 38-1 may be used only in conjunction with an automatically closing opaque noncombustible curtain in lieu of the proscenium fire-safety curtain described in U.B.C. Standard No. 6-1. Both the deluge system and curtain closure shall be actuated by combination rate-of-temperature-rise and temperature devices located on the stage. The water system shall be designed to completely wet the entire curtain.

#### OPTION 2

(d) Proscenium Walls. Legitimate stages shall be completely separated from the seating area by a proscenium wall of not less than two-hour fire-resistive noncombustible construction.

All openings in the proscenium wall of a legitimate stage shall be protected by a fire assembly having a 1 1/2-hour fire-protection rating. The main proscenium opening used for viewing performances shall be provided with an automatic-closing fire-protection curtain as provided in U.B.C. Standard No. 6-1. Such curtain materials shall conform to the following conditions:

1. The curtain shall be tested in accordance with U.B.C. Standard No. 43-1 as modified in U.B.C. Standard No. 6-1. The time period for testing shall be not less than 30 minutes, and the unexposed surface of the test sample shall not show any evidence of through penetration of flame or smoke, or excessive smoking (only the vapors escaping as a result of baking the sample).

2. The curtain shall be listed by an approved agency and have a permanent marking giving the manufacturer's name, the approved agency's name or insignia, the rating achieved, and a statement that the curtain shall be installed in accordance with U.B.C. Standard No. 6-1.

3. Curtain fabrics shall have a smoke density no greater than 25 when tested in accordance with U.B.C. Standard No. 42-1. The curtain fabric shall be tested in the condition in which it is to be used.

4. A water curtain or deluge system complying with U.B.C. Standard No. 38-1 may be used only in conjunction with an automatically closing opaque noncombustible curtain in lieu of the proscenium fire-safety curtain described in U.B.C. Standard No. 6-1. Both the deluge system and curtain closure shall be actuated by combination rate-of-temperature-rise and temperature devices located on the stage. The water system shall be designed to completely wet the entire curtain.

#### OPTION 1

(e) Gridirons, Fly Galleries and Pinrails. Gridirons, fly galleries and pinrails shall be constructed of noncombustible material.

#### OPTION 2

(e) Gridirons, Fly Galleries and Pinrails. Gridirons, fly galleries and pinrails shall be constructed of noncombustible material. Gridirons are not to be considered a floor, when measuring height above a floor for Section 1806, omitting of fireproofing.

(f) Special Exiting. Each side of a legitimate stage shall be provided with at least one well-marked exit providing not less than 32 inches clear width. Such exit shall open directly to a street, exit court or exit passageway leading to a street.

Fly galleries shall be provided with an exit stair not less than 30 inches in width. Each tier of dressing rooms shall be provided with two exits meeting the requirements of Chapter 33.

Stairways required by this subsection need not be enclosed.

#### NEW SECTION

WAC 51-20-5100 CHAPTER 51. Elevators, Dumbwaiters, Escalators and Moving Walks.

#### NEW SECTION

WAC 51-20-5103 DELETE SECTION 5103, SPECIAL PROVISIONS.

#### NEW SECTION

WAC 51-20-5105 ELEVATOR MACHINE ROOM FLOORS. Section 5105. Elevator hoistways shall not be vented through an elevator machine room unless such venting is accomplished by an approved duct system installed through the elevator machine room. Cable slots entering the machine room must be installed in a manner that inhibits the passage of smoke into the machine room.

#### NEW SECTION

WAC 51-20-5400 CHAPTER 54. Glass and Glazing.

#### NEW SECTION

WAC 51-20-5401 SCOPE. Section 5401. (a) General. The provisions of this chapter apply to:

1. Exterior glass and glazing in all occupancies.

#### OPTION 1

EXCEPTION: Occupancy Groups R and M not over three stories in height and located in areas with a minimum basic wind speed less than 80 miles per hour.

#### OPTION 2

EXCEPTION: Occupancy Groups R and M not over three stories in height and located in areas with a minimum basic wind speed not more than 80 miles per hour.

2. Interior and exterior glass and glazing in all occupancies subject to human impact as specified in Section 5406.

(b) Standards. Standards for materials shall be as specified in this chapter and UBC Standard No. 54-1.

Standards for glazing subject to human impact (hazardous location) as specified in Section 5406 shall be as specified in UBC Standard No. 54-2.

(c) Other Provisions. See Part IV of this code for additional glass requirements where openings are required to be fire protected, and Section 5204 for openings glazed with plastics.

(d) Standards of Quality. The standards listed below labeled a "UBC Standard" are also listed in Chapter 60, Part II, and are part of this code.

1. UBC Standard No. 54-1, Glass Standard Specification
2. UBC Standard No. 54-2, Safety Glazing

#### NEW SECTION

WAC 51-20-91200 APPENDIX CHAPTER 12.

#### NEW SECTION

WAC 51-20-91223 DIVISION II. REQUIREMENTS FOR GROUP R, DIVISION 4 AND DIVISION 5 OCCUPANCIES. Section 1223. General. (a) Purpose. The purpose of this division is to provide minimum standards of safety for residential group care facilities.

(b) Scope. 1. General. The provisions of this division shall apply to buildings or portions thereof that are to be used for Group R, Division 4 and Division 5 Occupancies.

#### OPTION 1

2. Applicability of other provisions. Except as specifically required by this division, Group R, Division 4 and Division 5 Occupancies shall meet all applicable provisions of this code. Group R, Division 4 and Division 5 Occupancies need not be accessible to people with disabilities.

#### or OPTION 2

2. Applicability of other provisions. Except as specifically required by this division, Group R, Division 4 and Division 5 Occupancies shall meet all applicable provisions of this code. Group R, Division 4 and Division 5 Occupancies shall be accessible to people with disabilities.

(c) Definitions. For the purpose of this division, certain terms are defined as follows:

GROUP R, DIVISION 4 OCCUPANCIES shall be residential group care facilities for ambulatory, nonrestrained persons who may have a mental or physical impairment (each accommodating more than five and not more than 16 clients or residents, excluding staff).

GROUP R, DIVISION 5 OCCUPANCIES shall be residential group care facilities for semi-ambulatory and non-ambulatory, nonrestrained persons who have a mental or physical impairment (each accommodating more than five and not more than 16 clients or residents, excluding staff).

AMBULATORY PERSONS means persons physically and mentally capable of walking or traversing a normal path to safety, including the ascent and descent of stairs, without the physical assistance of another person.

**NON-AMBULATORY PERSONS** means persons physically or mentally unable to walk or traverse a normal path to safety without the physical assistance of another person.

**SEMI-AMBULATORY PERSONS** means persons physically and mentally capable of traversing a normal path to safety with the use of mobility aids, but unable to ascend or descend stairs without the physical assistance of another person.

**SEPARATE EXIT SYSTEM** is a path of exit travel separated in such a manner from other required exits as to provide an atmospheric separation which precludes contamination by both paths by the same fire.

#### NEW SECTION

**WAC 51-20-91224 CONSTRUCTION, HEIGHT AND ALLOWABLE AREA.** Section 1224. (a) General. Unless otherwise specified in this chapter, buildings or portions of buildings classified as Group R, Division 4 or Division 5 may be constructed of any materials allowed by this code, shall not exceed two stories in height nor be located above the second story in any building. Group R, Division 4 Occupancies shall not exceed 3,000 square feet in floor area per story except as provided in Sections 505 and 507.

#### OPTION 1

Where an approved automatic sprinkler system is installed in accordance with UBC Standard No. 38-3, floor areas in a Group R, Division 4 Occupancy may be increased to 6,000 square feet per story.

#### or OPTION 2

Where an approved automatic sprinkler system is installed in accordance with UBC Standard No. 38-1, floor areas in a Group R, Division 4 Occupancy may be increased to 6,000 square feet per story.

(b) Special Provisions. (1) Residential or quick response standard sprinkler heads shall be used in all sprinkler systems installed in Group R, Division 4 and Division 5 Occupancies.

(2) Group R, Division 4 Occupancies having more than 3,000 square feet of floor area above the first story shall be of not less than one-hour fire-resistive construction throughout.

(3) All buildings classed as Group R, Division 5 shall:

(A) Have installed an approved fully automatic fire extinguishing system conforming to UBC Standard No. 38-1; and,

(B) In buildings with individual floor areas over 6,000 square feet, have an approved smoke barrier dividing the floor into at least two compartments, provided that each compartment shall provide no less than 30 square feet per occupant; and,

(C) Be a minimum Type V, One-hour construction.

**EXCEPTION:** Buildings classified as Group R, Division 5 may be of Type V-N construction provided:

(i) The entire building has an interior wall and ceiling covering consisting of 1/2 inch gypsum wall board or an approved equal installed in accordance with Section 4711; and,

(ii) An approved smoke detection system, supervised by an approved central, proprietary, or remote station service, is installed throughout the entire structure and interconnected to the sprinkler system.

(D) Be equipped with an approved smoke detector and automatic shutoff in each single system providing heating and cooling air. Automatic shutoffs shall shut down the air moving equipment when smoke is detected in a circulating airstream or an alternate when smoke is detected in rooms served by the system.

Where required, smoke detectors shall be installed in the main circulating-air duct ahead of any fresh air inlet or installed in each room or space served by the return-air duct. Activation of any detector shall cause the air-moving equipment to automatically shut down.

(c) Mixed Occupancies. Group R, Division 4 and Division 5 Occupancies shall be separated from Group H Occupancies by a four-hour fire-resistive occupancy separation and shall be separated from all other occupancies by a one-hour fire-resistive occupancy separation.

**EXCEPTIONS:** 1. An occupancy separation need not be provided between a Group R, Division 4 or Division 5 Occupancy and a carport having no enclosed uses above, provided the carport is entirely open on two or more sides.

2. In the one-hour occupancy separation between a Group R, Division 4 or Division 5 Occupancy and a Group M, Division 1 Occupancy, the separation may be limited to the installation of materials approved for one-hour fire-resistive construction on the garage side and a self-closing, tight-fitting solid-wood door 1 3/8 inch in thickness, or a self-closing tight-fitting

door having a fire-protection rating of not less than 20 minutes when tested in accordance with Part II UBC Standard No. 43-2, which is part of this code, is permitted in lieu of a one-hour fire assembly. Fire dampers need not be installed in air ducts passing through the wall, floor or ceiling separating a Group R, Division 4 or Division 5 Occupancy from a Group M, Division 1 Occupancy, provided such ducts within the Group M Occupancy are constructed of steel having a thickness not less than 0.019 inch (No. 26 galvanized sheet gauge) and have no openings into the Group M Occupancy.

#### NEW SECTION

**WAC 51-20-91225 LOCATION ON PROPERTY.** Section 1225. Exterior walls located less than 3 feet from property lines shall be of one-hour fire-resistive construction. Openings shall not be permitted in exterior walls located less than 3 feet from property lines. For other requirements, see Section 504 and Part IV.

#### NEW SECTION

**WAC 51-20-91226 EXITS AND EMERGENCY ESCAPES.** Section 1226. (a) General. 1. Group R, Division 4 and Division 5 Occupancies shall be provided with exits as required by this section and Chapter 33 of this code.

2. All Group R, Division 5 Occupancies located above the first floor shall have at least two exits directly to the exterior of the building, or into separate exit systems in accordance with Section 3309(a) and this chapter.

(b) Exits Required. 1. Number of exits. Every story, basement or portion thereof housing a Group R, Division 4 or Division 5 Occupancy shall have not less than two exits.

**EXCEPTIONS:** 1. Basements used exclusively for the service of the building may have one exit. For the purpose of this exception, storage rooms, laundry rooms, maintenance offices and similar uses shall not be considered as providing service to the building.  
2. Storage rooms, laundry rooms and maintenance offices not exceeding 300 square feet in floor area may be provided with only one exit.

2. Distance to exits. The maximum travel distance specified in Chapter 33 shall be reduced by 50 percent.

#### OPTION 1

(c) Corridor Width. Corridors shall be not less than 36 inches in width.

(d) Stairways. Stairways shall be constructed as required by Section 3306 of this code.

**EXCEPTION:** In buildings that are converted to a Group R, Division 4 or Division 5 Occupancy, existing stairways may have an 8-inch maximum rise and 9-inch minimum run. Existing stairways may be 30 inches in width in Group R, Division 4 Occupancies, and 36 inches in width in Group R, Division 5 Occupancies.

#### or OPTION 2

(c) Corridor Width. Corridors shall be not less than 44 inches in width.

(d) Stairways. Stairways shall be constructed as required by Section 3306 of this code.

**EXCEPTION:** In buildings that are converted to a Group R, Division 4 or Division 5 Occupancy, existing stairways may have an 8-inch maximum rise and 9-inch minimum run. Existing stairways may be 30 inches in width in Group R, Division 4 Occupancies, and 44 inches in width in Group R, Division 5 Occupancies.

(e) Emergency Exit Illumination. In the event of power failure, exit illumination shall be automatically provided from an emergency system. Emergency systems shall be supplied from storage batteries or an on site generator set and the system shall be installed in accordance with the requirements of the Electrical Code.

(f) Emergency Escape. Every sleeping room shall be provided with emergency escape or rescue facilities as required by Section 1204 of this code.

#### NEW SECTION

**WAC 51-20-91227 LIGHT, VENTILATION AND SANITATION.** Section 1227. Light, ventilation and sanitation shall be as specified in Section 1205.

NEW SECTION

WAC 51-20-91228 YARDS AND COURTS. Section 1228. Yards and courts shall be as specified in Section 1206.

NEW SECTION

WAC 51-20-91229 ROOM DIMENSIONS. Section 1229. Room dimensions shall be as specified in Section 1207.

NEW SECTION

WAC 51-20-91230 SECTION 1230. No requirements.

NEW SECTION

WAC 51-20-91231 SHAFT ENCLOSURES. Section 1231. Exits shall be enclosed as specified in Chapter 33.

Elevator shafts, vent shafts, dumbwaiter shafts, clothes chutes and other vertical openings shall be enclosed and the enclosure shall be as specified in Section 1706.

NEW SECTION

WAC 51-20-91232 FIRE ALARM SYSTEMS. Section 1232. An approved automatic and manual fire alarm system, supervised by an approved central, proprietary, or remote station service, shall be provided in Group R, Division 4 and Division 5 Occupancies in accordance with Section 14.104 (g) of the Fire Code.

**EXCEPTION:** Heat detectors need not be provided where an approved automatic sprinkler system that is interconnected to the fire alarm system is provided throughout the building.

NEW SECTION

WAC 51-20-91233 HEATING. Section 1233. All habitable rooms shall be provided with heating facilities capable of maintaining a room temperature of 70° F. at a point 3 feet above the floor.

NEW SECTION

WAC 51-20-91234 SPECIAL HAZARDS. Section 1234. (a) Heating Equipment. All heating equipment shall be permanently installed. Chimneys and heating apparatus shall conform to the requirements of Chapter 37 of this code and the Mechanical Code.

(b) Flammable Liquids. The storage and handling of gasoline, fuel oil or other flammable liquids shall be in accordance with the Fire Code.

NEW SECTION

WAC 51-20-93100 APPENDIX CHAPTER 31.

DIVISION I  
U.S. DEPARTMENT OF HOUSING AND URBAN  
DEVELOPMENT  
FEDERAL FAIR HOUSING ACT  
GUIDELINES FOR SITE TERRAIN EXEMPTIONS

NEW SECTION

WAC 51-20-93115 SECTION 3115. (a) Purpose. The purpose of this division is to provide the United States Department of Housing and Urban Development Federal Fair Housing Act Guidelines for Site Terrain Exemptions.

(b) Scope 1. General. The provisions of this division may apply to all buildings and dwelling units that are regulated by the Federal Fair Housing Act Amendments of 1988.

2. Applicability of Other Provisions. Except as specifically allowed by this division for determining site terrain exemptions, Group R, Division 1 apartment houses shall meet all applicable provisions of this code.

(c) Definitions. For the purpose of this division, certain terms are defined as follows:

**COVERED MULTIFAMILY DWELLINGS** means buildings consisting of four or more dwelling units if such buildings have one or more elevators; and ground floor dwelling units in other buildings consisting of four or more dwelling units. Dwelling units within a single structure separated by firewalls do not constitute separate buildings.

**FINISHED GRADE** means the ground surface of the site after all construction, levelling, grading and development has been completed.

**UNDISTURBED SITE** means the site before any construction, levelling, grading or development associated with the current project.

(d) Site Impracticality. 1. General. Covered multifamily dwellings with elevators shall be designed and constructed to provide at least one accessible entrance on an accessible route, regardless of terrain or unusual characteristics of the site. Covered multifamily dwellings without elevators shall be designed and constructed to provide at least one accessible entrance on an accessible route unless terrain or unusual characteristics of the site are such that the following conditions are found to exist:

A. Site Impracticality Due to Terrain. There are two alternative tests for determining a site impracticality due to terrain: The individual building test provided in paragraph (i), or the site analysis test provided in paragraph (ii). These tests may be used as follows.

A site with a single building having a common entrance for all units may be analyzed only as described in paragraph (i).

All other sites, including a site with a single building having multiple entrances serving either individual dwellings units or clusters of dwelling units, may be analyzed using the methodology in either paragraph (i) or paragraph (ii). For these sites for which either test is applicable, regardless of which test is selected, at least 20% of the total ground floor units in nonelevator buildings, on any site, must comply with the guidelines.

(i) Individual Building Test. It is impractical to provide an accessible entrance served by an accessible route when the terrain of the site is such that:

(A) The slopes of the undisturbed site measured between the planned entrance and all vehicular or pedestrian arrival points within 50 feet of the planned entrance exceed 10 percent.

(B) The slopes of the planned finished grade measured between the entrance and all vehicular or pedestrian arrival points within 50 feet of the planned entrance also exceed 10 percent.

If there are no vehicular or pedestrian arrival points within 50 feet of the planned entrance, the slope for the purpose of this paragraph (i) will be measured to the closest vehicular or pedestrian arrival point.

For purposes of these guidelines, vehicular or pedestrian arrival points includes public or resident parking areas; public transportation stops; passenger loading zones; and public streets or sidewalks. To determine site impracticality, the slope would be measured at ground level from the point of the planned entrance, or (ii) if there are no vehicular or pedestrian arrival points closed to the planned entrance. In the case of sidewalks, the closet point to the entrance will be where a public sidewalk entering the site intersects with the sidewalk to the entrance. In the case of resident parking areas, the closet point to the planned entrance will be measured from the entry point to the parking area that is located closest to the planned entrance.

(ii) Site Analysis Test. Alternatively, for a site having multiple buildings, or a site with a single building with multiple entrances, impracticality of providing an accessible entrance served by an accessible route can be established by the following steps:

(A) The percentage of the total buildable area of the undisturbed site with a natural grade less than 10% slope shall be calculated. The analysis of the existing slope (before grading) shall be done on a topographic survey with two foot (2') contour intervals with slope determination made between each successive interval. The accuracy of the slope analysis shall be certified by a professional licensed engineer, landscape architect, architect or surveyor.

(B) To determine the practicality of providing accessibility to planned multifamily dwellings based on the topography of the existing natural terrain, the minimum percentage of ground floor unites to be made accessible should equal the percentage of the total buildable area (not including floodplain, wetlands, or other restricted use areas) of the undisturbed site that has an existing natural grade of less than 10% slope.

(C) In addition to the percentage established in paragraph (B), all ground floor units in a building, or ground floor units served by a particular entrance, shall be made accessible if the entrance to the unites is on an accessible route, defined as a walkway with a slope between the planned entrance and a pedestrian or vehicular arrival point that is no greater than 8.33%.

B. Site Impracticality Due to Unusual Characteristics. Unusual characteristics include sites located in a federally-designated floodplain or coastal high-hazard area and sites subject to other similar requirements of law or code that the lowest structural member of the lowest

floor must be raised to a specified level at or above the base flood elevation. An accessible route to a building entrance is impractical due to unusual characteristics of the site when:

(i) the unusual site characteristics result in a difference in finished grade elevation exceeding 30 inches and 10 percent measured between an entrance and all vehicular or pedestrian arrival points within 50 feet of the planned entrance; or

(ii) if there are no vehicular or pedestrian arrival points within 50 feet of the planned entrance, the unusual characteristics result in a difference in finished grade elevation exceeding 30 inches and 10 percent measured between an entrance and the closest vehicular or pedestrian arrival point.

2. Exceptions to Site Impracticality. Regardless of site considerations described in Section 3115 (d), an accessible entrance on an accessible route is practical when:

A. There is an elevator connecting the parking area with the dwelling units on a ground floor. (In this case, those dwelling units on the ground floor served by an elevator, and at least one of each type of public and common use areas, would be subject to these guidelines.) However:

(i) Where a building elevator is provided only as a means of creating an accessible route to dwelling units on a ground floor, the building is not considered an elevator building for purposes of these guidelines; hence, only the ground floor dwelling units would be covered.

(ii) If the building elevator is provided as a means of access to dwelling units other than dwelling units on a ground floor, then the building is an elevator building which is a covered multifamily dwelling, and the elevator in that building must provide accessibility to all dwelling units in the building, regardless of the slope of the natural terrain; or

B. An elevated walkway is planned between a building entrance and a vehicular or pedestrian arrival point and the planned walkway has a slope no greater than 10 percent.

DIVISION II  
U.S. DEPARTMENT OF JUSTICE  
AMERICANS WITH DISABILITIES ACT  
GUIDELINES FOR READILY ACHIEVABLE BARRIER  
REMOVAL

NEW SECTION

WAC 51-20-93116 SECTION 3116. (a) Purpose. The purpose of this division is to provide the United States Department of Justice, Americans with Disabilities Act Guidelines for readily achievable barrier removal in existing buildings.

(b) Scope 1. General. The provisions of this division may be used as a guideline for the removal of readily achievable barriers to accessibility in existing buildings, as required by the Americans with Disabilities Act of 1990.

2. Applicability of Other Provisions. Except as specifically allowed by this division, all buildings and portions thereof shall meet all applicable provisions of this code.

(c) Definitions. For the purpose of this division, certain terms are defined as follows:

COMMERCE is travel, trade, traffic, commerce, transportation or communication—

1. Among the several States;
2. Between any foreign country or any territory or possession and any State; or
3. Between points in the same State but through another State or foreign country.

COMMERCIAL FACILITIES are facilities—

1. Whose operations will affect commerce;
2. That are intended for nonresidential use by a private entity; and
3. That are not—

A. Facilities that are covered or expressly exempted from coverage under the Fair Housing Act of 1968, as amended (42 U.S.C. 3601-3631);

B. Aircraft; or

C. Railroad locomotives, railroad freight cars, railroad cabooses, commuter or intercity passenger rail cars (including coaches, dining cars, sleeping cars, lounge cars, and food service cars), any other railroad cars described in section 242 of the American's with Disability Act or covered under title II of the American's with Disabilities Act, or railroad rights-of-way. For purposes of this definition, "rail" and

"railroad" have the meaning given the term "railroad" in section 202(e) of the Federal Railroad Safety Act of 1970 (46 U.S.C. 431(e)).

PLACE OF PUBLIC ACCOMMODATION is a facility, operated by a private entity, whose operations affect commerce and fall within at least one of the following categories—

1. An inn, hotel, motel, or other place of lodging, except for an establishment located within a building that contains not more than five rooms for rent or hire and that is actually occupied by the proprietor of the establishment as the residence of the proprietor;
2. A restaurant, bar, or other establishment serving food or drink;
3. A motion picture house, theater, concert hall, stadium, or other place of exhibition or entertainment;
4. An auditorium, convention center, lecture hall, or other place of public gathering;
5. A bakery, grocery store, clothing store, hardware store, shopping center, or other sales or rental establishment;
6. A laundromat, dry-cleaner, bank, barber shop, beauty shop, travel service, shoe repair service, funeral parlor, gas station, office of an accountant or lawyer, pharmacy, insurance office, professional office of a health care provider, hospital, or other service establishment;
7. A terminal, depot, or other station used for specified public transportation;
8. A museum, library, gallery, or other place of public display or collection;
9. A park, zoo, amusement park, or other place of recreation;
10. A nursery, elementary, secondary, undergraduate, or postgraduate private school, or other place of education;
11. A day care center, senior citizen center, homeless shelter, food bank, adoption agency, or other social service center establishment; and
12. A gymnasium, health spa, bowling alley, golf course, or other place of exercise or recreation.

PRIVATE ENTITY is a person or entity other than a public entity. Public accommodation is a private entity that owns, leases (or leases to), or operates a place of public accommodation.

PUBLIC ENTITY is—

1. Any State or local government;
2. Any department, agency, special purpose district, or other instrumentality of a State or States or local government; and
3. The National Railroad Passenger Corporation, and any commuter authority (as defined in section 103(8) of the Rail Passenger Service Act).

READILY ACHIEVABLE is easily accomplishable and able to be carried out without much difficulty or expense. In determining whether an action is readily achievable, factors to be considered include—

1. The nature and cost of the action needed under this part;
2. The overall financial resources of the site or sites involved in the action; the number of persons employed at the site; the effect on expenses and resources, or the impact otherwise of the action upon the operation of the site;
3. The overall financial resources of any parent corporation or entity; the overall size of the parent corporation or entity with respect to the number of its employees; the number, type, and location of its facilities;
4. The type of operation or operations of the parent corporation or entity, including the composition, structure, and functions of the workforce of the parent corporation or entity; and
5. The geographic separateness, and the administrative or fiscal relationship of the site or sites in question to the parent corporation or entity.

(d) Removal of Barriers. 1. General. A public accommodation shall remove architectural barriers in existing facilities, including communication barriers that are structural in nature, where such removal is readily achievable, i.e., easily accomplishable and able to be carried out without much difficulty or expense.

(e) Examples. Examples of steps to remove barriers include, but are not limited to, the following actions:

1. Installing ramps;
2. Making curb cuts in sidewalks and entrances;
3. Lowering shelves;
4. Rearranging tables, chairs, vending machines, display racks, and other furniture;
5. Lowering telephones;
6. Adding raised letter markings on elevator control buttons;
7. Installing flashing alarm lights;
8. Widening doors;
9. Installing offset hinges to widen doorways;

10. Eliminating a turnstile or providing an alternative accessible path;

11. Installing accessible door hardware;
12. Installing grab bars in toilet stalls;
13. Rearranging toilet partitions to increase maneuvering space;
14. Insulating lavatory pipes;
15. Installing a raised toilet seat;
16. Installing a full-length bathroom mirror;
17. Lowering the paper towel dispenser in a bathroom;
18. Creating a designated accessible parking space;
19. Installing an accessible paper cup dispenser at an existing inaccessible water fountain;
20. Removing high pile, low density carpeting; or
21. Modifying vehicle hand controls.

(f) Priorities. A public accommodation shall take measures to comply with the barrier removal requirements of this section in accordance with the following order of priorities:

1. First, a public accommodation shall take measures to provide access to a place of public accommodation from public sidewalks, parking, or public transportation. These measures include, for example, installing an entrance ramp, widening entrances, and providing accessible parking spaces.

2. Second, a public accommodation shall take measures to provide access to restroom facilities in places of public accommodation where restroom facilities are used by the public on more than an incidental basis. These measures include, for example, removal of obstructing furniture or vending machines, widening of doors, installations of ramps, providing accessible signage, widening of toilet stalls, and installations of grab bars.

3. Third, a public accommodation shall take measures to provide access to those areas of a place of public accommodation where goods and services are made available to the public. These measures include, for example, adjusting the layout of display racks, rearranging tables, widening doors, and installing ramps.

4. Fourth, a public accommodation shall take any other measures necessary to provide access to the goods, services, facilities, privileges, advantages, or accommodations of a place of public accommodations.

(g) Relationship to Alterations Requirements of Section 3109 of this Code. Measures taken solely to comply with the barrier removal requirements of this section are not required to conform to the requirements for alterations in Section 3109 of this code. These measures include, for example, installing a ramp with a steeper slope or widening a doorway to a narrower width than that required by Section 3109 of this code. No measure shall be taken, however, that poses a significant risk to the health or safety of individuals with disabilities or others.

(h) Portable Ramps. Portable ramps should be used to comply with this division only when installation of a permanent ramp is not readily achievable. In order to avoid any significant risk to the health or safety of individuals with disabilities or others in using portable ramps, due consideration shall be given to safety features such as nonslip surfaces, railings, anchoring, and strength of materials.

(i) Interpretation of Readily Achievable. 1. Barrier removal is not readily achievable if it would result in significant loss of profit or significant loss of efficiency of operation.

(2) The rearrangement of temporary or movable structures, such as furniture, equipment, and display racks is not readily achievable to the extent that it results in a significant loss of selling or serving space.

(j) Alternatives to Barrier Removal. 1. General. Where a public accommodation can demonstrate that barrier removal is not readily achievable, a public accommodation shall not fail to make its goods, services, facilities, privileges, advantages, or accommodations available through alternative methods, if those methods are readily achievable.

2. Examples. Examples of alternatives to barrier removal include, but are not limited to, the following actions:

- A. Providing curb service or home delivery;
- B. Retrieving merchandise from inaccessible shelves or racks;
- C. Relocating activities to accessible locations;
- D. Providing refueling service at inaccessible self-service gas stations.

(k) Personal Devices and Services. This section does not require a public accommodation to provide its customers, clients, or participants with personal devices, such as wheelchairs, or services of a personal nature including assistance in eating, toileting, or dressing.

(l) Multiscreen Cinemas. If it is not readily achievable to remove barriers to provide access by persons with mobility impairments to all

of the theaters of a multiscreen cinema, the cinema shall establish a film rotation schedule that provides reasonable access for individuals who use wheelchairs to all films. Reasonable notice shall be provided to the public as to the location and time of accessible showings.

(m) Readily Achievable and Undue Burden: Factors to be Considered. In determining whether an action is readily achievable or would result in an undue burden, factors to be considered include:

1. The nature and cost of the action needed under this part;

2. The overall financial resources of the site or sites involved in the action; the number of persons employed at the site; the effect on expenses and resources, or the impact otherwise of the action upon the operation of the site;

3. The overall financial resources of any parent corporation or entity; the overall size of the parent corporation or entity with respect to the number of its employees; the number, type, and location of its facilities;

4. The type of operation or operations of the parent corporation or entity, including the composition, structure, and functions of the workforce of the parent corporation or entity; and

5. The geographic separateness, and the administrative or fiscal relationship of the site or sites in question to the parent corporation or entity.

(n) Accessible or Special Goods. 1. This part does not require a public accommodation to alter its inventory to include accessible or special goods that are designed for, or facilitate use by, individuals with disabilities.

2. A public accommodation shall order accessible or special goods at the request of an individual with disabilities, if, in the normal course of its operation, it makes special orders on request for institute goods, and if the accessible or special goods can be obtained from a supplier with whom the public accommodation customarily does business.

3. Examples of accessible or special goods include items such as Brailled versions of books, books on audio cassettes, closed-captioned video tapes, special sizes or lines of clothing, and special foods to meet particular dietary needs.

(o) Seating in Assembly Areas. 1. To the extent that it is readily achievable, a public accommodation shall:

A. Provide a reasonable number of wheelchair seating spaces in assembly areas; and,

B. Locate the wheelchair seating spaces so that they:

- (i) Are dispersed throughout the seating area;
- (ii) Provide lines of sight comparable to those in all viewing areas;
- (iii) Adjoin an accessible route of travel that also serves as a means of egress in case of emergency; and,
- (iv) Permit individuals who use wheelchairs to sit with family members or other companions.

EXCEPTION: If removal of seats is not readily achievable, a public accommodation shall provide a portable chair or other means to permit a family member or other companion to sit with an individual who uses a wheelchair.

DIVISION III  
U.S. ARCHITECTURAL AND BARRIERS COMPLIANCE  
BOARD  
AMERICANS WITH DISABILITIES ACT  
ALTERNATE GUIDELINES FOR DETECTABLE WARNINGS

NEW SECTION

WAC 51-20-93117 SECTION 3117. (a) General. The purpose of this division is to provide additional design guidelines for construction and installation of truncated domes as required by the Americans with Disabilities Act of 1990.

(b) Raised Truncated Domes. Raised truncated domes shall have a diameter of 0.9 inches nominal, a height of 0.2 inches nominal and a center-to-center spacing of 2.35 inches nominal. Raised truncated domes shall comply with Appendix Chapter 31, Division VII for visual contrast.

DIVISION IV  
U.S. ARCHITECTURAL AND BARRIERS COMPLIANCE  
BOARD  
AMERICANS WITH DISABILITIES ACT  
ALTERNATE GUIDELINES FOR AUDIBLE ALARMS

**NEW SECTION**

WAC 51-20-93118 SECTION 3118. (a) Purpose. The purpose of this division is to provide the United States Department of Justice, Americans with Disabilities Act Guidelines for audible alarms.

(b) Audible Alarms. Audible alarms shall exceed the prevailing equivalent sound level in the room or space by at least 15 decibels, or shall exceed any maximum sound level with a duration of 30 seconds by 5 decibels, whichever is louder. Sound levels for alarm signals shall not exceed 120 decibels.

**DIVISION V  
U.S. ARCHITECTURAL AND BARRIERS COMPLIANCE  
BOARD  
AMERICANS WITH DISABILITIES ACT  
ALTERNATE GUIDELINES FOR VISIBLE ALARM**

**NEW SECTION**

WAC 51-20-93119 SECTION 3119. (a) Purpose. The purpose of this division is to provide the United States Department of Justice, Americans with Disabilities Act Guidelines for visible alarms.

(b) Visible Alarms. Visible alarm signals shall have the following minimum photometric and location features:

1. The lamp shall be a xenon strobe type.
2. The color shall be clear (i.e., unfiltered or clear filtered white light).
3. The intensity shall be a minimum of 75 candela seconds and a maximum of 120 candela seconds.
4. The flash rate shall be a minimum of 1 Hz and a maximum of 3 Hz.
5. The appliance shall be placed a minimum of 80 inches above the highest floor level within the space.
6. No place in any room shall be more than 50 feet from the signal (in the horizontal plane).
7. No place in corridors or hallways shall be more than 50 feet from the signal.

**DIVISION VI  
U.S. ARCHITECTURAL AND BARRIERS COMPLIANCE  
BOARD  
AMERICANS WITH DISABILITIES ACT  
ALTERNATE GUIDELINES FOR VISUAL CONTRAST**

**NEW SECTION**

WAC 51-20-93120 SECTION 3120. (a) Purpose. The purpose of this division is to provide the United States Department of Justice, Americans with Disabilities Act Guidelines for visual contrast.

(b) Guidelines for Visual Contrast. 1. Raised Truncated Domes. Raised truncated domes used as detectable warnings shall contrast visually by 70 percent with adjoining surfaces. Contrast in percent shall be determined as follows:

$$\text{Contrast} = [(B^1 - B^2)/B^1] \times 100$$

where: B<sup>1</sup> = light reflectance value (LRV) of the lighter area; and,  
B<sup>2</sup> = light reflectance value (LRV) of the darker area.

The material used to provide contrast shall be an integral part of the walking surface.

2. Signage. The characters and background of signs shall be eggshell (11 to 19 degree gloss on 60 degree glossimeter). Characters shall be light on a dark background (or dark on a light background) and contrast with their background by at least 70 percent. Contrast in percent shall be determined as follows:

$$\text{Contrast} = [(B^1 - B^2)/B^1] \times 100$$

where: B<sup>1</sup> = light reflectance value (LRV) of the lighter area; and,  
B<sup>2</sup> = light reflectance value (LRV) of the darker area.

**UNIFORM BUILDING CODE STANDARD NO. 31-1**

Building and Facility Access Specifications. U.B.C. No. 31-1 is deleted in its entirety.

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 91-20-176  
PROPOSED RULES  
DEPARTMENT OF  
GENERAL ADMINISTRATION  
(Division of Banking)**

[Filed October 2, 1991, 3:28 p.m.]

Original Notice.

Title of Rule: Proposed rule relating to the operation of licensees under the new Washington Check Cashers and Sellers Act.

Purpose: To implement a new act passed by the 1991 legislature.

Statutory Authority for Adoption: Sections 24 and 29, chapter 355, Laws of 1991.

Statute Being Implemented: Chapter 355, Laws of 1991.

Summary: The proposed rule interprets and administers provisions of the new Washington Check Cashers and Sellers Act.

Reasons Supporting Proposal: To implement the new act.

Name of Agency Personnel Responsible for Drafting: John L. Bley, Division of Banking, 1400 Evergreen Park Drive S.W., Suite 120, Olympia, WA 98504, 753-6520; Implementation and Enforcement: Ed Burgert, Division of Banking, 1400 Evergreen Park Drive S.W., Suite 120, Olympia, WA 98504, 753-6520.

Name of Proponent: John L. Bley, Division of Banking, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule clarifies application, licensing, and operational procedures under the new act for check cashers/sellers.

Proposal does not change existing rules.

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

The division has determined that a small business economic impact statement is not required because the fees charged under the proposed rule are substantially proportionate to the services rendered by the division to each licensee based on volume of sales or checks cashed. Fees are collected exclusively on an hourly basis. No "flat rate" charges are included in the proposed rule. Therefore a significant correlation of hours to size of business should result. Furthermore, regulatory compliance is proportionate to volume of business of check sellers in that the bonding requirement is based on volume of sales. Finally, the annual cost of regulation should not exceed three-tenths of one-percent of the annual gross income of the licensee's total business or five percent of the smallest businesses impacted by the proposed rules.

Hearing Location: Division of Banking, 1400 Evergreen Park Drive S.W., Suite 120, Olympia, WA 98504, on November 8, 1991, at 9:00 a.m.

Submit Written Comments to: John L. Bley, by November 6, 1991.

Date of Intended Adoption: January 1, 1992.  
 October 2, 1991  
 John L. Bley  
 Supervisor of Banking

Chapter 50-30 WAC  
 CHECK CASHERS AND SELLERS—REGULATION OF

NEW SECTION

WAC 50-30-010 APPLICATION INVESTIGATION AND SUPERVISION FEE. (1) An applicant at the time of filing an application for a license under this act shall pay to the supervisor a reasonable sum determined by the supervisor as a deposit for investigating the application. The deposit fee is not refundable if an application is denied or withdrawn. The investigation fee shall be applied to the actual cost of investigation of the application and if not sufficient to cover said cost, the applicant will be assessed and responsible for additional cost incurred.

(2) The supervisor at least every eighteen months shall conduct an examination of the business and examine the books, accounts, records, and files used therein, of any licensee, of any agent, and of any person who the supervisor has reason to believe is engaging in the business of cashing or selling checks. The licensee so examined shall pay to the supervisor the actual cost of examining and supervising each licensed place of business at the examination hourly rate prescribed.

NEW SECTION

WAC 50-30-020 SCHEDULE OF FEES FOR CHECK CASHERS AND SELLERS. (1) The supervisor shall collect the following fees:

(a) Hourly charges for services plus actual expenses for review of application and investigation for:

- (i) New license application.
- (ii) Additional locations.
- (iii) Change of control.
- (iv) Relocation of office.
- (v) Voluntary or involuntary liquidation of licensee.
- (vi) Other.

(b) The hourly fee for services shall be ninety dollars per employee hour expended. The supervisor may require a lump sum payment in advance to cover the anticipated cost of review and investigation of the activities described in (a) of this subsection. In no event shall the lump sum payment required under this section exceed actual amounts derived in (a) of this subsection.

(2) The hourly fee for periodic examinations described in WAC 50-30-010(2) shall be ninety dollars per hour.

NEW SECTION

WAC 50-30-030 FIDELITY BOND FOR APPLICANTS ENGAGING IN THE BUSINESS OF SELLING CHECKS, DRAFTS, MONEY ORDERS, OR OTHER COMMERCIAL PAPER SERVING THE SAME PURPOSE. (1) A licensee engaged in the business of selling checks, drafts, money orders, or other commercial paper serving the same purpose shall obtain at the beginning of each calendar year and file with the supervisor a fidelity bond issued by a bonding company or insurance company authorized to do business in this state. The fidelity coverage on each officer, employee, or agent having access to funds collected by or for the licensee shall not be less than the amount established in the following table:

Highest Monthly Liability*	Required Bond	Plus Percentage of Excess Over
Up to \$50,000	Highest Monthly Liability	Highest Monthly Liability
\$50,001 to \$100,000	\$50,000	.5 above \$50,000
\$100,000 plus	\$75,000	.25 above \$100,000

\* The monthly liability is the total sum of checks outstanding for a given month. The highest monthly liability shall be determined by the highest monthly liability of checks outstanding from the preceding calendar year.

(2) In lieu of such fidelity bond, the applicant may deposit with such banks, savings banks, savings and loan associations, or trust companies in this state as such applicant may designate and the supervisor may

approve, bonds, notes, debentures, or other obligations of the United States or any agency or instrumentality thereof or guaranteed by the United States or of the state of Washington or of a municipality, county, school district, or instrumentality of the state of Washington or guaranteed by the state to an aggregate amount, based on principal amount or market value, whichever is lower, of not less than the amount of the required fidelity bond or portion thereof. The securities shall be deposited as aforesaid and held to secure the same obligations as would the fidelity bond, but the depositor shall be entitled to receive all interest and dividends thereon, shall have the right, with the approval of the supervisor, to substitute other qualified securities for those deposited, and shall be required so to do on written order of the supervisor made for good cause shown.

(3) In lieu of such fidelity bond, the applicant may deposit with the supervisor an irrevocable letter of credit drawn in favor of the supervisor for an amount equal to or greater than the required bond. The irrevocable letter of credit must be issued by a bank, savings bank, or savings and loan association in this state as such applicant may designate and the supervisor may approve.

NEW SECTION

WAC 50-30-040 ACCESS TO CRIMINAL HISTORY INFORMATION. (1) The supervisor may review any criminal history record information relating to an applicant that is maintained by any federal, state, or local law enforcement agency of:

- (a) An applicant for a license under this article; or
- (b) A principal of an applicant for a license under this article.

(2) The supervisor may refuse to grant a license or may suspend or revoke a license if the applicant, licensee, or principal of the applicant or licensee, fails to provide a complete set of fingerprints and a recent photograph on request.

(3) All criminal history record information received by the supervisor is confidential information and is for exclusive use of the supervisor and the division of banking. Except on court order or as provided by subsection (4) of this section, or otherwise restricted by law, the information may not be released or otherwise disclosed to any other person or agency.

(4) The supervisor may not provide a person being investigated under this section with a copy of the person's criminal history record obtained pursuant to subsection (1) of this section. This subsection does not prevent the supervisor from disclosing to the person the dates and places of arrests, offenses, and dispositions contained in the criminal history records.

NEW SECTION

WAC 50-30-050 ISSUANCE OF LICENSE. If the supervisor determines all criteria of section 4, chapter 355, Laws of 1991 has been met and the appropriate fees paid, the supervisor shall issue a nontransferable license for the applicant to engage in the business of cashing and/or selling checks. The license shall remain in effect for a period of five years from the date of its issuance unless earlier surrendered, suspended, or revoked.

NEW SECTION

WAC 50-30-060 DISCLOSURE OF SIGNIFICANT DEVELOPMENTS. A licensee shall be required to notify the supervisor in writing within thirty days of the occurrence of any of the following significant developments:

- (1) Licensee filing for bankruptcy or reorganization.
- (2) Notification of the institution of license revocation procedures in any state against the licensee.
- (3) The filing of a criminal indictment any way related to check cashing and/or selling activities of licensee, key officer, director, or principal, including, but not limited to, the handling and/or reporting of moneys received and/or instruments sold.
- (4) A licensee, key officer, director, or principal being convicted of a crime.
- (5) A change of control. In the case of a corporation, control is defined as a change of ownership by a person or group acting in concert to acquire ten percent of the stock, or the ability of a person or group acting in concert to elect a majority of the directors or otherwise effect a change in policy of the corporation. The supervisor may require such information as deemed necessary to determine whether a new application is required. In the case of entities other than corporations, change



in control shall mean any change in principals of the organization either active or passive. Change of control investigation fees shall be billed to the persons or group at the rate billed for applications.

(6) Change of business.

#### NEW SECTION

**WAC 50-30-070 ACCOUNTING AND FINANCIAL RECORDS TO BE MAINTAINED BY THE LICENSEE.** Cashers of checks and/or sellers of checks, drafts, money orders, or other commercial paper serving the same purpose shall be required to maintain as a minimum the following books and records.

(1) A daily record of checks cashed shall be maintained as a record of all check cashing transactions occurring each day. Such daily record shall be limited to the following provided a sufficient audit trail is available through records obtainable from the licensee's bank of account.

(a) Amount of the check cashed;

(b) Amount of fee charged for cashing the check;

(c) Amount of cash deducted from the transaction for the sales of other services or products.

(2) A daily cash reconciliation shall be maintained summarizing each day's activity and reconciling cash on hand at the opening of business to cash on hand at the close of business. Such reconciliation shall separately reflect cash received from the sale of checks, redemption of returned items, bank cash withdrawals, cash disbursed in cashing of checks, and bank cash deposits.

(3) Records required under subsections (1) and (2) of this section may be maintained in combined form, hand or machine posted, or automated.

(4) A general ledger containing records of all assets, liabilities, capital, income, and expenses shall be maintained. The general ledger shall be posted from the daily record of checks cashed or other record of original entry, at least monthly, and shall be maintained in such manner as to facilitate the preparation of an accurate trial balance of accounts in accordance with generally accepted accounting practices. A consolidated general ledger reflecting activity at two or more locations by the same licensee may be maintained provided books of original entry are separately maintained for each location.

(5) All checks, drafts, and money orders drawn on a financial institution domiciled in the United States and cashed by a licensee shall be sent for deposit to the licensee's account at a depository financial institution located in Washington state or sent for collection not later than close of business on the third business day after the day on which the check was accepted for cash.

(6) Every licensee shall maintain current personnel files for its employees.

#### NEW SECTION

**WAC 50-30-080 LICENSEES ARE REQUIRED TO COMPLY WITH FEDERAL AND STATE LAWS INCLUDING BUT NOT LIMITED TO THE FOLLOWING.** (1) Each licensee shall comply with section 103.29 of the Code of Federal Regulations and maintain detailed records to satisfy currency transaction reporting requirements of the United States Treasury Department.

(2) Each licensee must comply with chapter 63.29 RCW Uniform Unclaimed Property Act.

#### NEW SECTION

**WAC 50-30-090 AUDIT REPORT BY LICENSEE; FINANCIAL STATEMENTS.** (1) Each licensee shall submit annually a financial statement on a form prescribed by the supervisor. Financial statements may be prepared by outside accountants or by the licensee's own accountants. Said statements are due one hundred five days after the calendar year end, or if the licensee has established a fiscal year, then one hundred five days after the fiscal year end.

(2) A licensee engaged in the business of selling checks, drafts, money orders, or other commercial paper serving the same purpose, whose license has been surrendered or revoked shall submit to the supervisor, at its own expense, on or before one hundred five days after the effective date of such surrender or revocation, a closing audit report containing audited financial statements as of such effective date for the twelve months ending with such effective date or for such other

period as the supervisor may specify. If the report, certificate, or opinion of the independent accountant is in any way qualified, the supervisor may require the licensee to take such action as appropriate to permit an independent accountant to remove such qualification from the report, certificate, or opinion. Such report shall include relevant information specified by the supervisor.

(3) The reports and financial statements referred to in subsections (1) and (2) of this section shall include at least a balance sheet and a statement of income together with such other relevant information as the supervisor may require, and shall be prepared in accordance with general accepted accounting principles and the reports and financial statements referred to in subsection (2) of this section shall be accompanied by a report, certificate, or opinion of an independent certified public accountant or independent public accountant. The audits shall be conducted in accordance with generally accepted auditing standards.

(4) For good cause and upon written request, the supervisor may extend the time for compliance with this section.

(5) A licensee shall, when requested by the supervisor, for good cause, submit its unaudited financial statement, prepared in accordance with generally accepted accounting principles and consisting of at least a balance sheet and statement of income as of the date and for the period specified by the supervisor.

(6) The supervisor may reject any financial statement, report, certificate, or opinion filed pursuant to this section by notifying the licensee or other person required to make such filing of its rejection and the cause thereof. Within thirty days after the receipt of such notice, the licensee or other person shall correct such deficiency. The supervisor shall retain a copy of all filings so rejected.

#### NEW SECTION

**WAC 50-30-100 TRUST ACCOUNTS; LIMITATIONS AND PROHIBITIONS.** (1) The licensee in the business of selling checks shall periodically but no greater than monthly withdraw from the trust account an amount equal to fees earned for the corresponding period from the sale of checks, drafts, money orders, or other commercial paper serving the same purpose. The remaining balance of the trust account must be sufficient to cover all checks, drafts, money orders, and other commercial paper serving the same purpose that remain outstanding and drawn against the trust account.

(2) A licensee is prohibited from allowing the bank of account to charge back checks or drafts deposited to the trust account and subsequently dishonored against said trust account.

(3) Withdrawals from the trust account of a licensee, whose license has been suspended, terminated, or not renewed, will not be allowed until a closing audit report has been received according to WAC 50-30-090(2).

#### NEW SECTION

**WAC 50-30-110 TRANSITIONAL RULE.** Businesses engaged in check cashing or check selling as of December 1, 1991, may file application with the supervisor and immediately obtain an interim license upon acceptance of the application for review. Such license shall be good for sixty days unless extended by the supervisor. This section shall become void after July 1, 1992.

### **WSR 91-20-177**

#### **PROPOSED RULES**

#### **DEPARTMENT OF AGRICULTURE**

[Filed October 2, 1991, 4:00 p.m.]

#### **Original Notice.**

**Title of Rule:** Department of Agriculture practice and procedures.

**Purpose:** Establish procedural rules for adjudicative process under chapter 34.05 RCW.

**Statutory Authority for Adoption:** Chapter 34.05 RCW.

**Statute Being Implemented:** Chapter 34.05 RCW.

**Summary:** The proposal adopts the model rules of the chief administrative law judge, plus establishes practices and procedures for the adjudicative hearing process within the Washington State Department of Agriculture.

**Reasons Supporting Proposal:** This proposal is mandatory under chapter 34.05 RCW, and makes the adjudicative process clear to those regulated by the department.

**Name of Agency Personnel Responsible for Drafting:** Debbie Anderson, Deputy Director's Office, 234-5062; **Implementation:** Dannie McQueen, Deputy Director's Office; 234-5035; and **Enforcement:** Michael Schwisow, Deputy Director, 234-5035.

**Name of Proponent:** Attorney General's Office, private; Washington State Bar Association, public; and those regulated by the department, governmental.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** The rule defines the various steps that all parties must follow when there is regulatory/legal action set into motion that involves the Department of Agriculture and those who are regulated by the department.

Proposal does not change existing rules.

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

**Hearing Location:** Washington Department of Agriculture, Conference Room, 406 General Administration Building, Olympia, WA 98504-0641, on November 7, 1991, at 8:30 a.m.

**Submit Written Comments to:** Dannie McQueen, 406 General Administration Building, AX-41, Olympia, WA 98504, by November 7, 1991.

**Date of Intended Adoption:** November 12, 1991.

October 2, 1991  
Michael V. Schwisow  
Deputy Director

#### NEW SECTION

**WAC 16-08-002 DEFINITIONS.** The definitions set forth in this section shall apply throughout this chapter unless the context otherwise requires:

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

(2) "Director" means the director of the department of agriculture.

(3) "Reviewing officer" means the deputy director of the department of agriculture, who the director hereby designates to exercise all decision making powers to review initial orders, and prepare and enter final orders for the director of agriculture pursuant to RCW 34.05.464(2), or the director of agriculture. The reviewing officer shall mean the director in those cases where the deputy director has acted as the presiding officer.

#### NEW SECTION

**WAC 16-08-011 ADOPTION OF MODEL RULES OF PROCEDURE.** The model rules of procedure, chapter 10-08 WAC, adopted by the chief administrative law judge pursuant to RCW 34.05.250, as now or hereafter amended, are hereby adopted for use by the department. In the case of a conflict between the model rules of procedure and procedural rules adopted in this chapter, the procedural rules adopted by the department shall take precedence.

#### NEW SECTION

**WAC 16-08-021 PRESIDING OFFICER.** (1) The director will designate the presiding officer for an adjudicative proceeding:

(a) In matters involving an adjudicative proceeding, the director may designate as presiding officer an administrative law judge assigned by the office of administrative hearings under the authority of chapter 34.12 RCW, or the deputy director;

(b) In matters involving a brief or emergency adjudicative proceeding the director may designate an assistant director as presiding officer.

(2) A person who has served as an investigator, prosecutor, or advocate in any stage of an adjudicative proceeding or someone who is subject to the authority or direction of such a person, may not serve as a presiding officer in the same proceeding.

(3) The presiding officer shall have the authority to:

(a) Determine the order of presentation of evidence;

(b) Administer oaths and affirmations;

(c) Issue subpoenas;

(d) Rule on procedural matters, objections, and motions;

(e) Rule on offers of proof and receive relevant evidence;

(f) Interrogate witnesses called by the parties in an impartial manner to develop any facts deemed necessary to fairly and adequately decide the matter;

(g) Call additional witnesses and request additional exhibits deemed necessary to complete the record and receive such evidence subject to full opportunity for cross-examination and rebuttal by all parties;

(h) Take any appropriate action necessary to maintain order during the hearing;

(i) Permit or require oral argument or briefs and determine the time limits for submission thereof;

(j) Take any other action necessary and authorized by any applicable statute or rule;

(k) Waive any requirement of these rules unless a party shows that it would be prejudiced by such a waiver.

#### NEW SECTION

**WAC 16-08-031 APPLICATION FOR ADJUDICATIVE PROCEEDING.** An application for an adjudicative proceeding shall be made on a form provided by the department. Written application for an adjudicative proceeding shall be received at the address designated on the application form within twenty days of notice of the proposed department action giving rise to the application unless provided for otherwise by statute or rule.

#### NEW SECTION

**WAC 16-08-041 SETTLEMENT.** Before or after a hearing, parties to a proceeding may enter into discussions leading to a voluntary settlement of the subject matter of the proceeding. These conferences shall be informal and without prejudice to the rights of the parties, and no statement, admission, or offer of settlement made at an informal conference shall be admissible in evidence in any adjudicative proceeding.

#### NEW SECTION

**WAC 16-08-051 DISCOVERY—AUTHORITY OF PRESIDING OFFICER.** (1) Discovery in adjudicative proceedings other than as enumerated in WAC 16-08-061 through 16-08-121 may be permitted at the discretion of the presiding officer. In permitting such discovery, the presiding officer shall make reference to the civil rules of procedure.

(2) The presiding officer shall have the power to control the frequency and nature of discovery permitted, including discovery as enumerated in WAC 16-08-061 through 16-08-121, and to order discovery conferences to discuss discovery issues.

#### NEW SECTION

**WAC 16-08-061 DEPOSITIONS IN ADJUDICATIVE PROCEEDINGS—RIGHT TO TAKE.** Except as may be 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 proceeding.

#### NEW SECTION

**WAC 16-08-071 DEPOSITIONS IN ADJUDICATIVE PROCEEDINGS—SCOPE.** Unless otherwise ordered, the deponent may be examined regarding any matter not privileged, which is relevant to the subject matter involved in the proceeding.

NEW SECTION

WAC 16-08-081 DEPOSITIONS IN ADJUDICATIVE PROCEEDINGS—OFFICER BEFORE WHOM TAKEN. Within the United States or within a territory or insular possession subject to the dominion of the United States depositions shall be taken before an officer authorized to administer oaths by the laws of the state of Washington or of the place where the examination is held; within a foreign country, depositions shall be taken before a secretary of an embassy or legation, consul general, vice consul or consular agent of the United States, or a person designated by the director of agriculture or agreed upon by the parties by stipulation in writing filed with the department of agriculture. Except by stipulation, no deposition shall be taken before a person who is a party or the privy of a party, or a privy of any counsel of a party, or who is financially interested in the proceeding.

NEW SECTION

WAC 16-08-091 DEPOSITIONS IN ADJUDICATIVE PROCEEDINGS—NOTICE. A party desiring to take the deposition of any person upon oral examination shall give reasonable notice of not less than five days in writing to the department of agriculture and all parties. The notice shall state the time and place for taking the deposition, the name and address of each person to be examined, if known, and if the name is not known, a general description sufficient to identify him or the particular class or group to which he belongs. On motion of a party upon whom the notice is served, the presiding officer may for cause shown, enlarge or shorten the time. If the parties so stipulate in writing, depositions may be taken before any person, 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 16-08-101 DEPOSITIONS AND INTERROGATORIES IN ADJUDICATIVE PROCEEDINGS—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 director or his/her designated presiding 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 that after being sealed, the deposition shall be opened only by order of the director, or that business secrets or secret processes, developments, or research need not be disclosed, or that the parties shall simultaneously file specified documents or information enclosed in sealed envelopes to be opened as directed by the director, or the director 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 of 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 director or his/her designated presiding 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 thereafter 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 16-08-111 DEPOSITIONS IN ADJUDICATIVE PROCEEDINGS—USE AND EFFECT. Subject to rulings by the presiding officer upon objections, a deposition taken and filed as provided in this rule will not become a part of the record in the proceeding until received in evidence by the presiding officer upon his own motion or the motion of any party. Except by agreement of the parties or ruling of the presiding officer, a deposition will be received only in its entirety. A party does not make a party, or the privy of a party, or any hostile witness his/her witness by taking his/her deposition. Any party may rebut any relevant evidence contained in a deposition whether introduced by him/her or any other party.

NEW SECTION

WAC 16-08-121 DEPOSITIONS IN ADJUDICATIVE PROCEEDINGS—FEES OF OFFICERS AND DEONENTS. Deponents whose depositions are taken and the officers taking the same shall be entitled to the same fees as are paid for like services in the superior courts of the state of Washington under RCW 5.56.010, which fees shall be tendered and paid by the party at whose instance the depositions are taken.

NEW SECTION

WAC 16-08-131 ADJUDICATIVE PROCEEDINGS—PETITION FOR REVIEW AND REPLIES. (1) Any party to an adjudicative proceeding may file a petition for review of an initial order.

(2) The petition for review shall be filed with the director within twenty days of the date of service of the initial order unless a different place and time limit for filing the petition are specified in the initial order in its statement describing available procedures for administrative relief. Copies of the petition shall be served upon all other parties or their representatives at the time the petition is filed and evidence of such service shall be filed with the petition for review.

(3) The petition for review shall specify the portions of the initial order to which exception is taken and shall refer to the evidence of record relied upon to support the petition.

(4) Any party may file a reply to a petition for review. The reply shall be filed with the office where the petition for review was filed within twenty days of the date of service of the petition and copies of the reply shall be served upon all other parties or their representatives at the time the reply is filed, and may cross-petition for review. If the reply contains a cross-petition, it shall specify portions of the initial order to which exception is taken by the replying party, and shall refer to the evidence of record relied upon to support the reply.

(5) Any party may reply to a cross-petition by filing and serving it as set forth in subsection (4) of this section.

NEW SECTION

WAC 16-08-141 BRIEF ADJUDICATIVE PROCEEDINGS. (1) Pursuant to RCW 34.05.482, the department will use brief adjudicative proceedings where not violative 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. Those circumstances may include:

- (a) Actions taken by the agency based on the failure:
  - (i) To maintain, supply, or display records; and/or
  - (ii) To display evidence of a license; and/or
  - (iii) To display or post information required by law; and/or
  - (iv) To possess required insurance, bonding or other security.
- (b) Actions taken with respect to late application renewal fees.
- (c) Actions taken with respect to certificate of compliance agreements under WAC 16-461-010.
- (d) Actions taken with respect to sale permits pursuant to RCW 15.13.270.
- (e) Actions taken to revoke certification of plant material as foundation or breeder planting stock pursuant to RCW 15.14.110.
- (f) Penalty actions taken with respect to cattle breed name use.
- (g) Penalty actions taken against milk producers pursuant to RCW 15.36.115.
- (h) Dairy degrade actions taken pursuant to RCW 15.36.595.
- (i) Actions taken with respect to licenses for sale of milk for animal food pursuant to RCW 15.37.030 et seq.
- (j) Actions taken with respect to registration of commercial feed pursuant to RCW 15.53.9036;
- (k) Actions taken with respect to pesticide registration under RCW 15.58.110.
- (l) Actions taken with respect to organic certification pursuant to RCW 15.86.060 and/or 15.86.070.
- (m) Actions taken with respect to mushroom buyer or dealer licenses pursuant to RCW 15.90.020.
- (n) Actions taken with respect to animal health certificates pursuant to RCW 16.36.050.
- (o) Actions taken with respect to destruction or treatment of quarantined animals pursuant to RCW 16.36.090.
- (p) Actions taken with respect to licenses for garbage feeding to swine pursuant to RCW 16.36.108.
- (q) Actions taken with respect to licenses related to custom farm slaughter pursuant to chapter 16.49 RCW.

(r) Actions taken with respect to licenses related to custom meat facilities pursuant to chapter 16.49 RCW.

(s) Actions taken with respect to approval of livestock pens within feedlots pursuant to RCW 16.58.080.

(t) Actions taken with respect to certified feed lot licenses pursuant to RCW 16.58.130.

(u) Actions taken with respect to seizure and destruction of incorrect weights and measures pursuant to RCW 19.24.250.

(v) Actions taken with respect to licenses of grain dealers or warehousemen pursuant to RCW 22.09.471.

(2) A party to a brief adjudicative hearing has twenty days to file an application or request from the date of service of the department's notice of intent to take action. The application or request for a brief adjudicative hearing shall be filed at the address listed on the form provided by the department. The party filing the application or request for a brief adjudicative proceeding shall submit a written explanation of their view of the matter along with the application or request. Other parties may file a written response within ten days after service of the application for a brief adjudicative proceeding. Copies of the response shall be served on all parties. Oral statements may be submitted and considered as follows:

(a) If a party to a brief adjudicative proceeding desires an opportunity to make an oral statement, it should be requested in the application or request.

(b) A request to make an oral statement may be granted if the presiding officer believes such a statement would benefit him or her in reaching a decision. The presiding officer shall notify the parties within a reasonable time of the decision to grant or deny the request to hear oral comments, and if the request is granted, shall notify the parties of the time and place for hearing comments.

(3) If the party is present at the time any unfavorable action is taken, the presiding officer shall make a brief statement of the reasons for the decision. The decision on an application shall be expressed in a written order which shall be served upon all parties within ten days after entry.

(4) The presiding officer's written decision is an initial order. If no review is taken of the initial order, it shall be the final order.

(5) The reviewing officer shall conduct a review of an initial order resulting from a brief adjudicative proceeding upon the written or oral request of a party if the director receives the request within twenty-one days from the service of the initial order. If no request is filed in a timely manner, the reviewing officer may review, on his or her own motion, an order resulting from a brief adjudicative proceeding and adopt, modify, or reject the initial order; but the reviewing officer shall not take any action on review less favorable to any party without giving that party notice and opportunity to explain his or her view of the matter.

(6) A request for review of an initial order shall contain an explanation of the party's view of the matter and a statement of reasons why the initial order is incorrect. The request for review shall be filed with the director and copies shall be served on all parties, and evidence of such service filed. Responses to a request for review of an initial order shall be filed with the director and served on all parties within ten days after service of the request for review.

(7) The order on review shall be in writing, shall include a brief statement of the reasons for the decision, and shall be entered within twenty days after the date of the initial order or of the request for review, whichever is later. The order shall include a description of any further available administrative review or, if none is available, a notice that judicial review may be available.

(8) The record in a brief adjudicative proceeding shall consist of any documents regarding the matter that were considered or prepared by the presiding officer for the brief adjudicative proceeding and/or by the reviewing officer for any review.

#### NEW SECTION

WAC 16-08-151 EMERGENCY ADJUDICATIVE PROCEEDINGS. (1) Pursuant to RCW 34.05.482, the department shall use emergency adjudicative proceedings for the suspension or cancellation of authority in situations involving an immediate danger to the public health, safety, or welfare requiring immediate action by the department. Such situations shall include:

(a) Failure to possess required insurance, bonding or other security.

(b) Health, safety, or welfare violations when the violation involves an immediate danger to the public health, safety, or welfare, including,

but not limited to, decisions by the department to condemn horticultural plants under chapter 15.13 RCW; or to condemn infested or infected articles under chapter 15.08 RCW; or to issue stop sale, use, or removal order under chapter 15.49 RCW; or to quarantine apiaries under chapter 15.60 RCW; or to condemn or impound infested, infected, or regulated articles pursuant to chapter 17.24 RCW; or to close food processing facilities under chapter 69.07 RCW; or under rules or regulations of the director adopted pursuant to such laws.

(2) The summary order shall include a brief statement of findings of fact, conclusions of law, and justification for the determination of an immediate danger to the public health, safety, or welfare. The order shall be effective when entered. Service of the order shall be made pursuant to WAC 10-08-110. The order shall also establish a date affording the affected party the opportunity to present his/her/its views concerning why the summary order is incorrect.

(3) A decision made upon the emergency adjudicative proceeding shall be expressed in a written order which shall be served on all parties within five days after its entry. This written order is an initial order. If no review is taken, it shall be a final order. Further proceedings shall be governed by the provisions of WAC 16-08-141.

(4) The summary order shall be effective pending disposition on the merits of the denial, supervision or revocation of authority.

#### NEW SECTION

WAC 16-08-161 CONVERSION OF PROCEEDINGS. (1) Upon application by any person or upon his or her own motion, the presiding officer or other official responsible for the original proceeding shall consider whether the conversion of a proceeding pursuant to RCW 34.05.070 should be made.

(2) Commencement of the new proceeding shall be determined to be the time of commencement of the original proceeding, provided that all statutory and regulatory requirements for the new proceeding shall be met.

#### NEW SECTION

WAC 16-08-171 DOCUMENTS—FILING. Any documents filed with the director under provisions of the Administrative Procedure Act, chapter 34.05 RCW, Model rules of procedure, chapter 10-08 WAC, and this chapter, shall be filed with the Deputy Director's Office, 406 General Administration Bldg., AX-41, Olympia, WA 98504.

Unless otherwise required by law, filing of a document with the director shall be made personally by first class mail, by certified or registered mail, by commercial parcel delivery company, or by electronic telefacsimile transmission and same-day mailing of original showing same-day postmark. Filing shall occur within the period of time specified for filing by statute, rule, or order.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 16-08-001 PROMULGATION.

WAC 16-08-010 APPEARANCE AND PRACTICE BEFORE DEPARTMENT OF AGRICULTURE—WHO MAY APPEAR.

WAC 16-08-020 APPEARANCE AND PRACTICE BEFORE DEPARTMENT OF AGRICULTURE—APPEARANCE IN CERTAIN PROCEEDINGS MAY BE LIMITED TO ATTORNEYS.

WAC 16-08-040 APPEARANCE AND PRACTICE BEFORE DEPARTMENT OF AGRICULTURE—STANDARDS OF ETHICAL CONDUCT.

WAC 16-08-050 APPEARANCE AND PRACTICE BEFORE DEPARTMENT OF AGRICULTURE—APPEARANCE BY FORMER EMPLOYEE OF AGENCY OR FORMER MEMBER OF ATTORNEY GENERAL'S STAFF.

WAC 16-08-060 APPEARANCE AND PRACTICE BEFORE DEPARTMENT OF AGRICULTURE—FORMER EMPLOYEE AS EXPERT WITNESS.

WAC 16-08-070 COMPUTATION OF TIME.

WAC 16-08-080 NOTICE AND OPPORTUNITY FOR HEARING IN CONTESTED CASES.

WAC 16-08-090 SERVICE OF PROCESS—BY WHOM SERVED.

WAC 16-08-100 SERVICE OF PROCESS—UPON WHOM SERVED.

- WAC 16-08-110 SERVICE OF PROCESS—SERVICE UPON PARTIES.
- WAC 16-08-120 SERVICE OF PROCESS—METHOD OF SERVICE.
- WAC 16-08-130 SERVICE OF PROCESS—WHEN SERVICE COMPLETE.
- WAC 16-08-140 SERVICE OF PROCESS—FILING WITH AGENCY.
- WAC 16-08-150 SUBPOENAS—FORM.
- WAC 16-08-160 SUBPOENAS—ISSUANCE TO PARTIES.
- WAC 16-08-170 SUBPOENAS—SERVICE.
- WAC 16-08-180 SUBPOENAS—FEES.
- WAC 16-08-190 SUBPOENAS—PROOF OF SERVICE.
- WAC 16-08-200 SUBPOENAS—QUASHING.
- WAC 16-08-210 SUBPOENAS—ENFORCEMENT.
- WAC 16-08-220 SUBPOENAS—GEOGRAPHICAL SCOPE.
- WAC 16-08-230 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—RIGHT TO TAKE.
- WAC 16-08-240 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—SCOPE.
- WAC 16-08-250 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—OFFICER BEFORE WHOM TAKEN.
- WAC 16-08-260 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—AUTHORIZATION.
- WAC 16-08-270 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—PROTECTION OF PARTIES AND DEONENTS.
- WAC 16-08-280 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—ORAL EXAMINATION AND CROSS-EXAMINATION.
- WAC 16-08-290 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—RECORDATION.
- WAC 16-08-300 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—SIGNING ATTESTATION AND RETURN.
- WAC 16-08-310 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—USE AND EFFECT.
- WAC 16-08-320 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—FEES OF OFFICERS AND DEONENTS.
- WAC 16-08-330 DEPOSITIONS UPON INTERROGATORIES—SUBMISSION OF INTERROGATORIES.
- WAC 16-08-340 DEPOSITIONS UPON INTERROGATORIES—INTERROGATION.
- WAC 16-08-350 DEPOSITIONS UPON INTERROGATORIES—ATTESTATION AND RETURN.
- WAC 16-08-360 DEPOSITIONS UPON INTERROGATORIES—PROVISIONS OF DEPOSITION RULE.
- WAC 16-08-370 OFFICIAL NOTICE—MATTERS OF LAW.
- WAC 16-08-380 OFFICIAL NOTICE—MATERIAL FACTS.
- WAC 16-08-390 PRESUMPTIONS.
- WAC 16-08-400 STIPULATIONS AND ADMISSIONS OF RECORD.
- WAC 16-08-410 FORM AND CONTENT OF DECISIONS IN CONTESTED CASES.
- WAC 16-08-420 DEFINITION OF ISSUES BEFORE HEARING.
- WAC 16-08-430 PREHEARING CONFERENCE RULE—AUTHORIZED.
- WAC 16-08-440 PREHEARING CONFERENCE RULE—RECORD OF CONFERENCE ACTION.
- WAC 16-08-450 SUBMISSION OF DOCUMENTARY EVIDENCE IN ADVANCE.
- WAC 16-08-460 EXCERPTS FROM DOCUMENTARY EVIDENCE.
- WAC 16-08-470 EXPERT OR OPINION TESTIMONY AND TESTIMONY BASED ON ECONOMIC AND STATISTICAL DATA—NUMBER AND QUALIFICATIONS OF WITNESSES.
- WAC 16-08-480 EXPERT OR OPINION TESTIMONY AND TESTIMONY BASED ON ECONOMIC AND STATISTICAL DATA—WRITTEN SWORN STATEMENTS.
- WAC 16-08-490 EXPERT OR OPINION TESTIMONY AND TESTIMONY BASED ON ECONOMIC AND STATISTICAL DATA—SUPPORTING DATA.
- WAC 16-08-500 EXPERT OR OPINION TESTIMONY AND TESTIMONY BASED ON ECONOMIC AND STATISTICAL DATA—EFFECT OF NONCOMPLIANCE WITH WAC 16-08-470 OR 16-08-480.
- WAC 16-08-510 CONTINUANCES.
- WAC 16-08-520 RULES OF EVIDENCE—ADMISSIBILITY CRITERIA.
- WAC 16-08-530 RULES OF EVIDENCE—TENTATIVE ADMISSION—EXCLUSION—DISCONTINUANCE—OBJECTIONS.
- WAC 16-08-540 PETITIONS FOR RULE MAKING, AMENDMENTS OR REPEAL—WHO MAY PETITION.
- WAC 16-08-550 PETITIONS FOR RULE MAKING, AMENDMENTS OR REPEAL—REQUISITES.
- WAC 16-08-560 PETITIONS FOR RULE MAKING, AMENDMENTS OR REPEAL—AGENCY MUST CONSIDER.
- WAC 16-08-570 PETITIONS FOR RULE MAKING, AMENDMENTS OR REPEAL—NOTICE OF DISPOSITION.
- WAC 16-08-580 DECLARATORY RULINGS.
- WAC 16-08-590 FORMS.

## 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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1-06-040	AMD-P	91-06-067	1-08-240	REP-P	91-06-067	1-08-490	REP-P	91-06-067
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1-08-030	REP	91-10-010	1-08-280	REP	91-10-010	1-08-530	REP	91-10-010
1-08-040	REP-P	91-06-067	1-08-290	REP-P	91-06-067	1-08-540	REP-P	91-06-067
1-08-040	REP	91-10-010	1-08-290	REP	91-10-010	1-08-540	REP	91-10-010
1-08-050	REP-P	91-06-067	1-08-300	REP-P	91-06-067	1-08-550	REP-P	91-06-067
1-08-050	REP	91-10-010	1-08-300	REP	91-10-010	1-08-550	REP	91-10-010
1-08-060	REP-P	91-06-067	1-08-310	REP-P	91-06-067	1-08-560	REP-P	91-06-067
1-08-060	REP	91-10-010	1-08-310	REP	91-10-010	1-08-560	REP	91-10-010
1-08-070	REP-P	91-06-067	1-08-320	REP-P	91-06-067	1-08-570	REP-P	91-06-067
1-08-070	REP	91-10-010	1-08-320	REP	91-10-010	1-08-570	REP	91-10-010
1-08-080	REP-P	91-06-067	1-08-330	REP-P	91-06-067	1-08-580	REP-P	91-06-067
1-08-080	REP	91-10-010	1-08-330	REP	91-10-010	1-08-580	REP	91-10-010
1-08-090	REP-P	91-06-067	1-08-340	REP-P	91-06-067	1-08-590	REP-P	91-06-067
1-08-090	REP	91-10-010	1-08-340	REP	91-10-010	1-08-590	REP	91-10-010
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1-08-220	REP	91-10-010	1-08-470	REP	91-10-010	16-08-091	NEW-P	91-20-177
1-08-230	REP-P	91-06-067	1-08-480	REP-P	91-06-067	16-08-100	REP-P	91-20-177
1-08-230	REP	91-10-010	1-08-480	REP	91-10-010	16-08-101	NEW-P	91-20-177

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
16-08-110	REP-P	91-20-177	16-80-030	NEW	91-08-027	16-212-128	NEW	91-16-005
16-08-111	NEW-P	91-20-177	16-80-035	NEW-P	91-05-076	16-228-020	NEW-P	91-13-106
16-08-120	REP-P	91-20-177	16-80-035	NEW	91-08-027	16-228-020	NEW	91-16-005
16-08-121	NEW-P	91-20-177	16-80-040	NEW-P	91-05-076	16-228-164	AMD-P	91-02-106
16-08-130	REP-P	91-20-177	16-80-040	NEW	91-08-027	16-228-164	AMD	91-06-019
16-08-131	NEW-P	91-20-177	16-80-045	NEW-P	91-05-076	16-230-110	REP-P	91-02-106
16-08-140	REP-P	91-20-177	16-80-045	NEW	91-08-027	16-230-110	REP	91-06-019
16-08-141	NEW-P	91-20-177	16-80-047	NEW-P	91-05-076	16-230-115	REP-P	91-02-106
16-08-150	REP-P	91-20-177	16-80-047	NEW	91-08-027	16-230-115	REP	91-06-019
16-08-151	NEW-P	91-20-177	16-80-050	NEW-P	91-05-076	16-230-120	REP-P	91-02-106
16-08-160	REP-P	91-20-177	16-80-050	NEW	91-08-027	16-230-120	REP	91-06-019
16-08-161	NEW-P	91-20-177	16-122-001	NEW-P	91-13-106	16-230-150	AMD-P	91-04-078
16-08-170	REP-P	91-20-177	16-122-001	NEW	91-16-005	16-230-150	AMD	91-08-058
16-08-171	NEW-P	91-20-177	16-124-011	NEW-P	91-13-106	16-230-160	AMD-P	91-04-078
16-08-180	REP-P	91-20-177	16-124-011	NEW	91-16-005	16-230-160	AMD	91-08-058
16-08-190	REP-P	91-20-177	16-126-001	NEW-P	91-13-106	16-230-170	AMD-P	91-04-078
16-08-200	REP-P	91-20-177	16-126-001	NEW	91-16-005	16-230-170	AMD	91-08-058
16-08-210	REP-P	91-20-177	16-146-100	NEW-P	91-13-106	16-230-180	AMD-P	91-04-078
16-08-220	REP-P	91-20-177	16-146-100	NEW	91-16-005	16-230-180	AMD	91-08-058
16-08-230	REP-P	91-20-177	16-146-110	NEW-P	91-13-106	16-230-190	AMD-P	91-04-078
16-08-240	REP-P	91-20-177	16-146-110	NEW	91-16-005	16-230-190	AMD	91-08-058
16-08-250	REP-P	91-20-177	16-154	AMD-P	91-05-006	16-230-400	AMD-P	91-02-106
16-08-260	REP-P	91-20-177	16-154	AMD	91-09-028	16-230-400	AMD	91-06-019
16-08-270	REP-P	91-20-177	16-154-010	AMD-P	91-05-006	16-230-410	AMD-P	91-02-106
16-08-280	REP-P	91-20-177	16-154-010	AMD	91-09-028	16-230-410	AMD	91-06-019
16-08-290	REP-P	91-20-177	16-154-020	AMD-P	91-05-006	16-230-440	AMD-P	91-02-106
16-08-300	REP-P	91-20-177	16-154-020	AMD	91-09-028	16-230-440	AMD	91-06-019
16-08-310	REP-P	91-20-177	16-154-020	REP-P	91-15-067	16-230-450	AMD-P	91-02-106
16-08-320	REP-P	91-20-177	16-154-020	REP	91-20-013	16-230-450	AMD	91-06-019
16-08-330	REP-P	91-20-177	16-154-030	NEW-P	91-05-006	16-230-460	AMD-P	91-02-106
16-08-340	REP-P	91-20-177	16-154-030	NEW	91-09-028	16-230-460	AMD	91-06-019
16-08-350	REP-P	91-20-177	16-154-040	NEW-P	91-05-006	16-230-470	AMD-P	91-02-106
16-08-360	REP-P	91-20-177	16-154-040	NEW	91-09-028	16-230-470	AMD	91-06-019
16-08-370	REP-P	91-20-177	16-154-050	NEW-P	91-05-006	16-230-475	REP-P	91-02-106
16-08-380	REP-P	91-20-177	16-154-050	NEW	91-09-028	16-230-475	REP	91-06-019
16-08-390	REP-P	91-20-177	16-154-060	NEW-P	91-05-006	16-230-605	AMD-P	91-02-106
16-08-400	REP-P	91-20-177	16-154-060	NEW	91-09-028	16-230-605	AMD	91-06-019
16-08-410	REP-P	91-20-177	16-154-070	NEW-P	91-05-006	16-230-610	AMD-P	91-02-106
16-08-420	REP-P	91-20-177	16-154-070	NEW	91-09-028	16-230-610	AMD	91-06-019
16-08-430	REP-P	91-20-177	16-154-080	NEW-P	91-05-006	16-230-615	AMD-P	91-02-106
16-08-440	REP-P	91-20-177	16-154-080	NEW	91-09-028	16-230-615	AMD	91-06-019
16-08-450	REP-P	91-20-177	16-154-090	NEW-P	91-05-006	16-230-625	AMD-P	91-02-106
16-08-460	REP-P	91-20-177	16-154-090	NEW	91-09-028	16-230-625	AMD	91-06-019
16-08-470	REP-P	91-20-177	16-154-100	NEW-P	91-05-006	16-230-670	AMD-P	91-02-106
16-08-480	REP-P	91-20-177	16-154-100	NEW	91-09-028	16-230-670	AMD	91-06-019
16-08-490	REP-P	91-20-177	16-154-110	NEW-P	91-05-006	16-230-675	AMD-P	91-02-106
16-08-500	REP-P	91-20-177	16-154-110	NEW	91-09-028	16-230-675	AMD	91-06-019
16-08-510	REP-P	91-20-177	16-154-120	NEW-P	91-05-006	16-231-001	AMD-P	91-02-106
16-08-520	REP-P	91-20-177	16-154-120	NEW	91-09-028	16-231-001	AMD	91-06-019
16-08-530	REP-P	91-20-177	16-156-005	AMD-P	91-05-006	16-231-033	REP-P	91-02-106
16-08-540	REP-P	91-20-177	16-156-005	AMD	91-09-028	16-231-033	REP	91-06-019
16-08-550	REP-P	91-20-177	16-156-020	AMD-P	91-05-006	16-231-100	AMD-P	91-02-106
16-08-560	REP-P	91-20-177	16-156-020	AMD	91-09-028	16-231-100	AMD	91-06-019
16-08-570	REP-P	91-20-177	16-156-035	AMD-P	91-05-006	16-231-148	REP-P	91-02-106
16-08-580	REP-P	91-20-177	16-156-035	AMD	91-09-028	16-231-148	REP	91-06-019
16-08-590	REP-P	91-20-177	16-156-060	AMD-P	91-05-006	16-231-200	AMD-P	91-02-106
16-22-011	NEW-P	91-13-106	16-156-060	AMD	91-09-028	16-231-200	AMD	91-06-019
16-22-011	NEW	91-16-005	16-158-120	AMD-P	91-05-006	16-231-205	AMD-P	91-02-106
16-22-015	NEW-P	91-13-106	16-158-120	AMD	91-09-028	16-231-205	AMD	91-06-019
16-22-015	NEW	91-16-005	16-160-010	NEW	91-05-007	16-231-210	AMD-P	91-02-106
16-23-012	NEW-P	91-13-106	16-160-020	NEW	91-05-007	16-231-210	AMD	91-06-019
16-23-012	NEW	91-16-005	16-160-030	NEW	91-05-007	16-231-235	AMD-P	91-02-106
16-23-014	NEW-P	91-13-106	16-160-040	NEW	91-05-007	16-231-235	AMD	91-06-019
16-23-014	NEW	91-16-005	16-160-050	NEW	91-05-007	16-231-238	REP-P	91-02-106
16-80-005	NEW-P	91-05-076	16-160-060	NEW	91-05-007	16-231-238	REP	91-06-019
16-80-005	NEW	91-08-027	16-160-060	AMD-P	91-15-067	16-231-300	AMD-P	91-02-106
16-80-007	NEW-P	91-05-076	16-160-060	AMD	91-20-013	16-231-300	AMD	91-06-019
16-80-007	NEW	91-08-027	16-160-070	NEW	91-05-007	16-231-305	AMD-P	91-02-106
16-80-010	NEW-P	91-05-076	16-160-090	NEW	91-05-007	16-231-305	AMD	91-06-019
16-80-010	NEW	91-08-027	16-160-100	NEW	91-05-007	16-231-310	AMD-P	91-02-106
16-80-015	NEW-P	91-05-076	16-212-125	NEW-P	91-13-106	16-231-310	AMD	91-06-019
16-80-015	NEW	91-08-027	16-212-125	NEW	91-16-005	16-231-330	AMD-P	91-02-106
16-80-020	NEW-P	91-05-076	16-212-126	NEW-P	91-13-106	16-231-330	AMD	91-06-019
16-80-020	NEW	91-08-027	16-212-126	NEW	91-16-005	16-231-340	AMD-P	91-02-106
16-80-025	NEW-P	91-05-076	16-212-127	NEW-P	91-13-106	16-231-340	AMD	91-06-019
16-80-025	NEW	91-08-027	16-212-127	NEW	91-16-005	16-231-343	REP-P	91-02-106
16-80-030	NEW-P	91-05-076	16-212-128	NEW-P	91-13-106	16-231-343	REP	91-06-019

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
16-231-400	AMD-P	91-02-106	16-232-305	AMD	91-06-019	16-354-100	AMD	91-08-016
16-231-400	AMD	91-06-019	16-232-315	AMD-P	91-02-106	16-403-141	AMD-P	91-03-093
16-231-405	AMD-P	91-02-106	16-232-315	AMD	91-06-019	16-403-141	AMD-W	91-07-015
16-231-405	AMD	91-06-019	16-232-950	REP-P	91-02-106	16-470-010	AMD-P	91-15-100
16-231-410	AMD-P	91-02-106	16-232-950	REP	91-06-019	16-470-010	AMD-W	91-20-020
16-231-410	AMD	91-06-019	16-304-039	NEW-P	91-15-099	16-470-010	AMD-P	91-20-081
16-231-420	AMD-P	91-02-106	16-304-040	AMD-P	91-15-099	16-470-015	AMD-P	91-15-100
16-231-420	AMD	91-06-019	16-304-050	AMD-P	91-15-099	16-470-015	AMD-W	91-20-020
16-231-425	AMD-P	91-02-106	16-316-280	AMD-P	91-04-066	16-470-015	AMD-P	91-20-081
16-231-425	AMD	91-06-019	16-316-280	AMD	91-08-017	16-470-100	AMD	91-03-115
16-231-500	AMD-P	91-02-106	16-316-285	AMD-P	91-04-066	16-470-500	AMD-P	91-15-100
16-231-500	AMD	91-06-019	16-316-285	AMD	91-08-017	16-470-500	AMD-W	91-20-020
16-231-505	AMD-P	91-02-106	16-316-290	AMD-P	91-04-066	16-470-510	AMD-P	91-15-100
16-231-505	AMD	91-06-019	16-316-290	AMD	91-08-017	16-470-510	AMD-W	91-20-020
16-231-510	AMD-P	91-02-106	16-316-620	AMD-P	91-10-082	16-470-520	AMD-P	91-15-100
16-231-510	AMD	91-06-019	16-316-620	AMD	91-14-001	16-470-520	AMD-W	91-20-020
16-231-525	AMD-P	91-02-106	16-316-622	AMD-P	91-10-082	16-470-520	AMD-P	91-15-100
16-231-525	AMD	91-06-019	16-316-622	AMD	91-14-001	16-470-530	AMD-W	91-20-020
16-231-530	AMD-P	91-02-106	16-316-715	AMD-P	91-10-082	16-470-533	NEW-P	91-15-100
16-231-530	AMD	91-06-019	16-316-715	AMD	91-14-001	16-470-533	NEW-W	91-20-020
16-231-600	AMD-P	91-02-106	16-316-800	AMD-P	91-10-082	16-470-535	NEW-P	91-15-100
16-231-600	AMD	91-06-019	16-316-800	AMD	91-14-001	16-470-535	NEW-W	91-20-020
16-231-605	AMD-P	91-02-106	16-316-820	AMD-P	91-10-082	16-470-600	AMD-P	91-20-081
16-231-605	AMD	91-06-019	16-316-820	AMD	91-14-001	16-470-605	AMD-P	91-20-081
16-231-610	AMD-P	91-02-106	16-316-970	NEW-P	91-10-082	16-470-610	AMD-P	91-20-081
16-231-610	AMD	91-06-019	16-316-970	NEW	91-13-087	16-470-615	AMD-P	91-20-081
16-231-615	AMD-P	91-02-106	16-316-975	NEW-P	91-10-082	16-470-620	REP-P	91-20-081
16-231-615	AMD	91-06-019	16-316-975	NEW	91-13-087	16-470-625	AMD-P	91-20-081
16-231-620	AMD-P	91-02-106	16-316-980	NEW-P	91-10-082	16-470-630	REP-P	91-20-081
16-231-620	AMD	91-06-019	16-316-980	NEW	91-13-087	16-470-635	AMD-P	91-20-081
16-231-700	AMD-P	91-02-106	16-316-985	NEW-P	91-10-082	16-471-010	NEW	91-03-046
16-231-700	AMD	91-06-019	16-316-985	NEW	91-13-087	16-471-015	NEW	91-03-046
16-231-705	AMD-P	91-02-106	16-316-990	NEW-P	91-10-082	16-471-020	NEW	91-03-046
16-231-705	AMD	91-06-019	16-316-990	NEW	91-13-087	16-471-030	NEW	91-03-046
16-231-715	AMD-P	91-02-106	16-316-995	NEW-P	91-10-082	16-471-040	NEW	91-03-046
16-231-715	AMD	91-06-019	16-316-995	NEW	91-13-087	16-471-050	NEW	91-03-046
16-231-720	AMD-P	91-02-106	16-316-997	NEW-P	91-10-082	16-471-060	NEW	91-03-046
16-231-720	AMD	91-06-019	16-316-997	NEW	91-13-087	16-471-070	NEW	91-03-046
16-231-800	AMD-P	91-02-106	16-324-375	AMD-P	91-06-061	16-471-080	NEW	91-03-046
16-231-800	AMD	91-06-019	16-324-375	AMD	91-10-029	16-481	PREP	91-10-013
16-231-805	AMD-P	91-02-106	16-324-380	AMD-P	91-06-061	16-481-010	AMD-P	91-15-098
16-231-805	AMD	91-06-019	16-324-380	AMD	91-10-029	16-481-015	NEW-P	91-15-098
16-231-825	AMD-P	91-02-106	16-324-605	AMD-P	91-06-061	16-481-020	AMD-P	91-15-098
16-231-825	AMD	91-06-019	16-324-605	AMD	91-10-029	16-481-025	NEW-P	91-15-098
16-231-840	AMD-P	91-02-106	16-333-200	NEW-P	91-04-068	16-481-030	AMD-P	91-15-098
16-231-840	AMD	91-06-019	16-333-200	NEW	91-08-015	16-481-040	REP-P	91-15-098
16-231-900	AMD-P	91-02-106	16-333-205	NEW-P	91-04-068	16-481-050	AMD-P	91-15-098
16-231-900	AMD	91-06-019	16-333-205	NEW	91-08-015	16-481-060	AMD-P	91-15-098
16-231-905	AMD-P	91-02-106	16-333-210	NEW-P	91-04-068	16-481-070	AMD-P	91-15-098
16-231-905	AMD	91-06-019	16-333-210	NEW	91-08-015	16-481-075	NEW-P	91-15-098
16-231-935	AMD-P	91-02-106	16-333-215	NEW-P	91-04-068	16-482-001	AMD-P	91-03-105
16-231-935	AMD	91-06-019	16-333-215	NEW	91-08-015	16-482-001	AMD	91-07-016
16-231-938	REP-P	91-02-106	16-333-220	NEW-P	91-04-068	16-482-005	NEW-P	91-03-105
16-231-938	REP	91-06-019	16-333-220	NEW	91-08-015	16-482-005	NEW	91-07-016
16-231-950	REP-P	91-02-106	16-333-225	NEW-P	91-04-068	16-482-006	NEW-P	91-03-105
16-231-950	REP	91-06-019	16-333-225	NEW	91-08-015	16-482-006	NEW	91-07-016
16-232-001	AMD-P	91-02-106	16-333-230	NEW-P	91-04-068	16-482-007	NEW-P	91-03-105
16-232-001	AMD	91-06-019	16-333-230	NEW	91-08-015	16-482-007	NEW	91-07-016
16-232-100	AMD-P	91-02-106	16-333-235	NEW-P	91-04-068	16-482-010	AMD-P	91-03-105
16-232-100	AMD	91-06-019	16-333-235	NEW	91-08-015	16-482-010	AMD	91-07-016
16-232-105	AMD-P	91-02-106	16-333-240	NEW-P	91-04-068	16-482-015	NEW-P	91-03-105
16-232-105	AMD	91-06-019	16-333-240	NEW	91-08-015	16-482-015	NEW	91-07-016
16-232-110	AMD-P	91-02-106	16-333-245	NEW-P	91-04-068	16-482-016	NEW-P	91-03-105
16-232-110	AMD	91-06-019	16-333-245	NEW	91-08-015	16-482-016	NEW	91-07-016
16-232-120	AMD-P	91-02-106	16-354-005	AMD-P	91-04-067	16-482-017	NEW-P	91-03-105
16-232-120	AMD	91-06-019	16-354-005	AMD	91-08-016	16-482-017	NEW	91-07-016
16-232-200	AMD-P	91-02-106	16-354-010	AMD-P	91-04-067	16-482-020	AMD-P	91-03-105
16-232-200	AMD	91-06-019	16-354-010	AMD	91-08-016	16-482-020	AMD	91-07-016
16-232-205	AMD-P	91-02-106	16-354-020	AMD-P	91-04-067	16-482-030	REP-P	91-03-105
16-232-205	AMD	91-06-019	16-354-020	AMD	91-08-016	16-482-030	REP	91-07-016
16-232-220	AMD-P	91-02-106	16-354-030	AMD-P	91-04-067	16-482-040	REP-P	91-03-105
16-232-220	AMD	91-06-019	16-354-030	AMD	91-08-016	16-482-040	REP	91-07-016
16-232-225	AMD-P	91-02-106	16-354-040	AMD-P	91-04-067	16-483	PREP	91-10-013
16-232-225	AMD	91-06-019	16-354-040	AMD	91-08-016	16-483-001	AMD-P	91-15-098
16-232-300	AMD-P	91-02-106	16-354-070	AMD-P	91-04-067	16-483-005	NEW-P	91-15-098
16-232-300	AMD	91-06-019	16-354-070	AMD	91-08-016	16-483-010	AMD-P	91-15-098
16-232-305	AMD-P	91-02-106	16-354-100	AMD-P	91-04-067	16-483-020	AMD-P	91-15-098



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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
16-483-030	AMD-P 91-15-098	16-487-130	NEW-P 91-15-097	16-497-005	NEW-P 91-04-067
16-483-040	AMD-P 91-15-098	16-487-140	NEW-P 91-15-097	16-497-005	NEW 91-08-016
16-483-050	AMD-P 91-15-098	16-487-150	NEW-P 91-15-097	16-497-020	AMD-P 91-04-067
16-483-060	AMD-P 91-15-098	16-487-160	NEW-P 91-15-097	16-497-260	AMD 91-08-016
16-483-070	REP-P 91-15-098	16-487-200	NEW-P 91-15-097	16-497-030	AMD-P 91-04-067
16-484-020	REP-P 91-07-037	16-487-210	NEW-P 91-15-097	16-497-030	AMD 91-08-016
16-484-020	REP 91-11-053	16-487-220	NEW-P 91-15-097	16-497-040	AMD-P 91-04-067
16-484-022	REP-P 91-07-037	16-487-230	NEW-P 91-15-097	16-497-040	AMD 91-08-016
16-484-022	REP 91-11-053	16-487-240	NEW-P 91-15-097	16-497-050	AMD-P 91-04-067
16-484-030	REP-P 91-07-037	16-487-250	NEW-P 91-15-097	16-497-050	AMD 91-08-016
16-484-030	REP 91-11-053	16-487-300	NEW-P 91-15-097	16-497-060	AMD-P 91-04-067
16-484-040	REP-P 91-07-037	16-487-310	NEW-P 91-15-097	16-497-060	AMD 91-08-016
16-484-040	REP 91-11-053	16-487-320	NEW-P 91-15-097	16-528-105	NEW 91-05-065
16-484-050	REP-P 91-07-037	16-487-330	NEW-P 91-15-097	16-528-110	AMD 91-05-065
16-484-050	REP 91-11-053	16-487-335	NEW-P 91-15-097	16-528-150	AMD 91-05-065
16-484-080	REP-P 91-07-037	16-494-001	AMD-P 91-04-066	16-528-170	NEW 91-05-065
16-484-080	REP 91-11-053	16-494-001	AMD 91-08-017	16-532-040	AMD-P 91-09-057
16-484-090	REP-P 91-07-037	16-494-010	AMD-P 91-04-066	16-532-040	AMD-C 91-14-113
16-484-090	REP 91-11-053	16-494-010	AMD 91-08-017	16-532-040	AMD 91-15-019
16-484-100	REP-P 91-07-037	16-494-012	NEW-P 91-04-066	16-557-010	NEW-E 91-08-021
16-484-100	REP 91-11-053	16-494-012	NEW 91-08-017	16-557-010	NEW 91-09-003
16-484-200	NEW-E 91-06-035	16-494-013	NEW-P 91-04-066	16-557-020	NEW-E 91-08-021
16-484-200	NEW-P 91-10-095	16-494-013	NEW 91-08-017	16-557-020	NEW 91-09-003
16-484-200	NEW 91-13-026	16-494-015	REP-P 91-04-066	16-557-030	NEW-E 91-08-021
16-484-205	NEW-E 91-06-035	16-494-015	REP 91-08-017	16-557-030	NEW 91-09-003
16-484-205	NEW-P 91-10-095	16-494-020	AMD-P 91-04-066	16-557-040	NEW-E 91-08-021
16-484-205	NEW 91-13-026	16-494-020	AMD 91-08-017	16-557-040	NEW 91-09-003
16-484-210	NEW-E 91-06-035	16-494-030	AMD-P 91-04-066	16-557-041	NEW-E 91-08-021
16-484-210	NEW-P 91-10-095	16-494-030	AMD 91-08-017	16-557-041	NEW 91-09-003
16-484-210	NEW 91-13-026	16-494-042	AMD-P 91-04-066	16-557-050	NEW-E 91-08-021
16-484-220	NEW-E 91-06-035	16-494-042	AMD 91-08-017	16-557-050	NEW 91-09-003
16-484-220	NEW-P 91-10-095	16-494-043	NEW-P 91-04-066	16-557-060	NEW-E 91-08-021
16-484-220	NEW 91-13-026	16-494-043	NEW 91-08-017	16-557-060	NEW 91-09-003
16-484-230	NEW-E 91-06-035	16-494-044	AMD-P 91-04-066	16-557-070	NEW-E 91-08-021
16-484-230	NEW-P 91-10-095	16-494-044	AMD 91-08-017	16-557-070	NEW 91-09-003
16-484-230	NEW 91-13-026	16-494-045	NEW-P 91-04-066	16-557-080	NEW-E 91-08-021
16-484-240	NEW-E 91-06-035	16-494-045	NEW 91-08-017	16-557-080	NEW 91-09-003
16-484-240	NEW-P 91-10-095	16-494-046	NEW-P 91-04-066	16-560-06001	AMD-P 91-13-105
16-484-240	NEW 91-13-026	16-494-046	NEW 91-08-017	16-560-06001	AMD-C 91-20-077
16-484-250	NEW-E 91-06-035	16-494-047	NEW-P 91-04-066	16-603-010	NEW-P 91-04-076
16-484-250	NEW-P 91-10-095	16-494-047	NEW 91-08-017	16-603-010	NEW-C 91-09-042
16-484-250	NEW 91-13-026	16-494-062	AMD-P 91-04-066	16-603-010	AMD 91-13-018
16-484-260	NEW-E 91-06-035	16-494-062	AMD 91-08-017	16-605A-005	NEW-P 91-13-106
16-484-260	NEW-P 91-10-095	16-494-063	NEW-P 91-04-066	16-605A-005	NEW 91-16-005
16-484-260	NEW 91-13-026	16-494-063	NEW 91-08-017	16-620-390	NEW-P 91-13-106
16-486-001	REP-P 91-07-036	16-494-064	NEW-P 91-04-066	16-620-390	NEW 91-16-005
16-486-001	REP 91-11-054	16-494-064	NEW 91-08-017	16-674-030	NEW-P 91-13-106
16-486-010	REP-P 91-07-036	16-495-004	AMD-P 91-10-082	16-674-030	NEW 91-16-005
16-486-010	REP 91-11-054	16-495-004	AMD 91-13-087	16-674-040	NEW-P 91-13-106
16-486-015	REP-P 91-07-036	16-495-010	AMD-P 91-10-082	16-674-040	NEW 91-16-005
16-486-015	REP 91-11-054	16-495-010	AMD 91-13-087	16-674-050	NEW-P 91-13-106
16-486-020	REP-P 91-07-036	16-495-020	AMD-P 91-10-082	16-674-050	NEW 91-16-005
16-486-020	REP 91-11-054	16-495-020	AMD 91-13-087	16-694-020	NEW-P 91-13-106
16-486-025	REP-P 91-07-036	16-495-030	AMD-P 91-10-082	16-694-020	NEW 91-16-005
16-486-025	REP 91-11-054	16-495-030	AMD 91-13-087	16-694-021	NEW-P 91-13-106
16-486-030	REP-P 91-07-036	16-495-040	AMD-P 91-10-082	16-694-021	NEW 91-16-005
16-486-030	REP 91-11-054	16-495-040	AMD 91-13-087	16-750-001	RE-AD-P 91-20-145
16-486-035	REP-P 91-07-036	16-495-050	AMD-P 91-10-082	16-750-003	RE-AD-P 91-20-145
16-486-035	REP 91-11-054	16-495-050	AMD 91-13-087	16-750-004	RE-AD-P 91-20-145
16-486-040	REP-P 91-07-036	16-495-060	AMD-P 91-10-082	16-750-005	AMD-P 91-20-145
16-486-040	REP 91-11-054	16-495-060	AMD 91-13-087	16-750-011	AMD-P 91-20-145
16-486-045	REP-P 91-07-036	16-495-080	REP-P 91-10-082	16-750-015	RE-AD-P 91-20-145
16-486-045	REP 91-11-054	16-495-080	REP 91-13-087	16-752-300	AMD 91-03-045
16-487-005	NEW-P 91-15-097	16-495-085	REP-P 91-10-082	16-752-305	AMD 91-03-045
16-487-010	AMD-P 91-15-097	16-495-085	REP 91-13-087	16-752-310	RE-AD 91-03-045
16-487-015	NEW-P 91-15-097	16-495-090	AMD-P 91-10-082	16-752-315	AMD 91-03-045
16-487-017	NEW-P 91-15-097	16-495-090	AMD 91-13-087	16-752-320	RE-AD 91-03-045
16-487-020	AMD-P 91-15-097	16-495-095	AMD-P 91-10-082	16-752-325	REP 91-03-045
16-487-023	NEW-P 91-15-097	16-495-095	AMD 91-13-087	16-752-330	AMD 91-03-045
16-487-025	NEW-P 91-15-097	16-495-100	AMD-P 91-10-082	36-12	AMD-P 91-05-032
16-487-030	AMD-P 91-15-097	16-495-100	AMD 91-13-087	36-12	AMD 91-11-038
16-487-040	AMD-P 91-15-097	16-495-105	AMD-P 91-10-082	36-12-010	AMD-P 91-05-032
16-487-050	AMD-P 91-15-097	16-495-105	AMD 91-13-087	36-12-010	AMD 91-11-038
16-487-060	AMD-P 91-15-097	16-495-110	AMD-P 91-10-082	36-12-011	AMD-P 91-05-032
16-487-100	NEW-P 91-15-097	16-495-110	AMD 91-13-087	36-12-011	AMD 91-11-038
16-487-110	NEW-P 91-15-097	16-497-001	AMD-P 91-04-067	36-12-020	AMD-P 91-05-032
16-487-120	NEW-P 91-15-097	16-497-001	AMD 91-08-016	36-12-020	AMD 91-11-038

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
36-12-030	AMD-P	91-05-032	36-12-385	NEW	91-11-038	51-11-0505	AMD-P	91-16-111
36-12-030	AMD	91-11-038	36-12-390	REP-P	91-05-032	51-11-0525	NEW-P	91-16-111
36-12-040	AMD-P	91-05-032	36-12-390	REP	91-11-038	51-11-0526	NEW-P	91-16-111
36-12-040	AMD	91-11-038	36-12-400	AMD-P	91-05-032	51-11-0527	NEW-P	91-16-111
36-12-050	AMD-P	91-05-032	36-12-400	AMD	91-11-038	51-11-0528	NEW-P	91-16-111
36-12-050	AMD	91-11-038	36-12-410	AMD-P	91-05-032	51-11-0529	NEW-P	91-16-111
36-12-060	AMD-P	91-05-032	36-12-410	AMD	91-11-038	51-11-0530	NEW-P	91-16-111
36-12-060	AMD	91-11-038	36-12-415	NEW-P	91-05-032	51-11-0531	NEW-P	91-16-111
36-12-070	AMD-P	91-05-032	36-12-415	NEW	91-11-038	51-11-0532	NEW-P	91-16-111
36-12-070	AMD	91-11-038	36-12-420	REP-P	91-05-032	51-11-0533	NEW-P	91-16-111
36-12-080	AMD-P	91-05-032	36-12-420	REP	91-11-038	51-11-0534	NEW-P	91-16-111
36-12-080	AMD	91-11-038	36-12-425	NEW-P	91-05-032	51-11-0535	NEW-P	91-16-111
36-12-090	REP-P	91-05-032	36-12-425	NEW	91-11-038	51-11-0536	NEW-P	91-16-111
36-12-090	REP	91-11-038	36-12-430	REP-P	91-05-032	51-11-0537	NEW-P	91-16-111
36-12-100	AMD-P	91-05-032	36-12-430	REP	91-11-038	51-11-0538	NEW-P	91-16-111
36-12-100	AMD	91-11-038	36-12-435	NEW-P	91-05-032	51-11-0539	NEW-P	91-16-111
36-12-110	AMD-P	91-05-032	36-12-435	NEW	91-11-038	51-11-0540	NEW-P	91-16-111
36-12-110	AMD	91-11-038	36-12-440	REP-P	91-05-032	51-11-0541	NEW-P	91-16-111
36-12-120	AMD-P	91-05-032	36-12-440	REP	91-11-038	51-11-0542	NEW-P	91-16-111
36-12-120	AMD	91-11-038	36-12-445	NEW-P	91-05-032	51-11-0600	NEW	91-06-065
36-12-120	AMD-P	91-11-101	36-12-445	NEW	91-11-038	51-11-0608	AMD-P	91-16-111
36-12-120	AMD	91-14-063	36-12-450	AMD-P	91-05-032	51-11-0625	NEW-P	91-16-111
36-12-130	AMD-P	91-05-032	36-12-450	AMD	91-11-038	51-11-0626	NEW-P	91-16-111
36-12-130	AMD	91-11-038	36-12-460	REP-P	91-05-032	51-11-0627	NEW-P	91-16-111
36-12-150	AMD-P	91-05-032	36-12-460	REP	91-11-038	51-11-0628	NEW-P	91-16-111
36-12-150	AMD	91-11-038	36-12-470	REP-P	91-05-032	51-11-0629	NEW-P	91-16-111
36-12-160	AMD-P	91-05-032	36-12-470	REP	91-11-038	51-11-0630	NEW-P	91-16-111
36-12-160	AMD	91-11-038	36-12-480	REP-P	91-05-032	51-11-0631	NEW-P	91-16-111
36-12-170	AMD-P	91-05-032	36-12-480	REP	91-11-038	51-11-1000	AMD-P	91-16-111
36-12-170	AMD	91-11-038	50-12-045	AMD-P	91-15-101	51-13-502	AMD-P	91-07-047
36-12-180	AMD-P	91-05-032	50-12-045	AMD	91-18-055	51-13-502	AMD	91-12-045
36-12-180	AMD	91-11-038	50-20	AMD-P	91-18-079	51-16	AMD-S	91-20-174
36-12-190	AMD-P	91-05-032	50-20-001	REP-P	91-18-079	51-16-010	REP-P	91-16-112
36-12-190	AMD	91-11-038	50-20-010	REP-P	91-18-079	51-16-010	AMD-S	91-20-174
36-12-195	NEW-P	91-05-032	50-20-020	REP-P	91-18-079	51-16-020	REP-P	91-16-112
36-12-195	NEW	91-11-038	50-20-030	REP-P	91-18-079	51-16-020	AMD-S	91-20-174
36-12-200	AMD-P	91-05-032	50-20-040	REP-P	91-18-079	51-16-030	REP-P	91-16-112
36-12-200	AMD	91-11-038	50-20-050	REP-P	91-18-079	51-16-030	AMD-S	91-20-174
36-12-220	AMD-P	91-05-032	50-20-055	REP-P	91-18-079	51-16-040	REP-P	91-16-112
36-12-220	AMD	91-11-038	50-20-060	REP-P	91-18-079	51-16-040	REP-S	91-20-174
36-12-230	REP-P	91-05-032	50-20-070	REP-P	91-18-079	51-16-050	REP-P	91-16-112
36-12-230	REP	91-11-038	50-20-080	REP-P	91-18-079	51-16-050	REP-P	91-20-174
36-12-240	AMD-P	91-05-032	50-20-090	REP-P	91-18-079	51-16-060	REP-P	91-16-112
36-12-240	AMD	91-11-038	50-20-100	NEW-P	91-18-079	51-16-060	REP-S	91-20-174
36-12-250	AMD-P	91-05-032	50-20-110	NEW-P	91-18-079	51-16-070	REP-P	91-16-112
36-12-250	AMD	91-11-038	50-20-120	NEW-P	91-18-079	51-16-070	REP-S	91-20-174
36-12-260	AMD-P	91-05-032	50-20-130	NEW-P	91-18-079	51-16-080	REP-P	91-16-112
36-12-260	AMD	91-11-038	50-20-140	NEW-P	91-18-079	51-16-080	AMD-S	91-20-174
36-12-270	AMD-P	91-05-032	50-20-150	NEW-P	91-18-079	51-16-100	REP-P	91-16-112
36-12-270	AMD	91-11-038	50-20-160	NEW-P	91-18-079	51-16-100	REP-S	91-20-174
36-12-280	AMD-P	91-05-032	50-20-170	NEW-P	91-18-079	51-18-010	REP-P	91-20-160
36-12-280	AMD	91-11-038	50-20-180	NEW-P	91-18-079	51-18-020	REP-P	91-20-160
36-12-290	AMD-P	91-05-032	50-30-010	NEW-P	91-20-176	51-18-030	REP-P	91-20-160
36-12-290	AMD	91-11-038	50-30-020	NEW-P	91-20-176	51-18-040	REP-P	91-20-160
36-12-300	AMD-P	91-05-032	50-30-030	NEW-P	91-20-176	51-18-050	REP-P	91-20-160
36-12-300	AMD	91-11-038	50-30-040	NEW-P	91-20-176	51-19-470	NEW-W	91-06-064
36-12-310	AMD-P	91-05-032	50-30-050	NEW-P	91-20-176	51-20-001	NEW-P	91-16-113
36-12-310	AMD	91-11-038	50-30-060	NEW-P	91-20-176	51-20-001	NEW-S	91-20-175
36-12-320	AMD-P	91-05-032	50-30-070	NEW-P	91-20-176	51-20-002	NEW-P	91-16-113
36-12-320	AMD	91-11-038	50-30-080	NEW-P	91-20-176	51-20-002	NEW-S	91-20-175
36-12-330	AMD-P	91-05-032	50-30-090	NEW-P	91-20-176	51-20-003	NEW-P	91-16-113
36-12-330	AMD	91-11-038	50-30-100	NEW-P	91-20-176	51-20-003	NEW-S	91-20-175
36-12-340	AMD-P	91-05-032	50-30-110	NEW-P	91-20-176	51-20-004	NEW-P	91-16-113
36-12-340	AMD	91-11-038	50-44-005	NEW-P	91-15-102	51-20-004	NEW-S	91-20-175
36-12-350	AMD-P	91-05-032	50-44-005	NEW	91-18-054	51-20-005	NEW-P	91-16-113
36-12-350	AMD	91-11-038	50-44-020	AMD-P	91-15-102	51-20-005	NEW-S	91-20-175
36-12-360	AMD-P	91-05-032	50-44-020	AMD	91-18-054	51-20-007	NEW-P	91-16-113
36-12-360	AMD	91-11-038	50-44-030	AMD-P	91-15-102	51-20-007	NEW-S	91-20-175
36-12-365	NEW-P	91-05-032	50-44-030	AMD	91-18-054	51-20-008	NEW-P	91-16-113
36-12-365	NEW	91-11-038	50-44-050	AMD-P	91-15-102	51-20-008	NEW-S	91-20-175
36-12-367	NEW-P	91-05-032	50-44-050	AMD	91-18-054	51-20-009	NEW-P	91-16-113
36-12-367	NEW	91-11-038	50-44-060	NEW-P	91-15-102	51-20-010	NEW-P	91-16-113
36-12-370	AMD-P	91-05-032	50-44-060	NEW	91-18-054	51-20-0100	NEW-S	91-20-175
36-12-370	AMD	91-11-038	51-10	REP-P	91-16-110	51-20-0104	NEW-P	91-16-113
36-12-380	REP-P	91-05-032	51-11-0502	AMD-P	91-16-111	51-20-0104	NEW-S	91-20-175
36-12-380	REP	91-11-038	51-11-0503	AMD-P	91-16-111	51-20-0300	NEW-P	91-16-113
36-12-385	NEW-P	91-05-032	51-11-0504	AMD-P	91-16-111	51-20-0300	NEW-S	91-20-175



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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
51-20-93121	NEW-P	91-16-113	51-25-002	NEW-P	91-16-115	113-12-010	DECOD	91-05-095
51-21-001	NEW-P	91-16-113	51-25-003	NEW-P	91-16-115	113-12-075	DECOD	91-05-095
51-21-002	NEW-P	91-16-113	51-25-007	NEW-P	91-16-115	113-12-080	DECOD	91-05-095
51-21-003	NEW-P	91-16-113	51-25-008	NEW-P	91-16-115	113-12-085	DECOD	91-05-095
51-21-007	NEW-P	91-16-113	51-26-001	NEW-P	91-16-116	113-12-087	DECOD	91-05-095
51-21-008	NEW-P	91-16-113	51-26-002	NEW-P	91-16-116	113-12-101	DECOD	91-05-095
51-21-31010	NEW-P	91-16-113	51-26-003	NEW-P	91-16-116	113-12-101	REP-P	91-06-090
51-21-38030	NEW-P	91-16-113	51-26-004	NEW-P	91-16-116	113-12-103	DECOD	91-05-095
51-21-38038	NEW-P	91-16-113	51-26-008	NEW-P	91-16-116	113-12-104	DECOD	91-05-095
51-21-38039	NEW-P	91-16-113	51-26-0300	NEW-P	91-16-116	113-12-115	DECOD	91-05-095
51-22-001	NEW-P	91-16-114	51-26-0310	NEW-P	91-16-116	113-12-120	DECOD	91-05-095
51-22-002	NEW-P	91-16-114	51-26-0315	NEW-P	91-16-116	113-12-150	DECOD	91-05-095
51-22-003	NEW-P	91-16-114	51-26-0400	NEW-P	91-16-116	113-12-165	DECOD	91-05-095
51-22-004	NEW-P	91-16-114	51-26-0401	NEW-P	91-16-116	113-12-170	DECOD	91-05-095
51-22-005	NEW-P	91-16-114	51-26-0500	NEW-P	91-16-116	113-12-175	DECOD	91-05-095
51-22-007	NEW-P	91-16-114	51-26-0503	NEW-P	91-16-116	113-12-180	DECOD	91-05-095
51-22-008	NEW-P	91-16-114	51-26-1000	NEW-P	91-16-116	113-12-190	DECOD	91-05-095
51-22-0400	NEW-P	91-16-114	51-26-1004	NEW-P	91-16-116	113-12-195	DECOD	91-05-095
51-22-0423	NEW-P	91-16-114	51-26-1800	NEW-P	91-16-116	113-12-197	DECOD	91-05-095
51-22-0500	NEW-P	91-16-114	51-26-1801	NEW-P	91-16-116	113-12-200	DECOD	91-05-095
51-22-0504	NEW-P	91-16-114	51-26-1802	NEW-P	91-16-116	113-12-210	DECOD	91-05-095
51-22-0800	NEW-P	91-16-114	51-26-1803	NEW-P	91-16-116	113-12-220	DECOD	91-05-095
51-22-0807	NEW-P	91-16-114	51-26-1804	NEW-P	91-16-116	113-12-230	DECOD	91-05-095
51-22-1000	NEW-P	91-16-114	51-26-1805	NEW-P	91-16-116	113-12-300	DECOD	91-05-095
51-22-1002	NEW-P	91-16-114	51-26-2200	NEW-P	91-16-116	113-12-310	DECOD	91-05-095
51-22-1100	NEW-P	91-16-114	51-26-2300	NEW-P	91-16-116	113-12-320	DECOD	91-05-095
51-22-1104	NEW-P	91-16-114	51-26-2301	NEW-P	91-16-116	113-12-330	DECOD	91-05-095
51-22-1500	NEW-P	91-16-114	51-27-001	NEW-P	91-16-117	113-12-340	DECOD	91-05-095
51-22-1508	NEW-P	91-16-114	51-27-002	NEW-P	91-16-117	113-12-350	DECOD	91-05-095
51-22-1900	NEW-P	91-16-114	51-27-003	NEW-P	91-16-117	114-12-011	DECOD	91-05-026
51-22-1903	NEW-P	91-16-114	51-27-004	NEW-P	91-16-117	114-12-021	DECOD	91-05-026
51-24-001	NEW-P	91-16-115	51-27-008	NEW-P	91-16-117	114-12-031	DECOD	91-05-026
51-24-002	NEW-P	91-16-115	67-25-005	AMD-P	91-16-085	114-12-041	DECOD	91-05-026
51-24-003	NEW-P	91-16-115	67-25-005	AMD	91-20-010	114-12-115	DECOD	91-05-026
51-24-007	NEW-P	91-16-115	67-25-030	AMD	91-16-085	114-12-126	DECOD	91-05-026
51-24-008	NEW-P	91-16-115	82-50-010	NEW	91-20-010	114-12-132	DECOD	91-05-026
51-24-04000	NEW-P	91-16-115	82-50-021	AMD-P	91-15-053	114-12-136	DECOD	91-05-031
51-24-04123	NEW-P	91-16-115	82-50-021	AMD	91-18-028	114-12-150	DECOD	91-05-026
51-24-09000	NEW-P	91-16-115	106-08-010	AMD-P	91-17-057	114-12-155	DECOD	91-05-026
51-24-09105	NEW-P	91-16-115	106-08-020	NEW-P	91-20-061	114-12-164	DECOD	91-05-026
51-24-09107	NEW-P	91-16-115	106-08-030	NEW-P	91-19-016	114-12-170	DECOD	91-05-026
51-24-09110	NEW-P	91-16-115	106-08-040	NEW-P	91-19-016	114-12-180	DECOD	91-05-026
51-24-09117	NEW-P	91-16-115	106-08-050	NEW-P	91-19-016	114-12-190	DECOD	91-05-026
51-24-10000	NEW-P	91-16-115	106-08-060	NEW-P	91-19-016	114-12-200	DECOD	91-05-026
51-24-10201	NEW-P	91-16-115	106-08-070	NEW-P	91-19-016	131-16-005	AMD-P	91-09-036
51-24-10507	NEW-P	91-16-115	106-08-080	AMD-P	91-19-016	131-16-005	AMD-E	91-12-030
51-24-25000	NEW-P	91-16-115	106-08-100	AMD-P	91-19-016	131-16-005	AMD	91-13-048
51-24-25107	NEW-P	91-16-115	106-08-120	AMD-P	91-19-016	131-16-010	AMD-P	91-09-036
51-24-45000	NEW-P	91-16-115	106-20-100	NEW-P	91-19-016	131-16-010	AMD-E	91-12-030
51-24-45211	NEW-P	91-16-115	106-50-100	NEW-P	91-19-016	131-16-011	AMD-P	91-09-036
51-24-79000	NEW-P	91-16-115	106-116-501	AMD-P	91-19-016	131-16-011	AMD	91-13-048
51-24-79601	NEW-P	91-16-115	106-116-901	AMD-P	91-19-017	131-16-011	AMD	91-13-048
51-24-80000	NEW-P	91-16-115	106-120-004	AMD	91-04-054	131-16-015	AMD-P	91-09-036
51-24-80101	NEW-P	91-16-115	106-120-005	AMD	91-04-054	131-16-015	AMD-E	91-12-030
51-24-80103	NEW-P	91-16-115	106-120-023	AMD	91-04-054	131-16-015	AMD	91-13-048
51-24-80108	NEW-P	91-16-115	106-120-024	AMD	91-04-054	131-16-020	REP-E	91-06-069
51-24-80109	NEW-P	91-16-115	106-120-026	AMD	91-04-054	131-16-020	REP-P	91-09-036
51-24-80110	NEW-P	91-16-115	106-120-027	AMD	91-04-054	131-16-020	REP-E	91-12-030
51-24-80111	NEW-P	91-16-115	106-120-028	AMD	91-04-054	131-16-020	REP	91-13-048
51-24-80113	NEW-P	91-16-115	106-120-033	AMD	91-04-054	131-16-021	NEW-E	91-06-069
51-24-80114	NEW-P	91-16-115	106-120-131	AMD	91-04-054	131-16-021	AMD-E	91-09-008
51-24-80120	NEW-P	91-16-115	106-120-132	AMD	91-04-054	131-16-021	NEW-P	91-09-036
51-24-80202	NEW-P	91-16-115	106-120-143	AMD	91-04-054	131-16-021	NEW-E	91-12-030
51-24-80301	NEW-P	91-16-115	106-122-100	NEW-P	91-19-016	131-16-021	NEW	91-13-048
51-24-80303	NEW-P	91-16-115	106-276-230	NEW-P	91-19-016	131-16-030	REP-P	91-09-036
51-24-80305	NEW-P	91-16-115	113-10-010	DECOD	91-05-095	131-16-030	REP-E	91-12-030
51-24-80315	NEW-P	91-16-115	113-10-020	DECOD	91-05-095	131-16-030	REP	91-13-048
51-24-80401	NEW-P	91-16-115	113-10-030	DECOD	91-05-095	131-16-031	NEW-P	91-09-036
51-24-80402	NEW-P	91-16-115	113-10-040	DECOD	91-05-095	131-16-031	NEW-E	91-12-030
51-24-99300	NEW-P	91-16-115	113-10-050	DECOD	91-05-095	131-16-031	NEW	91-13-048
51-24-99350	NEW-P	91-16-115	113-10-060	DECOD	91-05-095	131-16-040	AMD-P	91-09-036
51-24-99351	NEW-P	91-16-115	113-10-070	DECOD	91-05-095	131-16-040	AMD-E	91-12-030
51-24-99352	NEW-P	91-16-115	113-10-090	DECOD	91-05-095	131-16-040	AMD	91-13-048
51-24-99500	NEW-P	91-16-115	113-10-100	DECOD	91-05-095	131-16-050	AMD-P	91-09-036
51-24-99510	NEW-P	91-16-115	113-10-110	DECOD	91-05-095	131-16-050	AMD-E	91-12-030
51-25-001	NEW-P	91-16-115				131-16-050	AMD	91-13-048

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
131-16-055	NEW-P	91-09-036	132H-160-260	AMD-W	91-15-058	132K-16-220	NEW	91-09-027
131-16-055	NEW-E	91-12-030	132H-160-260	AMD	91-20-038	132K-16-230	NEW-E	91-03-084
131-16-055	NEW	91-13-048	132H-160-290	REP-P	91-15-020	132K-16-230	NEW-P	91-03-150
131-16-060	AMD-P	91-09-036	132H-160-290	REP-P	91-15-050	132K-16-230	NEW	91-09-027
131-16-060	AMD-E	91-12-030	132H-160-290	REP-W	91-15-058	132K-16-240	NEW-E	91-03-084
131-16-060	AMD	91-13-048	132H-160-290	REP	91-20-038	132K-16-240	NEW-P	91-03-150
131-16-061	AMD-P	91-09-036	132H-160-300	REP-P	91-15-020	132K-16-240	NEW	91-09-027
131-16-061	AMD-E	91-12-030	132H-160-300	REP-P	91-15-050	132K-16-250	NEW-E	91-03-084
131-16-061	AMD	91-13-048	132H-160-300	REP-W	91-15-058	132K-16-250	NEW-P	91-03-150
131-16-062	NEW-P	91-09-036	132H-160-300	REP	91-20-038	132K-16-250	NEW	91-09-027
131-16-062	NEW-E	91-12-030	132H-160-310	REP-P	91-15-020	132K-16-260	NEW-E	91-03-084
131-16-062	NEW	91-13-048	132H-160-310	REP-P	91-15-050	132K-16-260	NEW-P	91-03-150
131-16-065	AMD-P	91-09-036	132H-160-310	REP-W	91-15-058	132K-16-260	NEW	91-09-027
131-16-065	AMD-E	91-12-030	132H-160-310	REP	91-20-038	132K-16-270	NEW-E	91-03-084
131-16-065	AMD	91-13-048	132H-160-410	REP-P	91-15-020	132K-16-270	NEW-P	91-03-150
131-16-066	AMD-P	91-09-036	132H-160-410	REP-P	91-15-050	132K-16-270	NEW	91-09-027
131-16-066	AMD-E	91-12-030	132H-160-410	REP-W	91-15-058	132K-16-280	NEW-E	91-03-084
131-16-066	AMD	91-13-048	132H-160-410	REP	91-20-038	132K-16-280	NEW-P	91-03-150
131-16-069	REP-P	91-09-036	132H-160-420	REP-P	91-15-020	132K-16-280	NEW	91-09-027
131-16-069	REP-E	91-12-030	132H-160-420	REP-P	91-15-050	132K-16-290	NEW-E	91-03-084
131-16-069	REP	91-13-048	132H-160-420	REP-W	91-15-058	132K-16-290	NEW-P	91-03-150
131-16-070	AMD-P	91-15-094	132H-160-420	REP	91-20-038	132K-16-290	NEW	91-09-027
131-16-080	AMD-P	91-15-094	132H-160-450	REP-P	91-15-020	132K-16-300	NEW-E	91-03-084
131-16-091	AMD-P	91-15-094	132H-160-450	REP-P	91-15-050	132K-16-300	NEW-P	91-03-150
131-16-092	AMD-P	91-15-094	132H-160-450	REP-W	91-15-058	132K-16-300	NEW	91-09-027
131-16-093	AMD-P	91-15-094	132H-160-450	REP	91-20-038	132K-16-310	NEW-E	91-03-084
131-16-094	AMD-P	91-15-094	132H-160-460	REP-P	91-15-020	132K-16-310	NEW-P	91-03-150
131-16-095	NEW-P	91-15-094	132H-160-460	REP-P	91-15-050	132K-16-310	NEW	91-09-027
131-16-500	AMD-E	91-13-001	132H-160-460	REP-W	91-15-058	132K-16-320	NEW-E	91-03-084
131-16-500	AMD-P	91-15-092	132H-160-460	REP	91-20-038	132K-16-320	NEW-P	91-03-150
131-28-026	AMD-P	91-15-093	132H-160-470	REP-P	91-15-020	132K-16-320	NEW	91-09-027
131-32-050	NEW-E	91-06-075	132H-160-470	REP-P	91-15-050	132K-16-330	NEW-E	91-03-084
131-32-050	NEW-P	91-15-091	132H-160-470	REP-W	91-15-058	132K-16-330	NEW-P	91-03-150
132B-120-010	AMD-P	91-05-033	132H-160-470	REP	91-20-038	132K-16-330	NEW	91-09-027
132B-120-010	AMD	91-11-102	132H-160-490	REP-P	91-15-020	132K-16-340	NEW-E	91-03-084
132B-120-045	NEW-P	91-05-033	132H-160-490	REP-P	91-15-050	132K-16-340	NEW-P	91-03-150
132B-120-045	NEW	91-11-102	132H-160-490	REP-W	91-15-058	132K-16-340	NEW	91-09-027
132B-120-060	AMD-P	91-05-033	132H-160-490	REP	91-20-038	132K-16-350	NEW-E	91-03-084
132B-120-060	AMD	91-11-102	132H-160-510	REP-P	91-15-020	132K-16-350	NEW-P	91-03-150
132B-120-090	AMD-P	91-05-033	132H-160-510	REP-P	91-15-050	132K-16-350	NEW	91-09-027
132B-120-090	AMD	91-11-102	132H-160-510	REP-W	91-15-058	132K-16-360	NEW-E	91-03-084
132B-120-100	AMD-P	91-05-033	132H-160-510	REP	91-20-038	132K-16-360	NEW-P	91-03-150
132B-120-100	AMD	91-11-102	132K-16-110	NEW-E	91-03-084	132K-16-360	NEW	91-09-027
132B-120-120	AMD-P	91-05-033	132K-16-110	NEW-P	91-03-150	132K-16-370	NEW-E	91-03-084
132B-120-120	AMD	91-11-102	132K-16-110	NEW	91-09-027	132K-16-370	NEW-P	91-03-150
132B-120-140	AMD-P	91-05-033	132K-16-120	NEW-E	91-03-084	132K-16-370	NEW	91-09-027
132B-120-140	AMD	91-11-102	132K-16-120	NEW-P	91-03-150	132K-16-380	NEW-E	91-03-084
132B-120-160	AMD-P	91-05-033	132K-16-120	NEW	91-09-027	132K-16-380	NEW-P	91-03-150
132B-120-160	AMD	91-11-102	132K-16-130	NEW-E	91-03-084	132K-16-380	NEW	91-09-027
132B-120-170	AMD-P	91-05-033	132K-16-130	NEW-P	91-03-150	132K-16-390	NEW-E	91-03-084
132B-120-170	AMD	91-11-102	132K-16-130	NEW	91-09-027	132K-16-390	NEW-P	91-03-150
132B-120-180	AMD-P	91-05-033	132K-16-140	NEW-E	91-03-084	132K-16-390	NEW	91-09-027
132B-120-180	AMD	91-11-102	132K-16-140	NEW-P	91-03-150	132K-16-400	NEW-E	91-03-084
132B-120-190	AMD-P	91-05-033	132K-16-140	NEW	91-09-027	132K-16-400	NEW-P	91-03-150
132B-120-190	AMD	91-11-102	132K-16-150	NEW-E	91-03-084	132K-16-400	NEW	91-09-027
132H-160-210	REP-P	91-15-020	132K-16-150	NEW-P	91-03-150	132K-16-410	NEW-E	91-03-084
132H-160-210	REP-P	91-15-050	132K-16-150	NEW	91-09-027	132K-16-410	NEW-P	91-03-150
132H-160-210	REP-W	91-15-058	132K-16-160	NEW-E	91-03-084	132K-16-410	NEW	91-09-027
132H-160-210	REP	91-20-038	132K-16-160	NEW-P	91-03-150	132K-16-420	NEW-E	91-03-084
132H-160-220	REP-P	91-15-020	132K-16-160	NEW	91-09-027	132K-16-420	NEW-P	91-03-150
132H-160-220	REP-P	91-15-050	132K-16-170	NEW-E	91-03-084	132K-16-420	NEW	91-09-027
132H-160-220	REP-W	91-15-058	132K-16-170	NEW-P	91-03-150	132K-16-430	NEW-E	91-03-084
132H-160-220	REP	91-20-038	132K-16-170	NEW	91-09-027	132K-16-430	NEW-P	91-03-150
132H-160-230	REP-P	91-15-020	132K-16-180	NEW-E	91-03-084	132K-16-430	NEW	91-09-027
132H-160-230	REP-P	91-15-050	132K-16-180	NEW-P	91-03-150	132K-16-440	NEW-E	91-03-084
132H-160-230	REP-W	91-15-058	132K-16-180	NEW	91-09-027	132K-16-440	NEW-P	91-03-150
132H-160-230	REP	91-20-038	132K-16-190	NEW-E	91-03-084	132K-16-440	NEW	91-09-027
132H-160-240	REP-P	91-15-020	132K-16-190	NEW-P	91-03-150	132K-16-450	NEW-E	91-03-084
132H-160-240	REP-P	91-15-050	132K-16-190	NEW	91-09-027	132K-16-450	NEW-P	91-03-150
132H-160-240	REP-W	91-15-058	132K-16-200	NEW-E	91-03-084	132K-16-450	NEW	91-09-027
132H-160-240	REP	91-20-038	132K-16-200	NEW-P	91-03-150	132K-16-460	NEW-E	91-03-084
132H-160-250	REP-P	91-15-020	132K-16-200	NEW	91-09-027	132K-16-460	NEW-P	91-03-150
132H-160-250	REP-P	91-15-050	132K-16-210	NEW-E	91-03-084	132K-16-460	NEW	91-09-027
132H-160-250	REP-W	91-15-058	132K-16-210	NEW-P	91-03-150	132K-16-470	NEW-E	91-03-084
132H-160-250	REP	91-20-038	132K-16-210	NEW	91-09-027	132K-16-470	NEW-P	91-03-150
132H-160-260	AMD-P	91-15-020	132K-16-220	NEW-E	91-03-084	132K-16-470	NEW	91-09-027
132H-160-260	AMD-P	91-15-050	132K-16-220	NEW-P	91-03-150	132K-16-480	NEW-E	91-03-084

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
132K-16-480	NEW-P	91-03-150	132Q-03-010	NEW	91-17-075	139-05-230	AMD	91-14-011
132K-16-480	NEW	91-09-027	132Q-03-020	NEW-P	91-14-057	139-10-212	AMD-P	91-10-088
132K-16-490	NEW-E	91-03-084	132Q-03-020	NEW	91-17-075	139-10-212	AMD	91-14-010
132K-16-490	NEW-P	91-03-150	132Q-03-030	NEW-P	91-14-057	143-06-130	AMD-P	91-04-090
132K-16-490	NEW-W	91-17-052	132Q-03-030	NEW	91-17-075	143-06-130	AMD	91-07-033
132K-16-500	NEW-E	91-03-084	132Q-06-016	NEW-P	91-14-060	154-300-005	NEW-P	91-02-098
132K-16-500	NEW-P	91-03-150	132Q-06-016	NEW	91-17-078	154-300-005	NEW	91-05-084
132K-16-500	NEW-W	91-17-052	132Q-108-010	NEW-P	91-14-058	154-300-010	NEW-P	91-02-098
132K-16-510	NEW-E	91-03-084	132Q-108-010	NEW	91-17-076	154-300-010	NEW	91-05-084
132K-16-510	NEW-P	91-03-150	132Q-108-020	NEW-P	91-14-058	154-300-020	NEW-P	91-02-098
132K-16-510	NEW-W	91-17-052	132Q-108-020	NEW	91-17-076	154-300-020	NEW	91-05-084
132K-16-520	NEW-E	91-03-084	132Q-108-030	NEW-P	91-14-058	154-300-030	NEW-P	91-02-098
132K-16-520	NEW-P	91-03-150	132Q-108-030	NEW	91-17-076	154-300-030	NEW	91-05-084
132K-16-520	NEW-W	91-17-052	132Q-108-040	NEW-P	91-14-058	154-300-040	NEW-P	91-02-098
132K-16-530	NEW-E	91-03-084	132Q-108-040	NEW	91-17-076	154-300-040	NEW	91-05-084
132K-16-530	NEW-P	91-03-150	132Q-108-050	NEW-P	91-14-058	154-300-050	NEW-P	91-02-098
132K-16-530	NEW-W	91-17-052	132Q-108-050	NEW	91-17-076	154-300-050	NEW	91-05-084
132K-16-540	NEW-E	91-03-084	132Q-108-060	NEW-P	91-14-058	154-300-060	NEW-P	91-02-098
132K-16-540	NEW-P	91-03-150	132Q-108-060	NEW	91-17-076	154-300-060	NEW	91-05-084
132K-16-540	NEW-W	91-17-052	132Q-108-070	NEW-P	91-14-058	154-300-070	NEW-P	91-02-098
132K-16-550	NEW-E	91-03-084	132Q-108-070	NEW	91-17-076	154-300-070	NEW	91-05-084
132K-16-550	NEW-P	91-03-150	132Q-108-080	NEW-P	91-14-058	154-300-080	NEW-P	91-02-098
132K-16-550	NEW-W	91-17-052	132Q-108-080	NEW	91-17-076	154-300-080	NEW	91-05-084
132K-16-560	NEW-E	91-03-084	132Q-108-090	NEW-P	91-14-058	154-300-090	NEW-P	91-02-098
132K-16-560	NEW-P	91-03-150	132Q-108-090	NEW	91-17-076	154-300-090	NEW	91-05-084
132K-16-560	NEW-W	91-17-052	132Q-108-100	NEW-P	91-14-058	154-300-100	NEW-P	91-02-098
132N-128-010	REP-P	91-19-054	132Q-108-100	NEW	91-17-076	154-300-100	NEW	91-05-084
132N-128-020	REP-P	91-19-054	132Q-135-050	NEW-P	91-14-059	154-300-110	NEW-P	91-02-098
132N-128-030	REP-P	91-19-054	132Q-135-050	NEW	91-17-077	154-300-110	NEW	91-05-084
132N-128-040	REP-P	91-19-054	132S-30-036	AMD-P	91-02-101	154-300-120	NEW-P	91-02-098
132N-128-050	REP-P	91-19-054	132S-30-036	AMD	91-08-001	154-300-120	NEW	91-05-084
132N-128-060	REP-P	91-19-054	132Y-100-066	NEW-P	91-12-016	173-16-064	NEW-P	91-04-069
132N-128-070	REP-P	91-19-054	132Y-100-072	AMD-P	91-12-016	173-16-064	NEW-W	91-05-042
132N-128-080	REP-P	91-19-054	132Y-100-104	AMD-P	91-12-016	173-16-064	NEW	91-10-033
132N-128-085	REP-P	91-19-054	132Y-400-010	NEW	91-05-012	173-19-120	AMD-W	91-02-112
132N-128-090	REP-P	91-19-054	132Y-400-020	NEW	91-05-012	173-19-120	AMD-P	91-14-054
132N-128-100	REP-P	91-19-054	132Y-400-030	NEW	91-05-012	173-19-1701	AMD-P	91-17-081
132N-128-110	REP-P	91-19-054	132Y-400-040	NEW	91-05-012	173-19-220	AMD-P	91-09-054
132N-128-112	REP-P	91-19-054	136-20-020	AMD-P	91-18-044	173-19-220	AMD	91-18-081
132N-128-114	REP-P	91-19-054	136-20-030	AMD-P	91-18-044	173-19-2207	AMD-P	91-03-144
132N-128-116	REP-P	91-19-054	136-20-040	AMD-P	91-18-044	173-19-2207	AMD	91-12-053
132N-128-118	REP-P	91-19-054	136-20-060	AMD-P	91-18-044	173-19-230	AMD	91-03-145
132N-128-120	REP-P	91-19-054	136-40-030	AMD-P	91-18-043	173-19-250	AMD	91-03-149
132N-128-122	NEW-P	91-19-054	136-400-010	NEW-P	91-18-042	173-19-2516	AMD-P	91-14-053
132N-156-300	AMD-P	91-15-071	136-400-010	NEW-E	91-18-045	173-19-2516	AMD-C	91-20-127
132N-156-310	AMD-P	91-15-071	136-400-020	NEW-P	91-18-042	173-19-2519	AMD-W	91-12-036
132N-156-320	AMD-P	91-15-071	136-400-020	NEW-E	91-18-045	173-19-2601	AMD-P	91-17-082
132N-156-330	AMD-P	91-15-071	136-400-030	NEW-P	91-18-042	173-19-2601	AMD-C	91-19-030
132N-156-400	AMD-P	91-15-071	136-400-030	NEW-E	91-18-045	173-19-280	AMD-P	91-03-141
132N-156-420	AMD-P	91-15-071	136-400-040	NEW-P	91-18-042	173-19-280	AMD-W	91-11-088
132N-156-430	AMD-P	91-15-071	136-400-040	NEW-E	91-18-045	173-19-280	AMD-P	91-14-100
132N-156-440	AMD-P	91-15-071	136-400-050	NEW-P	91-18-042	173-19-3203	AMD	91-03-147
132N-156-450	AMD-P	91-15-071	136-400-050	NEW-E	91-18-045	173-19-3204	AMD-P	91-14-052
132N-156-460	AMD-P	91-15-071	136-400-060	NEW-P	91-18-042	173-19-3205	AMD	91-03-146
132N-156-500	AMD-P	91-15-071	136-400-060	NEW-E	91-18-045	173-19-3206	AMD-P	91-17-080
132N-156-530	AMD-P	91-15-071	136-400-070	NEW-P	91-18-042	173-19-3208	AMD	91-03-148
132N-156-550	AMD-P	91-15-071	136-400-070	NEW-E	91-18-045	173-19-3209	AMD	91-04-070
132N-156-560	AMD-P	91-15-071	136-400-080	NEW-P	91-18-042	173-19-3210	AMD	91-04-071
132N-156-570	AMD-P	91-15-071	136-400-080	NEW-E	91-18-045	173-19-350	AMD-P	91-03-143
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132N-156-610	AMD-P	91-15-071	136-400-090	NEW-E	91-18-045	173-19-360	AMD	91-04-072
132N-156-620	AMD-P	91-15-071	136-400-100	NEW-P	91-18-042	173-19-360	AMD-P	91-05-063
132N-156-630	AMD-P	91-15-071	136-400-100	NEW-E	91-18-045	173-19-360	AMD-C	91-06-094
132N-156-640	AMD-P	91-15-071	136-400-110	NEW-P	91-18-042	173-19-360	AMD	91-12-054
132N-156-650	AMD-P	91-15-071	136-400-110	NEW-E	91-18-045	173-19-420	AMD-P	91-14-051
132N-156-700	AMD-P	91-15-071	136-400-120	NEW-P	91-18-042	173-19-4205	AMD-P	91-04-079
132N-156-730	AMD-P	91-15-071	136-400-120	NEW-E	91-18-045	173-19-4205	AMD	91-09-055
132N-156-740	AMD-P	91-15-071	136-400-130	NEW-P	91-18-042	173-160-040	AMD-E	91-04-073
132N-156-750	AMD-P	91-15-071	136-400-130	NEW-E	91-18-045	173-160-040	AMD-P	91-12-039
132N-156-760	AMD-P	91-15-071	137-12A-010	AMD	91-10-018	173-160-040	AMD-E	91-12-041
132N-168-010	REP-P	91-15-072	137-12A-020	AMD	91-10-018	173-160-040	AMD-C	91-15-104
132N-168-010	REP	91-19-018	137-12A-030	AMD	91-10-018	173-160-040	AMD-C	91-19-109
132N-168-020	REP-P	91-15-072	137-12A-050	AMD	91-10-018	173-160-040	AMD-E	91-20-132
132N-168-020	REP	91-19-018	137-12A-060	AMD	91-10-018	173-166	AMD-C	91-02-099
132Q-03-005	NEW-P	91-14-057	137-12A-070	AMD	91-10-018	173-166	AMD	91-03-081
132Q-03-005	NEW	91-17-075	137-12A-090	AMD	91-10-018	173-166-010	AMD	91-03-081
132Q-03-010	NEW-P	91-14-057	139-05-230	AMD-P	91-10-089	173-166-020	AMD	91-03-081

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173-166-040	AMD	91-03-081	173-203-040	NEW-P	91-11-089	173-224-015	AMD-P	91-19-083
173-166-050	AMD	91-03-081	173-203-050	NEW-P	91-09-056	173-224-020	AMD-P	91-19-083
173-166-060	AMD	91-03-081	173-203-050	NEW-W	91-10-048	173-224-030	AMD-P	91-03-080
173-166-070	AMD	91-03-081	173-203-050	NEW-P	91-11-089	173-224-030	AMD-W	91-11-047
173-166-080	NEW	91-03-081	173-203-060	NEW-P	91-09-056	173-224-030	AMD-P	91-19-083
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173-166-120	NEW	91-03-081	173-203-070	NEW-W	91-10-048	173-224-050	AMD-P	91-03-080
173-166-130	NEW	91-03-081	173-203-070	NEW-P	91-11-089	173-224-050	AMD-W	91-11-047
173-166-140	NEW	91-03-081	173-203-080	NEW-P	91-09-056	173-224-050	AMD-P	91-19-083
173-181-010	NEW-P	91-14-110	173-203-080	NEW-W	91-10-048	173-224-090	AMD-P	91-03-080
173-181-020	NEW-P	91-14-110	173-203-080	NEW-P	91-11-089	173-224-090	AMD-W	91-11-047
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173-181-060	NEW-P	91-14-110	173-203-100	NEW-P	91-11-089	173-270-010	NEW	91-11-091
173-181-065	NEW-P	91-14-110	173-203-110	NEW-P	91-09-056	173-270-020	NEW-P	91-04-091
173-181-070	NEW-P	91-14-110	173-203-110	NEW-W	91-10-048	173-270-020	NEW	91-11-091
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173-181-090	NEW-P	91-14-110	173-203-120	NEW-P	91-11-089	173-270-040	NEW	91-11-091
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173-201-010	REP-W	91-10-048	173-203-140	NEW-P	91-11-089	173-270-070	NEW	91-11-091
173-201-010	REP-P	91-11-089	173-203-150	NEW-P	91-09-056	173-270-080	NEW-P	91-04-091
173-201-025	REP-P	91-09-056	173-203-150	NEW-W	91-10-048	173-270-080	NEW	91-11-091
173-201-025	REP-W	91-10-048	173-203-150	NEW-P	91-11-089	173-270-090	NEW-P	91-04-091
173-201-025	REP-P	91-11-089	173-203-160	NEW-P	91-09-056	173-270-090	NEW	91-11-091
173-201-035	REP-P	91-09-056	173-203-160	NEW-W	91-10-048	173-270-100	NEW-P	91-04-091
173-201-035	REP-W	91-10-048	173-203-160	NEW-P	91-11-089	173-270-100	NEW	91-11-091
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173-201-045	REP-P	91-09-056	173-203-170	NEW-W	91-10-048	173-300-070	AMD	91-12-040
173-201-045	REP-W	91-10-048	173-203-170	NEW-P	91-11-089	173-303	PREP	91-15-105
173-201-045	REP-P	91-11-089	173-203-180	NEW-P	91-09-056	173-303-016	AMD	91-07-005
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173-201-047	REP-P	91-11-089	173-204	NEW-C	91-03-094	173-303-045	AMD	91-07-005
173-201-070	REP-P	91-09-056	173-204	NEW-C	91-06-098	173-303-070	AMD	91-07-005
173-201-070	REP-W	91-10-048	173-204-100	NEW	91-08-019	173-303-071	AMD	91-07-005
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173-201-080	REP-P	91-09-056	173-204-120	NEW	91-08-019	173-303-081	AMD	91-07-005
173-201-080	REP-W	91-10-048	173-204-130	NEW	91-08-019	173-303-084	AMD	91-07-005
173-201-080	REP-P	91-11-089	173-204-200	NEW	91-08-019	173-303-090	AMD	91-07-005
173-201-085	REP-P	91-09-056	173-204-300	NEW	91-08-019	173-303-103	AMD	91-07-005
173-201-085	REP-W	91-10-048	173-204-310	NEW	91-08-019	173-303-110	AMD	91-07-005
173-201-085	REP-P	91-11-089	173-204-315	NEW	91-08-019	173-303-120	AMD	91-07-005
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173-201-100	REP-P	91-09-056	173-204-350	NEW	91-08-019	173-303-201	AMD	91-07-005
173-201-100	REP-W	91-10-048	173-204-400	NEW	91-08-019	173-303-210	AMD	91-07-005
173-201-100	REP-P	91-11-089	173-204-410	NEW	91-08-019	173-303-220	AMD	91-07-005
173-201-110	REP-P	91-09-056	173-204-415	NEW	91-08-019	173-303-230	AMD	91-07-005
173-201-110	REP-W	91-10-048	173-204-420	NEW	91-08-019	173-303-320	AMD	91-07-005
173-201-110	REP-P	91-11-089	173-204-500	NEW	91-08-019	173-303-360	AMD	91-07-005
173-201-120	REP-P	91-09-056	173-204-510	NEW	91-08-019	173-303-380	AMD	91-07-005
173-201-120	REP-W	91-10-048	173-204-520	NEW	91-08-019	173-303-390	AMD	91-07-005
173-201-120	REP-P	91-11-089	173-204-530	NEW	91-08-019	173-303-400	AMD	91-07-005
173-202-020	AMD-E	91-17-006	173-204-540	NEW	91-08-019	173-303-500	AMD	91-07-005
173-203-010	NEW-P	91-09-056	173-204-550	NEW	91-08-019	173-303-510	RE-AD	91-07-005
173-203-010	NEW-W	91-10-048	173-204-560	NEW	91-08-019	173-303-515	RE-AD	91-07-005
173-203-010	NEW-P	91-11-089	173-204-570	NEW	91-08-019	173-303-520	RE-AD	91-07-005
173-203-020	NEW-P	91-09-056	173-204-580	NEW	91-08-019	173-303-525	AMD	91-07-005
173-203-020	NEW-W	91-10-048	173-204-590	NEW	91-08-019	173-303-550	AMD	91-07-005
173-203-020	NEW-P	91-11-089	173-204-600	NEW	91-08-019	173-303-560	RE-AD	91-07-005
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173-203-040	NEW-P	91-09-056	173-224-015	AMD-P	91-03-080	173-303-630	AMD	91-07-005

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173-303-800	AMD	91-07-005	173-312-030	AMD	91-11-090	173-400-100	AMD	91-05-064
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173-303-805	AMD	91-07-005	173-312-050	AMD	91-11-090	173-400-110	AMD	91-05-064
173-303-806	AMD	91-07-005	173-312-060	NEW	91-11-090	173-400-115	AMD	91-05-064
173-303-807	AMD	91-07-005	173-312-070	NEW	91-11-090	173-400-120	AMD	91-05-064
173-303-808	AMD	91-07-005	173-312-080	NEW	91-11-090	173-400-131	NEW	91-05-064
173-303-810	AMD	91-07-005	173-312-090	NEW	91-11-090	173-400-136	NEW	91-05-064
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173-303-902	PREP	91-08-018	173-319	PREP	91-10-032	173-400-151	NEW	91-05-064
173-303-9903	AMD	91-07-005	173-331-010	NEW	91-05-020	173-400-161	NEW	91-05-064
173-303-9904	AMD	91-07-005	173-331-100	NEW	91-05-020	173-400-171	NEW	91-05-064
173-303-9906	AMD	91-07-005	173-331-200	NEW	91-05-020	173-400-180	NEW	91-05-064
173-303-9907	AMD	91-07-005	173-331-210	NEW	91-05-020	173-400-190	NEW	91-05-064
173-305-010	REP-E	91-03-139	173-331-220	NEW	91-05-020	173-400-200	NEW	91-05-064
173-305-010	AMD	91-08-040	173-331-300	NEW	91-05-020	173-400-205	NEW	91-05-064
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173-305-015	REP-E	91-03-139	173-331-410	NEW	91-05-020	173-400-220	NEW	91-05-064
173-305-015	AMD	91-08-040	173-331-500	NEW	91-05-020	173-400-230	NEW	91-05-064
173-305-01501	NEW-E	91-03-139	173-331-600	NEW	91-05-020	173-400-240	NEW	91-05-064
173-305-020	REP-E	91-03-139	173-340-120	AMD	91-04-019	173-400-250	NEW	91-05-064
173-305-020	AMD	91-08-040	173-340-200	AMD	91-04-019	173-400-260	NEW	91-05-064
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173-305-040	REP-E	91-03-139	173-340-420	AMD	91-04-019	173-403-060	REP	91-05-064
173-305-040	AMD	91-08-040	173-340-430	AMD	91-04-019	173-403-070	REP	91-05-064
173-305-04001	NEW-E	91-03-139	173-340-440	NEW	91-04-019	173-403-075	REP	91-05-064
173-305-050	REP-E	91-03-139	173-340-450	NEW	91-04-019	173-403-080	REP	91-05-064
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173-305-05001	NEW-E	91-03-139	173-340-702	NEW	91-04-019	173-403-100	REP	91-05-064
173-305-060	REP-E	91-03-139	173-340-704	NEW	91-04-019	173-403-110	REP	91-05-064
173-305-06001	NEW-E	91-03-139	173-340-705	NEW	91-04-019	173-403-120	REP	91-05-064
173-305-070	REP-E	91-03-139	173-340-706	NEW	91-04-019	173-403-130	REP	91-05-064
173-305-07001	NEW-E	91-03-139	173-340-707	NEW	91-04-019	173-403-141	REP	91-05-064
173-305-080	REP-E	91-03-139	173-340-708	NEW	91-04-019	173-403-145	REP	91-05-064
173-305-090	REP-E	91-03-139	173-340-710	NEW	91-04-019	173-403-150	REP	91-05-064
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173-305-210	NEW	91-08-040	173-340-740	NEW	91-04-019	173-403-180	REP	91-05-064
173-305-220	NEW	91-08-040	173-340-745	NEW	91-04-019	173-403-190	REP	91-05-064
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173-307-020	AMD-P	91-14-099	173-360-305	AMD-P	91-17-079	173-405-077	AMD	91-05-064
173-307-020	AMD	91-20-131	173-360-310	AMD-P	91-17-079	173-405-078	AMD	91-05-064
173-307-030	NEW	91-08-041	173-360-330	AMD-P	91-17-079	173-405-086	AMD	91-05-064
173-307-030	AMD-P	91-14-099	173-360-345	AMD-P	91-17-079	173-405-087	AMD	91-05-064
173-307-030	AMD	91-20-131	173-360-350	AMD-P	91-17-079	173-405-091	AMD	91-05-064
173-307-040	NEW	91-08-041	173-360-370	AMD-P	91-17-079	173-410-012	AMD	91-05-064
173-307-040	AMD-P	91-14-099	173-360-380	AMD-P	91-17-079	173-410-021	AMD	91-05-064
173-307-040	AMD	91-20-131	173-360-385	AMD-P	91-17-079	173-410-035	AMD	91-05-064
173-307-050	NEW	91-08-041	173-360-390	AMD-P	91-17-079	173-410-040	AMD	91-05-064
173-307-060	NEW	91-08-041	173-360-395	AMD-P	91-17-079	173-410-042	REP	91-05-064
173-307-060	AMD-P	91-14-099	173-360-403	AMD-P	91-17-079	173-410-045	AMD	91-05-064
173-307-060	AMD	91-20-131	173-360-473	AMD-P	91-17-079	173-410-062	AMD	91-05-064
173-307-070	NEW	91-08-041	173-360-480	AMD-P	91-17-079	173-410-067	AMD	91-05-064
173-307-070	AMD-P	91-14-099	173-360-610	AMD-P	91-17-079	173-410-071	AMD	91-05-064
173-307-070	AMD	91-20-131	173-360-620	NEW-W	91-04-022	173-410-086	AMD	91-05-064
173-307-080	NEW	91-08-041	173-360-630	AMD-P	91-17-079	173-410-087	AMD	91-05-064
173-307-080	AMD-P	91-14-099	173-360-650	AMD-P	91-17-079	173-410-100	NEW	91-05-064
173-307-080	AMD	91-20-131	173-360-655	AMD-P	91-17-079	173-415-010	AMD	91-05-064
173-307-090	NEW	91-08-041	173-360-695	NEW-P	91-17-079	173-415-020	AMD	91-05-064
173-307-100	NEW	91-08-041	173-400-010	AMD	91-05-064	173-415-030	AMD	91-05-064
173-307-110	NEW	91-08-041	173-400-020	AMD	91-05-064	173-415-040	AMD	91-05-064
173-307-120	NEW	91-08-041	173-400-030	AMD	91-05-064	173-415-041	REP	91-05-064
173-307-130	NEW	91-08-041	173-400-040	AMD	91-05-064	173-415-045	AMD	91-05-064
173-307-140	NEW	91-08-041	173-400-050	AMD	91-05-064	173-415-050	AMD	91-05-064



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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
173-415-051	AMD	91-05-064	178-01-010	NEW-P	91-20-001	182-08-220	AMD	91-20-163
173-415-060	AMD	91-05-064	180-25-025	AMD-P	91-08-070	182-12-111	AMD-E	91-19-042
173-415-070	AMD	91-05-064	180-25-025	AMD	91-12-058	182-12-111	AMD-P	91-20-146
173-415-080	AMD	91-05-064	180-26-020	AMD-P	91-08-071	182-12-115	AMD-P	91-11-096
173-422	PREP	91-19-031	180-26-020	AMD	91-12-057	182-12-115	AMD	91-14-084
173-433	AMD	91-07-066	180-26-057	AMD-E	91-15-030	182-12-127	REP-P	91-04-086
173-433	PREP	91-20-129	180-26-057	AMD-P	91-17-073	182-12-127	REP	91-11-010
173-433-030	AMD	91-07-066	180-26-057	AMD	91-20-151	182-12-130	AMD-P	91-11-095
173-433-100	AMD	91-07-066	180-26-058	NEW-E	91-15-030	182-12-130	AMD	91-14-084
173-433-110	AMD	91-07-066	180-26-058	NEW-P	91-17-073	182-12-210	REP-P	91-04-086
173-433-120	AMD	91-07-066	180-26-058	NEW	91-20-151	182-12-210	REP	91-11-010
173-433-130	AMD	91-07-066	180-26-060	AMD-P	91-08-067	182-12-215	NEW-P	91-04-086
173-433-140	NEW	91-07-066	180-26-060	AMD	91-12-055	182-12-215	NEW	91-11-010
173-433-150	AMD	91-07-066	180-27-018	AMD-P	91-08-068	182-16-010	NEW-P	91-04-087
173-433-170	AMD	91-07-066	180-27-018	AMD	91-12-059	182-16-010	NEW	91-14-025
173-460-010	NEW	91-13-079	180-27-032	NEW-P	91-08-069	182-16-020	NEW-P	91-04-087
173-460-020	NEW	91-13-079	180-27-032	NEW	91-12-056	182-16-020	NEW	91-14-025
173-460-030	NEW	91-13-079	180-27-058	AMD-P	91-08-068	182-16-030	NEW-P	91-04-087
173-460-040	NEW	91-13-079	180-27-058	AMD	91-12-059	182-16-030	NEW	91-14-025
173-460-050	NEW	91-13-079	180-27-115	AMD-P	91-08-068	182-16-040	NEW-P	91-04-087
173-460-060	NEW	91-13-079	180-27-115	AMD	91-12-059	182-16-040	NEW	91-14-025
173-460-070	NEW	91-13-079	180-29-107	AMD-P	91-08-067	182-16-050	NEW-P	91-04-087
173-460-080	NEW	91-13-079	180-29-107	AMD	91-12-055	182-16-050	NEW	91-14-025
173-460-090	NEW	91-13-079	180-29-1075	AMD-E	91-15-030	182-18-005	NEW-P	91-05-079
173-460-100	NEW	91-13-079	180-29-1075	AMD-P	91-17-073	182-18-005	NEW	91-17-043
173-460-110	NEW	91-13-079	180-29-1075	AMD	91-20-151	182-18-010	NEW-P	91-05-079
173-460-120	NEW	91-13-079	180-29-1076	NEW-E	91-15-030	182-18-010	NEW	91-17-043
173-460-130	NEW	91-13-079	180-29-1076	NEW-P	91-17-073	182-18-020	NEW-P	91-05-079
173-460-140	NEW	91-13-079	180-29-1076	NEW	91-20-151	182-18-020	NEW	91-17-043
173-460-150	NEW	91-13-079	180-29-115	AMD-E	91-15-030	182-18-030	NEW-P	91-05-079
173-460-160	NEW	91-13-079	180-29-115	AMD-P	91-17-073	182-18-030	NEW	91-17-043
173-490-010	AMD	91-05-064	180-29-115	AMD	91-20-151	182-18-040	NEW-P	91-05-079
173-490-020	AMD	91-05-064	180-29-116	NEW-E	91-15-030	182-18-040	NEW	91-17-043
173-490-025	AMD	91-05-064	180-29-116	NEW-P	91-17-073	182-18-050	NEW-P	91-05-079
173-490-030	AMD	91-05-064	180-29-116	NEW	91-20-151	182-18-050	NEW	91-17-043
173-490-040	AMD	91-05-064	180-33-013	NEW-P	91-08-070	182-18-060	NEW-P	91-05-079
173-490-070	REP	91-05-064	180-33-013	NEW	91-12-058	182-18-060	NEW	91-17-043
173-490-071	REP	91-05-064	180-33-015	AMD-P	91-08-070	182-18-070	NEW-P	91-05-079
173-490-080	AMD	91-05-064	180-33-015	AMD	91-12-058	182-18-070	NEW	91-17-043
173-490-090	AMD	91-05-064	180-33-020	AMD-P	91-08-070	182-18-080	NEW-P	91-05-079
173-490-120	REP	91-05-064	180-33-020	AMD	91-12-058	182-18-080	NEW	91-17-043
173-490-130	REP	91-05-064	180-33-023	NEW-P	91-08-070	182-18-090	NEW-P	91-05-079
173-490-135	REP	91-05-064	180-33-023	NEW	91-12-058	182-18-090	NEW	91-17-043
173-490-140	REP	91-05-064	180-33-035	AMD-P	91-08-070	182-18-100	NEW-P	91-05-079
173-490-150	REP	91-05-064	180-33-035	AMD	91-12-058	182-18-100	NEW	91-17-043
173-490-200	AMD	91-05-064	180-44-050	AMD-P	91-05-068	182-18-110	NEW-P	91-05-079
173-490-201	AMD	91-05-064	180-44-050	AMD	91-08-055	182-18-110	NEW	91-17-043
173-490-202	AMD	91-05-064	180-51-085	AMD	91-11-018	182-18-120	NEW-P	91-05-079
173-490-203	AMD	91-05-064	180-55-005	AMD	91-04-015	182-18-120	NEW	91-17-043
173-490-204	AMD	91-05-064	180-55-015	AMD	91-04-015	182-18-130	NEW-P	91-05-079
173-490-205	AMD	91-05-064	180-75-081	AMD-P	91-20-152	182-18-130	NEW	91-17-043
173-490-207	AMD	91-05-064	180-78-047	AMD-P	91-20-152	182-18-140	NEW-P	91-05-079
173-490-208	AMD	91-05-064	180-78-125	REP-P	91-20-152	182-18-140	NEW	91-17-043
173-491-010	NEW-P	91-02-107	180-78-145	AMD-P	91-20-152	182-18-150	NEW-P	91-05-079
173-491-010	NEW	91-14-101	180-78-165	AMD-P	91-20-152	182-18-150	NEW	91-17-043
173-491-015	NEW-P	91-02-107	180-78-170	AMD-P	91-20-152	182-18-160	NEW-P	91-05-079
173-491-015	NEW	91-14-101	180-78-196	NEW-P	91-20-152	182-18-160	NEW	91-17-043
173-491-020	NEW-P	91-02-107	180-78-200	NEW-P	91-20-152	192-12	AMD-C	91-16-029
173-491-020	NEW	91-14-101	180-78-201	NEW-P	91-20-152	192-12-300	AMD-E	91-03-054
173-491-030	NEW-P	91-02-107	180-78-232	NEW-P	91-20-152	192-12-300	AMD-P	91-11-051
173-491-030	NEW	91-14-101	180-79-003	AMD	91-04-016	192-12-300	AMD-E	91-11-052
173-491-040	NEW-P	91-02-107	180-79-080	AMD	91-04-016	192-12-300	AMD	91-19-007
173-491-040	NEW	91-14-101	180-79-230	AMD	91-05-056	192-12-305	REP-E	91-03-054
173-491-050	NEW-P	91-02-107	180-79-236	NEW	91-05-056	192-12-305	AMD-P	91-11-051
173-491-050	NEW	91-14-101	180-79-241	NEW	91-05-056	192-12-305	AMD-E	91-11-052
173-492	PREP	91-20-130	180-85-005	AMD	91-04-016	192-12-305	AMD	91-19-007
173-500-080	NEW-E	91-04-080	180-85-045	AMD	91-04-016	192-12-310	REP-E	91-03-054
173-500-080	NEW-P	91-12-038	180-86-012	REP-P	91-20-152	192-12-310	AMD-P	91-11-051
173-500-080	NEW-E	91-12-042	180-86-097	REP-P	91-20-152	192-12-310	AMD	91-19-007
173-500-080	NEW	91-18-011	180-86-100	AMD-P	91-05-024	192-12-320	AMD-E	91-03-054
173-548-050	AMD-E	91-04-073	180-86-100	AMD	91-08-056	192-12-320	AMD-P	91-11-051
173-548-050	AMD-P	91-12-039	180-96-055	AMD-P	91-20-150	192-12-320	AMD-E	91-11-052
173-548-050	AMD-E	91-12-041	180-96-060	AMD-P	91-20-150	192-12-320	AMD	91-19-007
173-548-050	AMD-C	91-15-104	182-08-111	REP-P	91-11-093	192-12-330	AMD-E	91-03-054
173-548-050	AMD-C	91-19-109	182-08-111	REP-P	91-11-094	192-12-330	AMD-P	91-11-051
173-548-050	AMD-E	91-20-132	182-08-111	REP	91-20-163	192-12-330	AMD-E	91-11-052
178-01-010	NEW-E	91-18-003	182-08-220	AMD-P	91-11-093	192-12-330	AMD	91-19-007

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192-12-370	NEW-E	91-03-054	212-54-005	REP-P	91-06-020	212-55-025	REP	91-11-001
192-12-370	NEW-P	91-11-051	212-54-005	REP-E	91-06-021	212-55-030	REP-P	91-06-020
192-12-370	NEW-E	91-11-052	212-54-005	REP	91-11-001	212-55-030	REP-E	91-06-021
192-12-380	NEW-P	91-18-071	212-54-010	REP-P	91-06-020	212-55-030	REP	91-11-001
192-32-001	NEW-P	91-14-115	212-54-010	REP-E	91-06-021	212-55-035	REP-P	91-06-020
192-32-001	NEW-E	91-14-116	212-54-010	REP	91-11-001	212-55-035	REP-E	91-06-021
192-32-001	NEW	91-20-012	212-54-015	REP-P	91-06-020	212-55-035	REP	91-11-001
192-32-010	NEW-P	91-14-115	212-54-015	REP-E	91-06-021	212-55-040	REP-P	91-06-020
192-32-010	NEW-E	91-14-116	212-54-015	REP	91-11-001	212-55-040	REP-E	91-06-021
192-32-010	NEW	91-20-012	212-54-020	REP-P	91-06-020	212-55-040	REP	91-11-001
192-32-015	NEW-P	91-14-115	212-54-020	REP-E	91-06-021	212-55-045	REP-P	91-06-020
192-32-015	NEW-E	91-14-116	212-54-020	REP	91-11-001	212-55-045	REP-E	91-06-021
192-32-015	NEW	91-20-012	212-54-025	REP-P	91-06-020	212-55-045	REP	91-11-001
192-32-025	NEW-P	91-14-115	212-54-025	REP-E	91-06-021	212-55-050	REP-P	91-06-020
192-32-025	NEW-E	91-14-116	212-54-025	REP	91-11-001	212-55-050	REP-E	91-06-021
192-32-025	NEW	91-20-012	212-54-030	REP-P	91-06-020	212-55-050	REP	91-11-001
192-32-035	NEW-P	91-14-115	212-54-030	REP-E	91-06-021	212-55-055	REP-P	91-06-020
192-32-035	NEW-E	91-14-116	212-54-030	REP	91-11-001	212-55-055	REP-E	91-06-021
192-32-035	NEW	91-20-012	212-54-035	REP-P	91-06-020	212-55-055	REP	91-11-001
192-32-040	NEW-P	91-14-115	212-54-035	REP-E	91-06-021	212-55-060	REP-P	91-06-020
192-32-040	NEW-E	91-14-116	212-54-035	REP	91-11-001	212-55-060	REP-E	91-06-021
192-32-040	NEW	91-20-012	212-54-040	REP-P	91-06-020	212-55-060	REP	91-11-001
192-32-045	NEW-P	91-14-115	212-54-040	REP-E	91-06-021	212-55-065	REP-P	91-06-020
192-32-045	NEW-E	91-14-116	212-54-040	REP	91-11-001	212-55-065	REP-E	91-06-021
192-32-045	NEW	91-20-012	212-54-045	REP-P	91-06-020	212-55-065	REP	91-11-001
192-32-050	NEW-P	91-14-115	212-54-045	REP-E	91-06-021	212-55-070	REP-P	91-06-020
192-32-050	NEW-E	91-14-116	212-54-045	REP	91-11-001	212-55-070	REP-E	91-06-021
192-32-050	NEW	91-20-012	212-54-050	REP-P	91-06-020	212-55-070	REP	91-11-001
192-32-055	NEW-P	91-14-115	212-54-050	REP-E	91-06-021	212-55-075	REP-P	91-06-020
192-32-055	NEW-E	91-14-116	212-54-050	REP	91-11-001	212-55-075	REP-E	91-06-021
192-32-055	NEW	91-20-012	212-54-055	REP-P	91-06-020	212-55-075	REP	91-11-001
192-32-065	NEW-P	91-14-115	212-54-055	REP-E	91-06-021	212-55-080	REP-P	91-06-020
192-32-065	NEW-E	91-14-116	212-54-055	REP	91-11-001	212-55-080	REP-E	91-06-021
192-32-065	NEW	91-20-012	212-54-060	REP-P	91-06-020	212-55-080	REP	91-11-001
192-32-075	NEW-P	91-14-115	212-54-060	REP-E	91-06-021	212-55-085	REP-P	91-06-020
192-32-075	NEW-E	91-14-116	212-54-060	REP	91-11-001	212-55-085	REP-E	91-06-021
192-32-075	NEW	91-20-012	212-54-065	REP-P	91-06-020	212-55-085	REP	91-11-001
192-32-085	NEW-P	91-14-115	212-54-065	REP-E	91-06-021	212-55-090	REP-P	91-06-020
192-32-085	NEW-E	91-14-116	212-54-065	REP	91-11-001	212-55-090	REP-E	91-06-021
192-32-085	NEW	91-20-012	212-54-070	REP-P	91-06-020	212-55-090	REP	91-11-001
192-32-095	NEW-P	91-14-115	212-54-070	REP-E	91-06-021	212-55-095	REP-P	91-06-020
192-32-095	NEW-E	91-14-116	212-54-070	REP	91-11-001	212-55-095	REP-E	91-06-021
192-32-095	NEW	91-20-012	212-54-075	REP-P	91-06-020	212-55-095	REP	91-11-001
192-32-105	NEW-P	91-14-115	212-54-075	REP-E	91-06-021	212-56A-001	NEW-P	91-06-020
192-32-105	NEW-E	91-14-116	212-54-075	REP	91-11-001	212-56A-001	NEW-E	91-06-021
192-32-105	NEW	91-20-012	212-54-080	REP-P	91-06-020	212-56A-001	NEW	91-11-001
192-32-115	NEW-P	91-14-115	212-54-080	REP-E	91-06-021	212-56A-005	NEW-P	91-06-020
192-32-115	NEW-E	91-14-116	212-54-080	REP	91-11-001	212-56A-005	NEW-E	91-06-021
192-32-115	NEW	91-20-012	212-54-085	REP-P	91-06-020	212-56A-005	NEW	91-11-001
196-16-031	AMD-P	91-20-138	212-54-085	REP-E	91-06-021	212-56A-010	NEW-P	91-06-020
196-24-030	AMD-P	91-20-138	212-54-085	REP	91-11-001	212-56A-010	NEW-E	91-06-021
196-24-060	AMD-P	91-07-064	212-54-090	REP-P	91-06-020	212-56A-010	NEW	91-11-001
196-24-060	AMD	91-11-075	212-54-090	REP-E	91-06-021	212-56A-015	NEW-P	91-06-020
196-24-080	AMD-P	91-20-138	212-54-090	REP	91-11-001	212-56A-015	NEW-E	91-06-021
196-24-095	AMD-P	91-05-078	212-54-095	REP-P	91-06-020	212-56A-015	NEW	91-11-001
196-24-095	AMD-C	91-06-018	212-54-095	REP-E	91-06-021	212-56A-020	NEW-P	91-06-020
196-24-095	AMD	91-11-099	212-54-095	REP	91-11-001	212-56A-020	NEW-E	91-06-021
196-24-097	NEW-P	91-05-078	212-54-100	REP-P	91-06-020	212-56A-020	NEW	91-11-001
196-24-097	NEW-C	91-06-018	212-54-100	REP-E	91-06-021	212-56A-030	NEW-P	91-06-020
196-24-097	NEW-W	91-11-098	212-54-100	REP	91-11-001	212-56A-030	NEW-E	91-06-021
196-24-098	PREP	91-05-041	212-55-001	REP-P	91-06-020	212-56A-030	NEW	91-11-001
196-26-020	AMD-P	91-07-065	212-55-001	REP-E	91-06-021	212-56A-035	NEW-P	91-06-020
196-26-020	AMD	91-10-046	212-55-001	REP	91-11-001	212-56A-035	NEW-E	91-06-021
196-26-020	AMD-P	91-19-091	212-55-005	REP-P	91-06-020	212-56A-035	NEW	91-11-001
196-26-030	AMD-P	91-07-065	212-55-005	REP-E	91-06-021	212-56A-040	NEW-P	91-06-020
196-26-030	AMD	91-10-046	212-55-005	REP	91-11-001	212-56A-040	NEW-E	91-06-021
196-26-030	AMD-P	91-19-091	212-55-010	REP-P	91-06-020	212-56A-040	NEW	91-11-001
204-10-040	AMD-P	91-16-100	212-55-010	REP-E	91-06-021	212-56A-045	NEW-P	91-06-020
204-24-050	AMD-P	91-10-053	212-55-010	REP	91-11-001	212-56A-045	NEW-E	91-06-021
204-24-050	AMD	91-14-004	212-55-015	REP-P	91-06-020	212-56A-045	NEW	91-11-001
204-53-010	NEW	91-05-019	212-55-015	REP-E	91-06-021	212-56A-050	NEW-P	91-06-020
204-88-030	AMD-P	91-10-015	212-55-015	REP	91-11-001	212-56A-050	NEW-E	91-06-021
204-88-030	AMD	91-14-003	212-55-020	REP-P	91-06-020	212-56A-050	NEW	91-11-001
212-12-010	AMD-W	91-05-043	212-55-020	REP-E	91-06-021	212-56A-055	NEW-P	91-06-020
212-54-001	REP-P	91-06-020	212-55-020	REP	91-11-001	212-56A-055	NEW-E	91-06-021
212-54-001	REP-E	91-06-021	212-55-025	REP-P	91-06-020	212-56A-055	NEW	91-11-001
212-54-001	REP	91-11-001	212-55-025	REP-E	91-06-021	212-56A-060	NEW-P	91-06-020

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
212-56A-060	NEW-E	91-06-021	212-80-045	NEW-P	91-10-083	220-24-02000F	REP-E	91-17-017
212-56A-060	NEW	91-11-001	212-80-045	NEW-E	91-10-084	220-24-02000G	NEW-E	91-17-017
212-56A-065	NEW-P	91-06-020	212-80-045	NEW	91-14-086	220-24-02000H	REP-E	91-17-090
212-56A-065	NEW-E	91-06-021	212-80-050	NEW-P	91-10-083	220-24-02000H	NEW-E	91-17-090
212-56A-065	NEW	91-11-001	212-80-050	NEW-E	91-10-084	220-24-02000H	REP-E	91-18-032
212-56A-070	NEW-P	91-06-020	212-80-050	NEW	91-14-086	220-24-02000I	NEW-E	91-18-032
212-56A-070	NEW-E	91-06-021	212-80-055	NEW-P	91-10-083	220-24-02000I	REP-E	91-18-082
212-56A-070	NEW	91-11-001	212-80-055	NEW-E	91-10-084	220-24-02000J	NEW-E	91-18-082
212-56A-075	NEW-P	91-06-020	212-80-055	NEW	91-14-086	220-24-02000J	REP-E	91-19-048
212-56A-075	NEW-E	91-06-021	212-80-060	NEW-P	91-10-083	220-24-02000K	NEW-E	91-19-048
212-56A-075	NEW	91-11-001	212-80-060	NEW-E	91-10-084	220-24-02000K	REP-E	91-19-048
212-56A-080	NEW-P	91-06-020	212-80-060	NEW	91-14-086	220-32-05100D	REP-E	91-04-031
212-56A-080	NEW-E	91-06-021	212-80-065	NEW-P	91-10-083	220-32-05100E	NEW-E	91-04-031
212-56A-080	NEW	91-11-001	212-80-065	NEW-E	91-10-084	220-32-05100F	NEW-E	91-17-001
212-56A-085	NEW-P	91-06-020	212-80-065	NEW	91-14-086	220-32-05100F	REP-E	91-19-005
212-56A-085	NEW-E	91-06-021	212-80-065	NEW	91-10-083	220-32-05100G	NEW-E	91-19-005
212-56A-085	NEW	91-11-001	212-80-070	NEW-P	91-10-083	220-32-05100G	REP-E	91-19-035
212-56A-090	NEW-P	91-06-020	212-80-070	NEW-E	91-10-084	220-32-05100H	NEW-E	91-19-035
212-56A-090	NEW-E	91-06-021	212-80-070	NEW	91-14-086	220-32-05100H	REP-E	91-19-086
212-56A-090	NEW	91-11-001	212-80-075	NEW-P	91-10-083	220-32-05100I	NEW-E	91-20-124
212-56A-095	NEW-P	91-06-020	212-80-075	NEW-E	91-10-084	220-32-05500W	NEW-E	91-10-011
212-56A-095	NEW-E	91-06-021	212-80-075	NEW	91-14-086	220-32-05500W	REP-E	91-11-014
212-56A-095	NEW	91-11-001	212-80-080	NEW-P	91-10-083	220-32-05500X	NEW-E	91-11-014
212-56A-095	NEW	91-11-001	212-80-080	NEW-E	91-10-084	220-32-05500X	REP-E	91-11-076
212-56A-100	NEW-P	91-06-020	212-80-080	NEW	91-14-086	220-32-05500Y	NEW-E	91-11-076
212-56A-100	NEW-E	91-06-021	212-80-085	NEW-P	91-10-083	220-32-05500Y	REP-E	91-12-004
212-56A-100	NEW	91-11-001	212-80-085	NEW-E	91-10-084	220-32-05500Z	NEW-E	91-12-004
212-56A-105	NEW-P	91-06-020	212-80-085	NEW	91-14-086	220-32-05700F	NEW-E	91-03-083
212-56A-105	NEW-E	91-06-021	212-80-085	NEW	91-10-083	220-32-05700F	REP-E	91-10-058
212-56A-105	NEW	91-11-001	212-80-090	NEW-P	91-10-084	220-32-05700G	NEW-E	91-08-065
212-56A-110	NEW-P	91-06-020	212-80-090	NEW	91-14-086	220-32-05700G	REP-E	91-11-013
212-56A-110	NEW-E	91-06-021	212-80-095	NEW-P	91-10-083	220-32-05700H	NEW-E	91-11-013
212-56A-110	NEW	91-11-001	212-80-095	NEW-E	91-10-084	220-32-05900S	NEW-E	91-20-124
212-56A-115	NEW-P	91-06-020	212-80-095	NEW	91-14-086	220-33-01000A	NEW-E	91-20-007
212-56A-115	NEW-E	91-06-021	212-80-100	NEW-P	91-10-083	220-33-01000V	NEW-E	91-05-005
212-56A-115	NEW	91-11-001	212-80-100	NEW-E	91-10-084	220-33-01000V	REP-E	91-05-036
212-56A-120	NEW-P	91-06-020	212-80-100	NEW	91-14-086	220-33-01000W	NEW-E	91-05-036
212-56A-120	NEW-E	91-06-021	212-80-100	NEW	91-10-083	220-33-01000X	NEW-E	91-17-056
212-56A-120	NEW	91-11-001	212-80-105	NEW-P	91-10-083	220-33-01000X	REP-E	91-18-039
212-56A-125	NEW-P	91-06-020	212-80-105	NEW-E	91-10-084	220-33-01000Y	NEW-E	91-19-023
212-56A-125	NEW-E	91-06-021	212-80-110	NEW	91-14-086	220-33-01000Y	REP-E	91-19-072
212-56A-125	NEW	91-11-001	212-80-110	NEW-E	91-10-084	220-33-01000Z	NEW-E	91-19-072
212-56A-130	NEW-P	91-06-020	212-80-110	NEW	91-14-086	220-33-01000Z	REP-E	91-20-007
212-56A-130	NEW-E	91-06-021	212-80-115	NEW-P	91-10-083	220-33-03000C	NEW-E	91-11-100
212-56A-130	NEW	91-11-001	212-80-115	NEW-E	91-10-084	220-36-02300G	NEW-E	91-20-084
212-56A-135	NEW-P	91-06-020	212-80-115	NEW	91-14-086	220-40-02700A	NEW-E	91-17-055
212-56A-135	NEW-E	91-06-021	212-80-120	NEW-P	91-10-083	220-40-02700A	REP-E	91-19-047
212-56A-135	NEW	91-11-001	212-80-120	NEW-E	91-10-084	220-40-02700B	NEW-E	91-19-047
212-56A-140	NEW-P	91-06-020	212-80-120	NEW	91-14-086	220-40-030	AMD-P	91-03-153
212-56A-140	NEW-E	91-06-021	212-80-125	NEW-P	91-10-083	220-40-030	AMD	91-08-054
212-56A-140	NEW	91-11-001	212-80-125	NEW-E	91-10-084	220-40-031	AMD-P	91-03-153
212-80-001	NEW-P	91-10-083	212-80-125	NEW-W	91-14-085	220-40-031	AMD	91-08-054
212-80-001	NEW-E	91-10-084	212-80-130	NEW-P	91-10-083	220-44-030	AMD-W	91-11-027
212-80-001	NEW	91-14-086	212-80-130	NEW-E	91-10-084	220-44-04000A	NEW-E	91-19-006
212-80-005	NEW-P	91-10-083	212-80-130	NEW	91-14-086	220-44-050	AMD-P	91-03-152
212-80-005	NEW-E	91-10-084	212-80-135	NEW-P	91-10-083	220-44-050	AMD	91-07-050
212-80-005	NEW	91-14-086	212-80-135	NEW-E	91-10-084	220-44-050	AMD-W	91-11-027
212-80-010	NEW-P	91-10-083	212-80-135	NEW	91-14-086	220-44-05000I	REP-E	91-08-023
212-80-010	NEW-E	91-10-084	220-12-020	AMD-P	91-05-102	220-44-05000J	NEW-E	91-08-023
212-80-010	NEW	91-14-086	220-12-020	AMD	91-10-024	220-44-05000J	REP-E	91-10-012
212-80-015	NEW-P	91-10-083	220-16-055	REP-P	91-03-151	220-44-05000K	NEW-E	91-10-012
212-80-015	NEW-E	91-10-084	220-16-055	REP	91-08-053	220-44-05000K	REP-E	91-11-077
212-80-015	NEW	91-14-086	220-16-220	AMD-P	91-03-153	220-44-05000L	NEW-E	91-11-077
212-80-020	NEW-P	91-10-083	220-16-220	AMD	91-08-054	220-44-05000L	REP-E	91-14-026
212-80-020	NEW-E	91-10-084	220-16-257	AMD-P	91-03-153	220-44-05000M	NEW-E	91-14-026
212-80-020	NEW	91-14-086	220-16-257	AMD	91-08-054	220-44-05000M	REP-E	91-16-041
212-80-025	NEW-P	91-10-083	220-20-010	AMD-P	91-03-153	220-44-05000N	NEW-E	91-16-041
212-80-025	NEW-E	91-10-084	220-20-010	AMD	91-08-054	220-44-05000N	REP-E	91-19-046
212-80-025	NEW	91-14-086	220-20-017	AMD-P	91-11-056	220-44-05000P	NEW-E	91-19-046
212-80-030	NEW-P	91-10-083	220-20-017	AMD	91-16-070	220-44-05000P	REP-E	91-20-085
212-80-030	NEW-E	91-10-084	220-20-01700A	NEW-E	91-03-108	220-44-05000Q	NEW-E	91-20-085
212-80-030	NEW	91-14-086	220-20-01700A	REP-E	91-10-071	220-47-304	AMD-P	91-13-031
212-80-035	NEW-P	91-10-083	220-20-01700B	NEW-E	91-10-071	220-47-304	AMD	91-18-024
212-80-035	NEW-E	91-10-084	220-24-02000D	NEW-E	91-10-058	220-47-307	AMD-P	91-13-031
212-80-035	NEW	91-14-086	220-24-02000D	REP-E	91-15-115	220-47-307	AMD	91-18-024
212-80-040	NEW-P	91-10-083	220-24-02000E	NEW-E	91-15-115	220-47-310	NEW	91-18-024
212-80-040	NEW-E	91-10-084	220-24-02000E	REP-E	91-17-004	220-47-311	AMD-P	91-13-031
212-80-040	NEW	91-14-086	220-24-02000F	NEW-E	91-17-004	220-47-311	AMD	91-18-024

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
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220-47-319	AMD	91-18-024	220-52-073	AMD-C	91-15-031	220-56-25500J	REP-E	91-19-048
220-47-401	AMD-P	91-13-031	220-52-073	AMD-C	91-18-029	220-56-25500K	NEW-E	91-20-040
220-47-401	AMD	91-18-024	220-52-07300I	REP-E	91-04-029	220-56-282	AMD-P	91-03-153
220-47-411	AMD-P	91-13-031	220-52-07300J	NEW-E	91-04-029	220-56-282	AMD	91-08-054
220-47-411	AMD	91-18-024	220-52-075	AMD-P	91-05-102	220-56-32500S	NEW-E	91-10-094
220-47-700	NEW-E	91-15-017	220-52-075	AMD	91-10-024	220-56-32500T	NEW-E	91-16-006
220-47-700	REP-E	91-16-027	220-55-055	AMD-P	91-03-153	220-56-350	AMD-P	91-03-153
220-47-701	NEW-E	91-16-027	220-55-055	AMD	91-08-054	220-56-350	AMD	91-08-054
220-47-701	REP-E	91-16-069	220-55-065	AMD-P	91-03-153	220-56-35000M	NEW-E	91-15-047
220-47-702	NEW-E	91-16-069	220-55-065	AMD	91-08-054	220-56-36000W	NEW-E	91-06-057
220-47-702	REP-E	91-17-007	220-55-070	AMD-P	91-03-153	220-56-36000W	REP-E	91-10-049
220-47-703	NEW-E	91-17-007	220-55-070	AMD	91-08-054	220-56-36000X	NEW-E	91-10-049
220-47-703	REP-E	91-17-039	220-55-075	AMD-P	91-03-153	220-56-380	AMD-P	91-03-153
220-47-704	NEW-E	91-17-039	220-55-075	AMD	91-08-054	220-56-380	AMD	91-08-054
220-47-704	REP-E	91-18-010	220-55-080	AMD-P	91-03-153	220-56-38000J	NEW-E	91-14-039
220-47-705	NEW-E	91-18-010	220-55-080	AMD	91-08-054	220-57-14000N	NEW-E	91-11-045
220-47-705	REP-E	91-18-058	220-55-086	AMD-P	91-03-153	220-57-16000H	NEW-E	91-08-002
220-47-705	REP-E	91-19-010	220-55-086	AMD	91-08-054	220-57-16000I	NEW-E	91-14-078
220-47-706	NEW-E	91-18-058	220-55-125	AMD-P	91-03-153	220-57-16000J	NEW-E	91-18-038
220-47-706	REP-E	91-19-010	220-55-125	AMD	91-08-054	220-57-195	AMD-P	91-03-151
220-47-707	NEW-E	91-19-010	220-56-100	AMD-P	91-03-153	220-57-195	AMD-C	91-08-052
220-47-707	REP-E	91-19-049	220-56-100	AMD	91-08-054	220-57-195	AMD-C	91-12-008
220-47-708	NEW-E	91-19-049	220-56-105	AMD-P	91-03-153	220-57-195	AMD	91-14-047
220-47-708	REP-E	91-19-057	220-56-105	AMD	91-08-054	220-57-19500B	NEW-E	91-14-048
220-47-709	NEW-E	91-19-057	220-56-115	AMD-P	91-03-153	220-57-205	AMD-P	91-03-151
220-47-709	REP-E	91-20-003	220-56-115	AMD	91-08-054	220-57-205	AMD-C	91-08-052
220-47-710	NEW-E	91-20-003	220-56-128	AMD-P	91-03-153	220-57-205	AMD-C	91-12-008
220-47-710	REP-E	91-20-008	220-56-128	AMD	91-08-054	220-57-205	AMD	91-14-047
220-47-711	NEW-E	91-20-008	220-56-175	AMD-P	91-03-153	220-57-20500B	NEW-E	91-14-048
220-47-711	REP-E	91-20-083	220-56-175	AMD	91-08-054	220-57-210	AMD-P	91-03-151
220-47-712	NEW-E	91-20-083	220-56-180	AMD-P	91-03-153	220-57-210	AMD-C	91-08-052
220-48-011	AMD-P	91-09-064	220-56-180	AMD-C	91-08-051	220-57-210	AMD-C	91-12-008
220-48-011	AMD	91-13-051	220-56-180	AMD	91-08-054	220-57-210	AMD	91-14-047
220-48-015	AMD-P	91-09-064	220-56-180	AMD-C	91-14-045	220-57-21000B	NEW-E	91-14-048
220-48-015	AMD	91-13-051	220-56-180	AMD	91-14-046	220-57-265	AMD-P	91-03-151
220-48-01500E	NEW-E	91-05-037	220-56-185	AMD-P	91-03-153	220-57-265	AMD-C	91-08-052
220-48-017	AMD-P	91-09-064	220-56-185	AMD	91-08-054	220-57-265	AMD-C	91-12-008
220-48-017	AMD	91-13-051	220-56-190	AMD-P	91-03-153	220-57-265	AMD	91-14-047
220-48-029	AMD-P	91-09-064	220-56-190	AMD	91-08-054	220-57-26500B	NEW-E	91-14-048
220-48-029	AMD	91-13-051	220-56-19000F	NEW-E	91-14-008	220-57-290	AMD-P	91-03-153
220-48-03200A	NEW-E	91-18-073	220-56-19000F	REP-E	91-15-095	220-57-290	AMD	91-08-054
220-49-02300A	NEW-E	91-10-014	220-56-19000G	NEW-E	91-14-048	220-57-313	NEW-P	91-03-153
220-49-056	AMD-P	91-09-064	220-56-19000G	REP-E	91-14-118	220-57-313	NEW	91-08-054
220-49-056	AMD	91-12-051	220-56-19000H	NEW-E	91-14-118	220-57-31500U	NEW-E	91-08-025
220-49-063	AMD-P	91-02-108	220-56-19000H	REP-E	91-17-003	220-57-340	AMD-P	91-03-153
220-49-063	AMD	91-05-016	220-56-19000I	NEW-E	91-15-095	220-57-340	AMD	91-08-054
220-52-020	AMD-P	91-05-102	220-56-19000I	REP-E	91-16-007	220-57-34000A	NEW-E	91-17-003
220-52-020	AMD	91-10-024	220-56-19000J	NEW-E	91-16-007	220-57-35000A	NEW-E	91-17-003
220-52-030	AMD-P	91-05-102	220-56-19000J	REP-E	91-17-002	220-57-37000D	NEW-E	91-14-048
220-52-030	AMD	91-10-024	220-56-19000K	NEW-E	91-17-002	220-57-385	AMD-P	91-03-153
220-52-03000G	NEW-E	91-08-024	220-56-19000K	REP-E	91-18-009	220-57-385	AMD	91-08-054
220-52-040	AMD-P	91-05-102	220-56-19000L	NEW-E	91-17-003	220-57-40500H	NEW-E	91-14-048
220-52-040	AMD	91-10-024	220-56-19000M	NEW-E	91-18-009	220-57-425	AMD-P	91-03-151
220-52-046	AMD-P	91-05-102	220-56-19000M	REP-E	91-18-031	220-57-425	AMD-P	91-03-153
220-52-046	AMD	91-10-024	220-56-19000N	NEW-E	91-18-031	220-57-425	AMD-C	91-08-051
220-52-051	AMD-P	91-11-111	220-56-19000N	REP-E	91-19-088	220-57-425	AMD-C	91-08-052
220-52-051	AMD-C	91-15-031	220-56-19000P	NEW-E	91-20-039	220-57-425	AMD-C	91-12-008
220-52-051	AMD	91-18-030	220-56-19000P	REP-E	91-20-082	220-57-425	AMD-C	91-14-045
220-52-05100G	NEW-E	91-10-094	220-56-19000Q	NEW-E	91-20-040	220-57-425	AMD	91-14-047
220-52-05100H	NEW-E	91-11-044	220-56-19000R	NEW-E	91-20-082	220-57-425	AMD-W	91-16-080
220-52-05100H	REP-E	91-15-096	220-56-19500A	NEW-E	91-17-003	220-57-42500V	NEW-E	91-12-009
220-52-05100I	NEW-E	91-15-096	220-56-19700A	NEW-E	91-19-087	220-57-42500V	REP-E	91-14-048
220-52-060	AMD-P	91-05-102	220-56-205	AMD-P	91-03-153	220-57-42500W	NEW-E	91-14-048
220-52-060	AMD	91-10-024	220-56-205	AMD	91-08-054	220-57-42500W	REP-E	91-19-087
220-52-069	AMD-P	91-05-102	220-56-232	NEW-P	91-03-152	220-57-42500X	NEW-E	91-19-087
220-52-069	AMD	91-10-024	220-56-232	NEW-W	91-16-080	220-57-430	AMD-P	91-03-151
220-52-071	AMD-P	91-05-102	220-56-235	AMD-P	91-03-153	220-57-430	AMD-C	91-08-052
220-52-071	AMD	91-10-024	220-56-235	AMD-C	91-08-051	220-57-430	AMD-C	91-12-008
220-52-071	AMD-P	91-11-111	220-56-235	AMD	91-08-054	220-57-430	AMD	91-14-047
220-52-071	AMD-C	91-15-031	220-56-235	AMD-C	91-14-045	220-57-43000C	NEW-E	91-14-048
220-52-071	AMD	91-18-030	220-56-23500F	NEW-E	91-04-030	220-57-43000C	REP-E	91-14-118
220-52-07100I	NEW-E	91-11-015	220-56-240	AMD-P	91-03-153	220-57-43000D	NEW-E	91-14-118
220-52-07100I	REP-E	91-11-055	220-56-240	AMD	91-08-054	220-57-435	AMD-P	91-03-151
220-52-07100J	NEW-E	91-11-055	220-56-24500J	NEW-E	91-14-007	220-57-435	AMD-C	91-08-052
220-52-073	AMD-P	91-05-102	220-56-250	AMD-P	91-03-153	220-57-435	AMD-C	91-12-008
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220-57-450	AMD-P	91-03-151	230-02-505	NEW-C	91-07-019	230-12-220	AMD-E	91-15-041
220-57-450	AMD-C	91-08-052	230-02-505	NEW	91-15-040	230-12-220	AMD	91-19-093
220-57-450	AMD-C	91-12-008	230-02-510	NEW-P	91-15-039	230-12-300	AMD-P	91-17-048
220-57-450	AMD-W	91-16-079	230-02-510	NEW-E	91-15-041	230-12-300	AMD-E	91-17-049
220-57-450	AMD-W	91-16-080	230-02-510	NEW	91-19-093	230-12-300	AMD-P	91-03-062
220-57-45000G	NEW-E	91-14-048	230-02-512	NEW-P	91-17-048	230-12-305	AMD	91-07-021
220-57-455	AMD-P	91-03-151	230-02-512	NEW-E	91-17-049	230-12-500	NEW-P	91-15-039
220-57-455	AMD-C	91-08-052	230-02-515	NEW-P	91-15-039	230-12-500	NEW-W	91-17-047
220-57-455	AMD-C	91-12-008	230-02-515	NEW-E	91-15-041	230-20-102	AMD-P	91-17-048
220-57-455	AMD-W	91-16-079	230-02-515	NEW	91-19-093	230-20-246	AMD-P	91-13-069
220-57-45500B	NEW-E	91-14-048	230-02-520	NEW-P	91-15-039	230-20-246	AMD-W	91-17-047
220-57-460	AMD-P	91-03-153	230-02-520	NEW-E	91-15-041	230-20-246	AMD-P	91-17-048
220-57-460	AMD	91-08-054	230-02-520	NEW	91-19-093	230-20-380	AMD-C	91-03-049
220-57-465	AMD-P	91-03-151	230-04-022	AMD-P	91-03-062	230-20-380	AMD-W	91-05-044
220-57-465	AMD-C	91-08-052	230-04-022	AMD-C	91-07-042	230-20-380	REP-P	91-15-039
220-57-465	AMD-C	91-12-008	230-04-022	AMD-W	91-10-005	230-20-380	REP-E	91-15-041
220-57-465	AMD-W	91-16-079	230-04-110	AMD-P	91-15-039	230-20-380	REP	91-19-093
220-57-46500E	NEW-E	91-14-048	230-04-110	AMD-E	91-15-041	230-20-380	REP	91-19-093
220-57-470	AMD-P	91-03-151	230-04-110	AMD	91-19-093	230-20-605	AMD-P	91-15-039
220-57-470	AMD-C	91-08-052	230-04-120	AMD	91-19-093	230-20-605	AMD-E	91-15-041
220-57-470	AMD-C	91-12-008	230-04-120	AMD-P	91-03-062	230-20-605	AMD	91-19-093
220-57-470	AMD	91-14-047	230-04-120	AMD-C	91-07-019	230-20-630	AMD-P	91-15-039
220-57-47000B	NEW-E	91-14-048	230-04-120	AMD-P	91-15-039	230-20-630	AMD-E	91-15-041
220-57-490	AMD-P	91-03-151	230-04-120	AMD	91-15-040	230-20-630	AMD	91-19-093
220-57-490	AMD-C	91-08-052	230-04-120	AMD-E	91-15-041	230-20-670	AMD-P	91-15-039
220-57-490	AMD-C	91-12-008	230-04-124	AMD	91-19-093	230-20-670	AMD-E	91-15-041
220-57-490	AMD	91-14-047	230-04-124	AMD-P	91-15-039	230-20-670	AMD	91-19-093
220-57-49000B	NEW-E	91-14-048	230-04-124	AMD-E	91-15-041	230-20-680	NEW-P	91-15-039
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220-57-50500S	NEW-E	91-08-025	230-04-135	NEW-W	91-17-047	230-20-698	REP-E	91-15-041
220-57-51500G	NEW-E	91-08-025	230-04-138	NEW-P	91-17-048	230-20-698	REP	91-19-093
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220-69-264	AMD	91-05-015	230-04-187	NEW-C	91-07-019	230-25-110	AMD-C	91-07-019
220-69-26401	AMD	91-05-015	230-04-187	NEW	91-15-040	230-25-110	AMD	91-15-040
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222-16-010	AMD-E	91-14-102	230-04-190	AMD-C	91-07-019	230-25-265	AMD	91-05-047
222-16-010	AMD-C	91-18-067	230-04-190	AMD-P	91-15-039	230-25-265	AMD	91-06-008
222-16-010	AMD-P	91-18-068	230-04-190	AMD	91-15-040	230-25-330	NEW-P	91-03-062
222-16-045	NEW-E	91-07-034	230-04-190	AMD-E	91-15-041	230-25-330	NEW-C	91-07-019
222-16-045	NEW-E	91-14-102	230-04-190	AMD-W	91-17-047	230-25-330	NEW	91-15-040
222-16-045	REP-E	91-17-071	230-04-190	AMD-P	91-19-011	230-30-070	AMD-P	91-17-048
222-16-046	NEW-E	91-17-071	230-04-201	AMD-P	91-03-062	230-30-075	AMD-C	91-03-049
222-16-050	AMD-E	91-07-034	230-04-201	AMD-C	91-07-019	230-30-075	AMD-C	91-05-046
222-16-050	AMD-P	91-13-072	230-04-201	AMD-P	91-15-039	230-30-075	AMD-W	91-06-039
222-16-050	AMD-E	91-14-102	230-04-201	AMD	91-15-040	230-30-075	AMD-P	91-07-018
222-16-050	AMD-C	91-18-067	230-04-201	AMD-E	91-15-041	230-30-075	AMD-S	91-07-051
222-16-060	NEW-P	91-13-072	230-04-201	AMD	91-19-093	230-30-075	AMD-W	91-12-011
222-16-060	NEW-C	91-18-067	230-04-320	AMD-P	91-17-048	230-30-080	AMD-C	91-03-049
222-16-070	NEW-E	91-14-102	230-04-320	AMD-E	91-17-049	230-30-080	AMD-P	91-05-045
222-20-010	AMD-P	91-13-072	230-04-999	NEW-P	91-20-011	230-30-080	AMD	91-05-047
222-20-010	AMD-C	91-18-067	230-08-010	AMD-P	91-10-006	230-30-080	AMD	91-10-004
222-20-040	AMD-P	91-13-072	230-08-010	AMD	91-13-070	230-30-102	AMD-P	91-17-048
222-20-040	AMD-C	91-18-067	230-08-017	AMD-P	91-17-048	230-30-103	AMD-P	91-17-048
222-20-050	AMD-P	91-13-072	230-08-017	AMD-E	91-17-049	230-30-200	AMD-W	91-09-045
222-20-050	AMD-C	91-18-067	230-08-060	AMD-P	91-15-039	230-30-220	AMD-W	91-09-045
222-34-050	AMD-P	91-13-072	230-08-060	AMD-E	91-15-041	230-40-125	AMD-C	91-03-049
222-34-050	AMD-C	91-18-067	230-08-060	AMD	91-19-093	230-40-125	AMD	91-05-047
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222-46-020	AMD-C	91-18-067	230-08-095	AMD-P	91-10-006	230-50-030	AMD	91-03-063
222-46-030	AMD-P	91-13-072	230-08-095	AMD	91-13-070	232-12-001	AMD-P	91-12-048
222-46-030	AMD-C	91-18-067	230-08-180	AMD-P	91-15-039	232-12-004	AMD-P	91-03-131
222-46-040	AMD-P	91-13-072	230-08-180	AMD-E	91-15-041	232-12-004	AMD	91-11-006
222-46-040	AMD-C	91-18-067	230-08-180	AMD	91-19-093	232-12-007	AMD-P	91-03-133
222-50-030	AMD-P	91-13-072	230-08-240	AMD-P	91-15-039	232-12-007	AMD	91-11-007
222-50-030	AMD-C	91-18-067	230-08-240	AMD-E	91-15-041	232-12-017	AMD	91-03-082
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230-02-110	AMD-E	91-17-049	230-12-020	AMD-P	91-10-006	232-12-024	AMD	91-13-063
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232-12-245	NEW-W	91-12-050	232-28-714	NEW	91-06-015	236-54-120	REP-P	91-17-053
232-12-267	AMD-P	91-06-080	236-12-011	AMD-E	91-19-029	236-54-120	REP	91-20-115
232-12-267	AMD	91-13-064	236-12-160	NEW-E	91-19-029	236-54-130	REP-P	91-17-053
232-12-271	AMD-P	91-17-022	236-12-170	NEW-E	91-19-029	236-54-130	REP	91-20-115
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232-12-831	NEW-P	91-06-083	236-12-180	NEW-E	91-19-029	236-54-150	REP-P	91-17-053
232-12-831	NEW	91-15-056	236-12-290	AMD-P	91-04-081	236-54-150	REP	91-20-115
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232-28-215	REP-W	91-02-113	236-12-300	AMD-W	91-15-080	236-54-99001	REP-P	91-17-053
232-28-219	REP-P	91-06-084	236-48-002	AMD	91-09-035	236-54-99001	REP	91-20-115
232-28-219	REP	91-13-062	236-48-003	AMD	91-09-035	236-100-001	NEW-P	91-05-101
232-28-220	REP-P	91-06-084	236-48-004	AMD	91-09-035	236-100-001	NEW	91-08-057
232-28-220	REP	91-13-062	236-48-005	AMD	91-09-035	236-100-010	NEW-P	91-05-101
232-28-221	REP-P	91-06-084	236-48-009	AMD	91-09-035	236-100-010	NEW	91-08-057
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232-28-222	REP	91-13-062	236-48-021	AMD	91-09-035	236-100-012	NEW-P	91-05-101
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232-28-228	NEW	91-08-061	236-48-093	AMD	91-09-035	240-15-005	AMD	91-14-040
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232-28-22802	NEW-E	91-19-052	236-48-098	AMD	91-09-035	240-15-015	AMD	91-02-111
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232-28-61729	REP-P	91-12-049	236-49-010	AMD	91-09-034	244-12-020	NEW-P	91-11-034
232-28-618	REP-P	91-12-049	236-49-020	AMD	91-09-034	244-12-020	NEW	91-14-055
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232-28-61803	REP-P	91-12-049	236-49-040	AMD	91-09-034	244-12-030	NEW	91-14-055
232-28-61804	REP-P	91-12-049	236-54-010	REP-P	91-17-053	244-12-040	NEW-P	91-11-034
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232-28-61807	REP-P	91-12-049	236-54-020	REP-P	91-17-053	244-12-050	NEW-P	91-11-034
232-28-61808	REP-P	91-12-049	236-54-020	REP	91-20-115	244-12-050	NEW	91-14-055
232-28-61809	REP-P	91-12-049	236-54-030	REP-P	91-17-053	244-12-060	NEW-P	91-11-034
232-28-61812	REP-P	91-12-049	236-54-030	REP	91-20-115	244-12-060	NEW	91-14-055
232-28-61813	REP-P	91-12-049	236-54-040	REP-P	91-17-053	244-12-070	NEW-P	91-11-034
232-28-61815	REP-P	91-12-049	236-54-040	REP	91-20-115	244-12-070	NEW	91-14-055
232-28-61817	REP-P	91-12-049	236-54-050	REP-P	91-17-053	244-12-080	NEW-P	91-11-034
232-28-61810	REP-P	91-03-136	236-54-050	REP	91-20-115	244-12-080	NEW	91-14-055
232-28-61810	REP	91-08-074	236-54-060	REP-P	91-17-053	244-12-090	NEW-P	91-11-034
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246-839-080	RECOD	91-07-049	246-839-830	AMD-P	91-19-019	246-843-110	AMD-C	91-20-119
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246-915-210	AMD	91-05-094	246-918-250	RECOD	91-06-030	246-922-210	AMD	91-10-041
246-915-300	NEW-E	91-09-033	246-918-260	RECOD	91-06-030	246-922-220	RECOD	91-03-095
246-915-300	NEW-P	91-09-063	246-918-270	RECOD	91-06-030	246-922-220	AMD	91-10-041
246-915-300	NEW	91-14-006	246-918-280	RECOD	91-06-030	246-922-230	RECOD	91-03-095
246-915-310	NEW-E	91-09-033	246-918-290	RECOD	91-06-030	246-922-230	AMD	91-10-041
246-915-310	NEW-P	91-09-063	246-918-300	RECOD	91-06-030	246-922-240	RECOD	91-03-095
246-915-310	NEW	91-14-006	246-918-310	RECOD	91-06-030	246-922-240	AMD	91-10-041
246-915-320	NEW-E	91-09-033	246-918-320	RECOD	91-06-030	246-922-250	RECOD	91-03-095
246-915-320	NEW-P	91-09-063	246-918-330	RECOD	91-06-030	246-922-250	AMD	91-10-041
246-915-320	NEW	91-14-006	246-918-340	RECOD	91-06-030	246-922-260	RECOD	91-03-095
246-915-330	NEW-E	91-09-033	246-918-350	RECOD	91-06-030	246-922-260	AMD	91-10-041
246-915-330	NEW-P	91-09-063	246-918-360	RECOD	91-06-030	246-922-270	RECOD	91-03-095
246-915-330	NEW	91-14-006	246-918-370	RECOD	91-06-030	246-922-270	AMD	91-10-041
246-915-990	AMD-P	91-08-078	246-918-990	NEW	91-06-027	246-922-280	NEW-P	91-05-089
246-915-990	AMD	91-13-002	246-920-730	AMD-P	91-10-040	246-922-280	NEW	91-10-041
246-917-020	RECOD	91-06-030	246-920-730	AMD-E	91-10-042	246-922-290	NEW-P	91-05-089
246-917-020	AMD-P	91-15-111	246-920-730	AMD	91-17-015	246-922-290	NEW	91-10-041
246-917-020	AMD	91-20-170	246-920-820	REP-P	91-16-033	246-922-295	NEW-P	91-05-089
246-917-025	NEW-P	91-15-111	246-920-820	REP	91-20-168	246-922-295	NEW	91-10-041
246-917-025	NEW	91-20-170	246-920-830	REP-P	91-16-033	246-922-300	NEW-P	91-05-089
246-917-026	NEW-P	91-19-100	246-920-830	REP	91-20-168	246-922-300	NEW	91-10-041
246-917-030	RECOD	91-06-030	246-920-840	REP-P	91-16-033	246-922-310	NEW-P	91-05-089
246-917-040	RECOD	91-06-030	246-920-840	REP	91-20-168	246-922-310	NEW	91-10-041
246-917-050	RECOD	91-06-030	246-920-850	REP-P	91-16-033	246-922-320	NEW-P	91-05-089
246-917-060	RECOD	91-06-030	246-920-850	REP	91-20-168	246-922-320	NEW	91-10-041
246-917-070	RECOD	91-06-030	246-920-860	REP-P	91-16-033	246-922-990	RECOD	91-05-029
246-917-070	AMD-P	91-15-111	246-920-860	REP	91-20-168	246-922-990	AMD-P	91-08-078
246-917-070	AMD	91-20-170	246-920-870	REP-P	91-16-033	246-922-990	AMD	91-13-002
246-917-080	RECOD	91-06-030	246-920-870	REP	91-20-168	246-924-001	RECOD	91-04-020
246-917-090	RECOD	91-06-030	246-920-880	REP-P	91-16-033	246-924-010	RECOD	91-04-020
246-917-100	RECOD	91-06-030	246-920-880	REP	91-20-168	246-924-020	RECOD	91-04-020
246-917-110	RECOD	91-06-030	246-922-001	RECOD	91-03-095	246-924-030	RECOD	91-04-020
246-917-120	RECOD	91-06-030	246-922-001	AMD	91-10-041	246-924-040	RECOD	91-04-020
246-917-121	NEW-E	91-13-094	246-922-010	RECOD	91-03-095	246-924-050	RECOD	91-04-020
246-917-121	NEW-P	91-15-111	246-922-010	AMD	91-10-041	246-924-060	RECOD	91-04-020
246-917-121	NEW	91-20-170	246-922-020	RECOD	91-03-095	246-924-070	RECOD	91-04-020
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246-924-110	RECOD	91-04-020	246-930-400	NEW	91-11-063	250-67-030	REP-P	91-20-141
246-924-120	RECOD	91-04-020	246-930-499	NEW-P	91-06-091	250-67-040	REP-P	91-20-141
246-924-130	RECOD	91-04-020	246-930-499	NEW	91-11-063	250-67-050	REP-P	91-20-141
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246-924-150	RECOD	91-04-020	246-930-990	NEW	91-11-063	250-68-001	REP-P	91-20-141
246-924-160	RECOD	91-04-020	246-933-010	AMD-P	91-19-021	250-68-010	REP-P	91-20-141
246-924-170	RECOD	91-04-020	246-933-020	AMD-P	91-19-021	250-68-020	REP-P	91-20-141
246-924-180	NEW	91-04-021	246-933-030	AMD-P	91-19-021	250-68-030	REP-P	91-20-141
246-924-190	NEW	91-04-021	246-933-050	AMD-P	91-19-021	250-68-035	REP-P	91-20-141
246-924-200	RECOD	91-04-020	246-933-070	AMD-P	91-19-021	250-68-040	REP-P	91-20-141
246-924-210	RECOD	91-04-020	246-933-080	AMD-P	91-19-021	250-68-050	REP-P	91-20-141
246-924-220	NEW	91-04-021	246-933-090	AMD-P	91-19-021	250-68-060	REP-P	91-20-141
246-924-230	RECOD	91-04-020	246-933-100	AMD-P	91-19-021	250-68-070	REP-P	91-20-141
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246-924-280	RECOD	91-04-020	246-933-250	AMD-W	91-20-118	250-75-050	REP-P	91-20-141
246-924-290	RECOD	91-04-020	246-933-260	AMD-P	91-19-021	250-75-060	REP-P	91-20-141
246-924-300	NEW	91-04-021	246-933-270	AMD-P	91-19-021	250-75-070	REP-P	91-20-141
246-924-310	NEW	91-04-021	246-933-280	AMD-P	91-19-021	250-75-080	REP-P	91-20-141
246-924-320	NEW	91-04-021	246-933-280	AMD-W	91-20-118	250-76	NEW-C	91-03-087
246-924-330	NEW	91-04-021	246-933-310	AMD-P	91-19-021	250-76-010	NEW-W	91-11-073
246-924-340	NEW	91-04-021	246-933-320	AMD-P	91-19-021	250-76-020	NEW-W	91-11-073
246-924-350	RECOD	91-04-020	246-933-330	AMD-P	91-19-021	250-76-030	NEW-W	91-11-073
246-924-360	RECOD	91-04-020	246-933-340	AMD-P	91-19-021	250-76-040	NEW-W	91-11-073
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246-930-200	NEW-P	91-06-091	248-106-030	NEW-W	91-11-024	250-78-050	NEW-E	91-15-073
246-930-200	NEW	91-11-063	250-25-010	NEW-P	91-20-141	250-78-050	NEW-P	91-16-088
246-930-210	NEW-P	91-06-091	250-25-020	NEW-P	91-20-141	250-78-050	NEW	91-20-070
246-930-210	NEW	91-11-063	250-25-030	NEW-P	91-20-141	250-78-060	NEW-E	91-15-073
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246-930-220	NEW	91-11-063	250-25-045	NEW-P	91-20-141	250-78-060	NEW	91-20-070
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246-930-300	NEW	91-11-063	250-25-060	NEW-P	91-20-141	251-01-155	REP-P	91-20-140
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251-19-157	NEW-C	91-05-059	263-12-095	AMD-P	91-09-062
251-19-157	NEW	91-10-001	263-12-095	AMD	91-13-038
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275-26-030	REP-P	91-10-035			
275-26-030	REP	91-17-005			
275-26-032	REP-P	91-10-035			
275-26-032	REP	91-17-005			
275-26-050	AMD-P	91-10-035			
275-26-050	AMD	91-17-005			
275-26-055	AMD-P	91-10-035			
275-26-055	AMD	91-17-005			
275-26-060	AMD-P	91-10-035			
275-26-060	AMD	91-17-005			
275-26-065	AMD-P	91-10-035			
275-26-065	AMD	91-17-005			
275-26-070	AMD-P	91-10-035			
275-26-070	AMD	91-17-005			
275-26-071	NEW-P	91-10-035			
275-26-071	NEW	91-17-005			
275-26-072	NEW-P	91-10-035			
275-26-072	NEW	91-17-005			
275-26-073	NEW-P	91-10-035			
275-26-073	REP	91-17-005			
275-26-075	AMD-P	91-10-035			
275-26-075	AMD	91-17-005			
275-26-080	REP-P	91-10-035			
275-26-080	REP	91-17-005			
275-26-085	REP-P	91-10-035			
275-26-085	REP	91-17-005			
275-26-087	NEW-P	91-10-035			
275-26-087	NEW	91-17-005			
275-26-090	REP-P	91-10-035			
275-26-090	REP	91-17-005			
275-26-095	AMD-P	91-10-035			
275-26-095	AMD	91-17-005			
275-26-100	NEW-P	91-10-035			
275-26-100	NEW	91-17-005			
275-26-107	NEW-P	91-10-035			
275-26-107	NEW	91-17-005			
275-26-110	NEW-P	91-10-035			
275-26-110	NEW	91-17-005			
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275-26-500	REP-P	91-10-035			
275-26-500	REP	91-17-005			
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275-26-530	REP-P	91-10-035			
275-26-530	REP	91-17-005			
275-26-540	REP-P	91-10-035			
275-26-540	REP	91-17-005			
275-26-550	REP-P	91-10-035			
275-26-550	REP	91-17-005			
275-26-560	REP-P	91-10-035			
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275-26-570	REP-P	91-10-035			
275-26-570	REP	91-17-005			
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275-27-023	NEW-P	91-10-035			
275-27-023	NEW	91-17-005			
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275-27-060	AMD	91-17-005			
275-27-230	AMD-P	91-10-035			
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275-27-300	REP	91-17-005			
275-27-310	REP-P	91-10-035			
275-27-310	REP	91-17-005			
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275-36	REP-C	91-15-013	275-38-027	NEW-P	91-10-035	284-17-552	AMD	91-12-033
275-36-010	REP-P	91-10-035	275-38-040	REP-P	91-10-035	284-17-553	AMD-P	91-09-049
275-36-010	REP	91-17-005	275-38-040	REP	91-17-005	284-17-553	AMD	91-12-033
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275-36-020	REP	91-17-005	275-38-045	AMD	91-17-005	284-17-554	AMD	91-12-033
275-36-030	REP-P	91-10-035	275-38-050	AMD-P	91-10-035	284-17-555	AMD-P	91-09-049
275-36-030	REP	91-17-005	275-38-050	AMD	91-17-005	284-17-555	AMD	91-12-033
275-36-040	REP-P	91-10-035	275-38-055	AMD-P	91-10-035	284-23-570	NEW-P	91-19-050
275-36-040	REP	91-17-005	275-38-055	AMD	91-17-005	284-30-600	AMD	91-03-073
275-36-050	REP-P	91-10-035	275-38-060	AMD-P	91-10-035	284-30-610	NEW	91-03-073
275-36-050	REP	91-17-005	275-38-060	AMD	91-17-005	284-44-400	REP-P	91-04-057
275-36-061	REP-P	91-10-035	275-38-065	AMD-P	91-10-035	284-44-400	REP	91-07-053
275-36-061	REP	91-17-005	275-38-065	AMD	91-17-005	284-46-010	REP-P	91-04-057
275-36-065	REP-P	91-10-035	275-38-075	AMD-P	91-10-035	284-46-010	REP	91-07-053
275-36-065	REP	91-17-005	275-38-075	AMD	91-17-005	284-51-050	AMD-P	91-15-110
275-36-071	REP-P	91-10-035	275-38-090	NEW-P	91-10-035	284-51-050	AMD	91-18-026
275-36-071	REP	91-17-005	275-38-090	NEW	91-17-005	284-91	AMD-C	91-16-012
275-36-081	REP-P	91-10-035	275-41	NEW-C	91-15-013	284-91-025	AMD-P	91-13-076
275-36-081	REP	91-17-005	275-41-005	NEW-P	91-10-035	284-91-025	AMD	91-16-052
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275-36-110	REP-P	91-10-035	275-41-015	NEW	91-17-005	284-95-030	NEW-P	91-19-092
275-36-110	REP	91-17-005	275-41-020	NEW-P	91-10-035	284-95-040	NEW-P	91-19-092
275-36-120	REP-P	91-10-035	275-41-020	NEW	91-17-005	284-95-050	NEW-P	91-19-092
275-36-120	REP	91-17-005	275-41-025	NEW-P	91-10-035	284-95-060	NEW-P	91-19-092
275-36-130	REP-P	91-10-035	275-41-025	NEW	91-17-005	284-95-070	NEW-P	91-19-092
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275-36-150	REP	91-17-005	275-54-200	AMD-P	91-13-103	286-27-020	NEW	91-17-010
275-36-153	REP-P	91-10-035	275-54-200	AMD	91-16-060	286-27-030	NEW-P	91-13-025
275-36-153	REP	91-17-005	275-54-290	AMD-P	91-16-013	286-27-030	NEW	91-17-010
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275-36-160	REP	91-17-005	275-54-290	AMD-C	91-20-048	286-27-040	NEW	91-17-010
275-36-170	REP-P	91-10-035	275-55-115	AMD-P	91-16-057	286-27-050	NEW-P	91-13-025
275-36-170	REP	91-17-005	275-55-115	AMD-E	91-16-067	286-27-050	NEW	91-17-010
275-36-180	REP-P	91-10-035	275-55-115	AMD-C	91-20-047	286-27-060	NEW-P	91-13-025
275-36-180	REP	91-17-005	275-55-241	AMD-P	91-16-013	286-27-060	NEW	91-17-010
275-36-190	REP-P	91-10-035	275-55-241	AMD-E	91-16-025	286-27-070	NEW-P	91-13-025
275-36-190	REP	91-17-005	275-55-241	AMD-C	91-20-048	286-27-070	NEW	91-17-010
275-36-200	REP-P	91-10-035	275-55-261	AMD-P	91-13-102	286-27-080	NEW-P	91-13-025
275-36-200	REP	91-17-005	275-55-261	AMD	91-16-061	286-27-080	NEW	91-17-010
275-36-211	REP-P	91-10-035	275-55-281	AMD-P	91-13-102	292-10-010	NEW	91-04-060
275-36-211	REP	91-17-005	275-55-281	AMD	91-16-061	292-10-020	NEW	91-04-060
275-36-260	REP-P	91-10-035	275-55-291	AMD-P	91-13-102	292-10-030	NEW	91-04-060
275-36-260	REP	91-17-005	275-55-291	AMD	91-16-061	292-10-040	NEW	91-04-060
275-36-270	REP-P	91-10-035	275-59-041	AMD-P	91-20-089	292-10-050	NEW	91-04-060
275-36-270	REP	91-17-005	275-59-071	AMD-P	91-16-057	292-10-060	NEW	91-04-060
275-36-275	REP-P	91-10-035	275-59-071	AMD-E	91-16-067	292-10-070	NEW	91-04-060
275-36-275	REP	91-17-005	275-59-071	AMD-C	91-20-047	296-17-310	AMD-P	91-07-061
275-36-280	REP-P	91-10-035	275-156-005	NEW-P	91-17-086	296-17-310	AMD	91-12-014
275-36-280	REP	91-17-005	275-156-010	NEW-P	91-17-086	296-17-320	AMD-P	91-07-061
275-36-285	REP-P	91-10-035	275-156-015	NEW-P	91-17-086	296-17-320	AMD	91-12-014
275-36-285	REP	91-17-005	275-156-020	NEW-P	91-17-086	296-17-320	AMD-P	91-18-076
275-36-290	REP-P	91-10-035	275-156-025	NEW-P	91-17-086	296-17-349	REP-P	91-18-076
275-36-290	REP	91-17-005	275-156-030	NEW-P	91-17-086	296-17-351	REP-P	91-15-108
275-36-295	REP-P	91-10-035	275-156-035	NEW-P	91-17-086	296-17-351	REP-E	91-15-109
275-36-295	REP	91-17-005	275-156-040	NEW-P	91-17-086	296-17-351	REP	91-20-078
275-36-300	REP-P	91-10-035	284-02-020	AMD-P	91-14-064	296-17-35101	REP-P	91-15-108
275-36-300	REP	91-17-005	284-02-020	AMD	91-17-013	296-17-35101	REP-E	91-15-109
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275-36-310	REP-P	91-10-035	284-02-070	AMD-P	91-14-064	296-17-420	AMD	91-12-014
275-36-310	REP	91-17-005	284-02-070	AMD	91-17-013	296-17-440	AMD-P	91-07-061
275-38	AMD-C	91-15-013	284-12-090	NEW-P	91-19-051	296-17-440	AMD	91-12-014
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275-38-001	AMD-P	91-10-035	284-14-010	REP-P	91-04-057	296-17-512	AMD	91-12-014
275-38-001	AMD	91-17-005	284-14-010	REP-W	91-17-050	296-17-544	AMD-P	91-07-061
275-38-003	NEW-P	91-10-035	284-15-080	NEW-P	91-19-051	296-17-544	AMD	91-12-014
275-38-003	NEW	91-17-005	284-17-515	AMD-P	91-09-048	296-17-567	AMD-P	91-07-061
275-38-005	AMD-P	91-10-035	284-17-515	AMD	91-12-032	296-17-567	AMD	91-12-014



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296-23A-264	AMD	91-07-008	296-24-33009	AMD-P	91-17-068
296-23A-266	AMD	91-07-008	296-24-33009	AMD-C	91-20-069
296-23A-268	AMD	91-07-008	296-24-33011	AMD-P	91-17-068
296-23A-325	AMD	91-07-008	296-24-33011	AMD-C	91-20-069
296-23A-330	AMD	91-07-008	296-24-33013	AMD-P	91-17-068
296-23A-335	AMD	91-07-008	296-24-33013	AMD-C	91-20-069
296-23A-340	AMD-W	91-02-114	296-24-33015	AMD-P	91-17-068
296-23A-340	AMD	91-07-008	296-24-33015	AMD-C	91-20-069
296-23A-345	AMD	91-07-008	296-24-33017	AMD-P	91-17-068
296-23A-350	AMD	91-07-008	296-24-33017	AMD-C	91-20-069
296-23A-355	AMD	91-07-008	296-24-37005	AMD-P	91-17-068
296-23A-360	AMD	91-07-008	296-24-37005	AMD-C	91-20-069
296-23A-425	AMD-P	91-12-060	296-24-37019	AMD-P	91-17-068
296-23A-425	AMD	91-17-038	296-24-37019	AMD-C	91-20-069
296-24-010	AMD-P	91-17-068	296-24-37023	AMD-P	91-17-068
296-24-010	AMD-C	91-20-069	296-24-37023	AMD-C	91-20-069
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296-24-020	AMD-P	91-17-068	296-24-40509	AMD-C	91-20-069
296-24-020	AMD-C	91-20-069	296-24-450	AMD	91-03-044
296-24-065	AMD	91-03-044	296-24-47505	AMD-P	91-17-068
296-24-084	AMD	91-03-044	296-24-47505	AMD-C	91-20-069
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296-24-11001	AMD	91-11-070	296-24-51009	AMD-C	91-20-069
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296-24-11003	AMD	91-11-070	296-24-65501	AMD-C	91-20-069
296-24-11005	AMD-P	91-04-077	296-24-67509	AMD-P	91-17-068
296-24-11005	AMD	91-11-070	296-24-67509	AMD-C	91-20-069
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296-24-11017	AMD-P	91-04-077	296-24-75011	AMD	91-03-044
296-24-11017	AMD	91-11-070	296-24-76555	AMD	91-03-044
296-24-119	AMD-P	91-04-077	296-24-79507	AMD-P	91-17-068
296-24-119	AMD	91-11-070	296-24-79507	AMD-C	91-20-069
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296-24-12002	AMD	91-11-070	296-24-87011	AMD-C	91-20-069
296-24-150	AMD	91-03-044	296-24-87035	NEW	91-03-044
296-24-15001	AMD	91-03-044	296-24-88503	AMD-P	91-17-068
296-24-15003	AMD	91-03-044	296-24-88503	AMD-C	91-20-069
296-24-165	AMD-P	91-17-068	296-24-90003	AMD-P	91-17-068
296-24-165	AMD-C	91-20-069	296-24-90003	AMD-C	91-20-069
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296-24-19505	AMD	91-03-044	296-24-95607	AMD-C	91-20-069
296-24-19509	AMD	91-03-044	296-24-95607	AMD-P	91-17-068
296-24-200	AMD	91-03-044	296-24-95611	AMD-C	91-20-069
296-24-23007	AMD-P	91-17-068	296-24-95617	AMD-P	91-17-068
296-24-23007	AMD-C	91-20-069	296-24-95617	AMD-C	91-20-069
296-24-23023	AMD	91-03-044	296-24-960	AMD-P	91-17-068
296-24-23027	AMD	91-03-044	296-24-960	AMD-C	91-20-069
296-24-233	AMD-C	91-03-043	296-24-965	NEW-P	91-17-068
296-24-233	AMD-W	91-09-004	296-24-965	NEW-C	91-20-069
296-24-23303	NEW-C	91-03-043	296-24-970	NEW-P	91-17-068
296-24-23303	NEW-W	91-09-004	296-24-970	NEW-C	91-20-069
296-24-23513	AMD-P	91-17-068	296-24-975	NEW-P	91-17-068
296-24-23513	AMD-C	91-20-069	296-24-975	NEW-C	91-20-069
296-24-23533	NEW	91-03-044	296-24-980	NEW-P	91-17-068
296-24-24019	AMD-P	91-17-068	296-24-980	NEW-C	91-20-069
296-24-24019	AMD-C	91-20-069	296-24-985	NEW-P	91-17-068
296-24-24519	AMD-P	91-17-068	296-24-985	NEW-C	91-20-069
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296-24-31503	AMD-C	91-20-069	296-27-16001	AMD-P	91-17-068
296-24-31505	AMD-P	91-17-068	296-27-16001	AMD-C	91-20-069
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			296-27-16007	AMD-P	91-17-068
			296-27-16007	AMD-C	91-20-069
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			296-45-65026	AMD-P	91-17-068
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			296-52-417	AMD	91-03-044
			296-52-465	AMD	91-03-044
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			296-62-07314	AMD	91-03-044
			296-62-07329	AMD	91-03-044
			296-62-07344	AMD-P	91-17-068
			296-62-07344	AMD-C	91-20-069
			296-62-07355	AMD-P	91-17-068
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			296-62-07515	AMD	91-11-070
			296-62-07521	AMD-P	91-17-068
			296-62-07521	AMD-C	91-20-069
			296-62-07540	AMD-P	91-04-077
			296-62-07540	AMD	91-11-070
			296-62-07544	AMD-P	91-04-077
			296-62-07544	AMD	91-11-070
			296-62-07715	AMD	91-03-044
			296-62-07719	AMD	91-03-044
			296-62-07721	AMD	91-03-044
			296-62-07725	AMD	91-03-044
			296-62-07731	AMD	91-03-044
			296-62-07733	AMD	91-03-044
			296-62-07755	NEW	91-03-044
			296-62-09007	AMD-P	91-04-077
			296-62-09007	AMD	91-11-070
			296-62-100	AMD-P	91-17-068
			296-62-100	AMD-C	91-20-069
			296-62-11011	AMD-P	91-04-077
			296-62-11011	AMD	91-11-070
			296-62-11015	AMD-P	91-17-068
			296-62-11015	AMD-C	91-20-069
			296-62-11021	AMD-P	91-17-068
			296-62-11021	AMD-C	91-20-069
			296-62-14501	AMD-P	91-17-068
			296-62-14501	AMD-C	91-20-069
			296-62-14503	AMD-P	91-04-077
			296-62-14503	AMD	91-11-070
			296-62-14511	AMD-P	91-17-068
			296-62-14511	AMD-C	91-20-069
			296-62-14515	AMD-P	91-17-068
			296-62-14515	AMD-C	91-20-069
			296-62-14519	AMD-P	91-17-068
			296-62-14519	AMD-C	91-20-069
			296-62-14525	AMD-P	91-17-068
			296-62-14525	AMD-C	91-20-069
			296-62-300	AMD-P	91-17-068
			296-62-300	AMD-C	91-20-069
			296-62-3040	AMD-P	91-17-068
			296-62-3040	AMD-C	91-20-069
			296-62-3050	AMD-P	91-04-077
			296-62-3050	AMD	91-11-070
			296-62-3090	AMD-P	91-04-077
			296-62-3090	AMD	91-11-070
			296-62-3140	AMD-P	91-17-068
			296-62-3140	AMD-C	91-20-069



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296-127-015	AMD-P	91-14-104	296-155-483	NEW-C	91-20-069	296-306-400	AMD-P	91-17-068
296-127-015	AMD-C	91-20-068	296-155-485	AMD	91-03-044	296-306-400	AMD-C	91-20-069
296-127-016	REP-W	91-10-092	296-155-485	AMD-P	91-17-068	296-350-300	REP-P	91-17-068
296-127-016	REP-P	91-14-104	296-155-485	AMD-C	91-20-069	296-350-300	REP-C	91-20-069
296-127-016	REP-C	91-20-068	296-155-48529	AMD	91-03-044	296-350-400	AMD-P	91-17-068
296-127-017	AMD-W	91-10-092	296-155-48531	AMD	91-03-044	296-350-400	AMD-C	91-20-069
296-127-017	AMD-P	91-14-104	296-155-48533	AMD	91-03-044	308-10-067	NEW-P	91-07-028
296-127-017	AMD-C	91-20-068	296-155-500	AMD	91-03-044	308-10-067	NEW	91-13-057
296-127-018	NEW-W	91-10-092	296-155-500	AMD-P	91-17-068	308-12-115	AMD-P	91-06-012
296-127-018	NEW-P	91-14-104	296-155-500	AMD-C	91-20-069	308-12-115	AMD-P	91-09-041
296-127-018	NEW-C	91-20-068	296-155-505	AMD	91-03-044	308-12-115	AMD	91-12-061
296-127-019	AMD-W	91-10-092	296-155-505	AMD-P	91-17-068	308-12-115	AMD-W	91-19-081
296-127-019	AMD-P	91-14-104	296-155-505	AMD-C	91-20-069	308-12-326	AMD-P	91-09-020
296-127-019	AMD-C	91-20-068	296-155-50501	REP	91-03-044	308-12-326	AMD	91-13-055
296-127-020	AMD-W	91-10-092	296-155-50503	AMD	91-03-044	308-13-150	AMD-P	91-20-139
296-127-020	AMD-P	91-14-104	296-155-50505	AMD-P	91-17-068	308-14-085	AMD-P	91-15-065
296-127-020	AMD-C	91-20-068	296-155-50505	AMD-C	91-20-069	308-14-085	AMD	91-20-002
296-127-022	AMD-P	91-14-104	296-155-510	AMD-P	91-17-068	308-14-085	AMD	91-20-044
296-127-022	AMD-C	91-20-068	296-155-510	AMD-C	91-20-069	308-14-090	AMD-P	91-15-065
296-127-025	AMD-W	91-10-092	296-155-525	AMD	91-03-044	308-14-090	AMD	91-20-002
296-127-025	AMD-P	91-14-104	296-155-530	AMD	91-03-044	308-14-090	AMD	91-20-044
296-127-025	AMD-C	91-20-068	296-155-59904	AMD-P	91-17-068	308-14-120	NEW-P	91-15-065
296-127-050	NEW-P	91-14-104	296-155-59904	AMD-C	91-20-069	308-14-120	NEW	91-20-002
296-127-050	NEW-C	91-20-068	296-155-620	AMD	91-03-044	308-14-120	NEW	91-20-044
296-127-320	AMD-P	91-14-104	296-155-625	AMD	91-03-044	308-14-130	AMD-P	91-15-065
296-127-320	AMD-C	91-20-068	296-155-650	AMD	91-03-044	308-14-130	AMD	91-20-002
296-127-990	NEW-W	91-10-092	296-155-655	AMD	91-03-044	308-14-130	AMD	91-20-044
296-127-990	NEW-P	91-14-104	296-155-65505	REP	91-03-044	308-14-135	NEW-W	91-03-065
296-127-990	NEW-C	91-20-068	296-155-657	NEW	91-03-044	308-14-135	NEW-P	91-15-065
296-155-100	AMD-P	91-17-068	296-155-660	REP	91-03-044	308-14-135	NEW	91-20-002
296-155-100	AMD-C	91-20-069	296-155-66005	REP	91-03-044	308-14-135	NEW	91-20-044
296-155-20301	AMD-P	91-17-068	296-155-66103	NEW	91-03-044	308-17-010	NEW-P	91-19-085
296-155-20301	AMD-C	91-20-069	296-155-66105	NEW	91-03-044	308-17-020	NEW-P	91-19-085
296-155-205	AMD-P	91-04-077	296-155-66109	NEW	91-03-044	308-17-030	NEW-P	91-19-085
296-155-205	AMD	91-11-070	296-155-664	NEW	91-03-044	308-17-100	NEW-P	91-19-085
296-155-225	REP	91-03-044	296-155-665	REP	91-03-044	308-17-105	NEW-P	91-19-085
296-155-230	REP	91-03-044	296-155-66501	REP	91-03-044	308-17-110	NEW-P	91-19-085
296-155-24501	NEW	91-03-044	296-155-66502	REP	91-03-044	308-17-120	NEW-P	91-19-085
296-155-24503	NEW	91-03-044	296-155-66503	REP	91-03-044	308-17-130	NEW-P	91-19-085
296-155-24505	NEW	91-03-044	296-155-66504	REP	91-03-044	308-17-140	NEW-P	91-19-085
296-155-24510	NEW	91-03-044	296-155-66505	REP	91-03-044	308-17-150	NEW-P	91-19-085
296-155-24510	AMD-P	91-17-068	296-155-675	AMD-P	91-04-077	308-17-160	NEW-P	91-19-085
296-155-24510	AMD-C	91-20-069	296-155-675	AMD	91-11-070	308-17-165	NEW-P	91-19-085
296-155-24515	NEW	91-03-044	296-155-682	AMD	91-03-044	308-17-170	NEW-P	91-19-085
296-155-24515	AMD-P	91-17-068	296-155-688	AMD	91-03-044	308-17-200	NEW-P	91-19-085
296-155-24515	AMD-C	91-20-069	296-155-689	AMD	91-03-044	308-17-205	NEW-P	91-19-085
296-155-24520	NEW	91-03-044	296-155-694	AMD-P	91-04-077	308-17-210	NEW-P	91-19-085
296-155-24520	AMD-P	91-17-068	296-155-694	AMD	91-11-070	308-17-220	NEW-P	91-19-085
296-155-24520	AMD-C	91-20-069	296-155-700	AMD	91-03-044	308-17-230	NEW-P	91-19-085
296-155-24521	NEW	91-03-044	296-155-705	AMD	91-03-044	308-17-240	NEW-P	91-19-085
296-155-24525	NEW	91-03-044	296-155-720	AMD	91-03-044	308-17-300	NEW-P	91-19-085
296-155-363	AMD-P	91-04-077	296-155-730	AMD-P	91-04-077	308-17-310	NEW-P	91-19-085
296-155-363	AMD	91-11-070	296-155-730	AMD	91-11-070	308-17-320	NEW-P	91-19-085
296-155-36313	AMD-P	91-04-077	296-155-950	AMD	91-03-044	308-18-010	NEW-P	91-19-084
296-155-36313	AMD	91-11-070	296-305-025	AMD-P	91-17-068	308-18-020	NEW-P	91-19-084
296-155-375	AMD-P	91-04-077	296-305-025	AMD-C	91-20-069	308-18-030	NEW-P	91-19-084
296-155-375	AMD	91-11-070	296-305-06009	AMD-P	91-04-077	308-18-100	NEW-P	91-19-084
296-155-475	AMD-P	91-17-068	296-305-06009	AMD	91-11-070	308-18-105	NEW-P	91-19-084
296-155-475	AMD-C	91-20-069	296-305-063	AMD-P	91-17-068	308-18-110	NEW-P	91-19-084
296-155-47501	NEW-P	91-17-068	296-305-110	AMD-C	91-20-069	308-18-120	NEW-P	91-19-084
296-155-47501	NEW-C	91-20-069	296-306-025	AMD	91-03-044	308-18-130	NEW-P	91-19-084
296-155-476	NEW-P	91-17-068	296-306-025	AMD-P	91-17-068	308-18-140	NEW-P	91-19-084
296-155-476	NEW-C	91-20-069	296-306-040	AMD-C	91-20-069	308-18-145	NEW-P	91-19-084
296-155-477	NEW-P	91-17-068	296-306-040	AMD-P	91-17-068	308-18-150	NEW-P	91-19-084
296-155-477	NEW-C	91-20-069	296-306-040	AMD-C	91-20-069	308-18-160	NEW-P	91-19-084
296-155-480	AMD	91-03-044	296-306-165	AMD-P	91-17-068	308-18-165	NEW-P	91-19-084
296-155-480	AMD-P	91-17-068	296-306-165	AMD-C	91-20-069	308-18-170	NEW-P	91-19-084
296-155-480	AMD-C	91-20-069	296-306-260	AMD-P	91-04-077	308-18-200	NEW-P	91-19-084
296-155-48060	NEW-P	91-17-068	296-306-260	AMD	91-11-070	308-18-205	NEW-P	91-19-084
296-155-48060	NEW-C	91-20-069	296-306-265	AMD-P	91-04-077	308-18-210	NEW-P	91-19-084
296-155-48080	NEW-P	91-17-068	296-306-265	AMD	91-11-070	308-18-220	NEW-P	91-19-084
296-155-48080	NEW-C	91-20-069	296-306-27095	AMD-P	91-04-077	308-18-230	NEW-P	91-19-084
296-155-48090	AMD-P	91-17-068	296-306-27095	AMD	91-11-070	308-18-240	NEW-P	91-19-084
296-155-48090	AMD-C	91-20-069	296-306-310	AMD-P	91-04-077	308-18-300	NEW-P	91-19-084
296-155-481	NEW-P	91-17-068	296-306-310	AMD	91-11-070	308-18-310	NEW-P	91-19-084
296-155-481	NEW-C	91-20-069	296-306-320	AMD-P	91-04-077	308-18-320	NEW-P	91-19-084
296-155-483	NEW-P	91-17-068	296-306-320	AMD	91-11-070	308-20-010	AMD-P	91-05-080

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308-20-010	AMD	91-11-042	308-31-560	DECOD	91-03-095	308-50-350	DECOD-P	91-07-058
308-20-020	AMD-P	91-05-080	308-31-560	AMD-P	91-05-089	308-50-350	DECOD	91-11-031
308-20-020	AMD	91-11-042	308-31-570	DECOD	91-03-095	308-50-380	DECOD-P	91-07-058
308-20-030	AMD-P	91-05-080	308-31-570	AMD-P	91-05-089	308-50-380	DECOD	91-11-031
308-20-030	AMD	91-11-042	308-42-075	AMD	91-05-004	308-50-390	DECOD-P	91-07-058
308-20-040	AMD-P	91-05-080	308-48-520	REP-W	91-09-043	308-50-390	DECOD	91-11-031
308-20-040	AMD	91-11-042	308-48-580	REP-W	91-09-043	308-50-400	DECOD-P	91-07-058
308-20-050	AMD-P	91-05-080	308-48-590	AMD-W	91-09-043	308-50-400	DECOD	91-11-031
308-20-050	AMD	91-11-042	308-48-600	REP-W	91-09-043	308-50-410	DECOD-P	91-07-058
308-20-070	AMD-P	91-05-080	308-48-600	AMD-P	91-15-048	308-50-410	DECOD	91-11-031
308-20-070	AMD	91-11-042	308-48-600	AMD	91-20-071	308-50-420	DECOD-P	91-07-058
308-20-080	AMD-P	91-05-080	308-48-601	NEW-W	91-09-043	308-50-420	DECOD	91-11-031
308-20-080	AMD	91-11-042	308-48-610	NEW-W	91-09-043	308-50-430	DECOD-P	91-07-058
308-20-090	AMD-P	91-05-080	308-48-800	AMD-P	91-08-032	308-50-430	DECOD	91-11-031
308-20-090	AMD	91-11-042	308-48-800	AMD	91-11-023	308-50-440	AMD-P	91-08-078
308-20-095	NEW-P	91-05-080	308-50-010	DECOD-P	91-07-058	308-50-440	DECOD	91-11-030
308-20-095	NEW	91-11-042	308-50-010	DECOD	91-11-031	308-50-500	DECOD-P	91-07-058
308-20-105	AMD-P	91-05-080	308-50-020	DECOD-P	91-07-058	308-50-500	DECOD	91-11-031
308-20-105	AMD	91-11-042	308-50-020	DECOD	91-11-031	308-51-230	DECOD-W	91-09-044
308-20-110	AMD-P	91-05-080	308-50-035	DECOD-P	91-07-058	308-51-240	DECOD-W	91-09-044
308-20-110	AMD	91-11-042	308-50-035	DECOD	91-11-031	308-51-250	DECOD-W	91-09-044
308-20-140	AMD-P	91-05-080	308-50-040	DECOD-P	91-07-058	308-51-260	DECOD-W	91-09-044
308-20-140	AMD	91-11-042	308-50-040	DECOD	91-11-031	308-51-270	DECOD-W	91-09-044
308-20-175	NEW-P	91-05-080	308-50-090	DECOD-P	91-07-058	308-51-280	DECOD-W	91-09-044
308-20-175	NEW	91-11-042	308-50-090	DECOD	91-11-031	308-51-290	DECOD-W	91-09-044
308-31-001	DECOD	91-03-095	308-50-100	DECOD-P	91-07-058	308-51-300	DECOD-W	91-09-044
308-31-010	DECOD	91-03-095	308-50-100	DECOD	91-11-031	308-51-310	DECOD-W	91-09-044
308-31-010	AMD-P	91-05-089	308-50-110	DECOD-P	91-07-058	308-51-320	DECOD-W	91-09-044
308-31-020	DECOD	91-03-095	308-50-110	DECOD	91-11-031	308-52-010	DECOD	91-06-030
308-31-020	AMD-P	91-05-089	308-50-120	DECOD-P	91-07-058	308-52-030	DECOD	91-06-030
308-31-025	DECOD	91-03-095	308-50-120	DECOD	91-11-031	308-52-040	DECOD	91-06-030
308-31-025	AMD-P	91-05-089	308-50-130	DECOD-P	91-07-058	308-52-100	DECOD	91-06-030
308-31-030	DECOD	91-03-095	308-50-130	DECOD	91-11-031	308-52-120	DECOD	91-06-030
308-31-030	AMD-P	91-05-089	308-50-140	DECOD-P	91-07-058	308-52-132	DECOD	91-06-030
308-31-040	DECOD	91-03-095	308-50-140	DECOD	91-11-031	308-52-135	AMD-E	91-04-033
308-31-040	AMD-P	91-05-089	308-50-150	DECOD-P	91-07-058	308-52-135	AMD-P	91-04-055
308-31-050	DECOD	91-03-095	308-50-150	DECOD	91-11-031	308-52-135	DECOD	91-06-030
308-31-050	AMD-P	91-05-089	308-50-160	DECOD-P	91-07-058	308-52-136	DECOD	91-06-030
308-31-055	DECOD	91-05-029	308-50-160	DECOD	91-11-031	308-52-138	DECOD	91-06-030
308-31-057	DECOD	91-03-095	308-50-170	DECOD-P	91-07-058	308-52-139	DECOD	91-06-030
308-31-057	AMD-P	91-05-089	308-50-170	DECOD	91-11-031	308-52-140	DECOD	91-06-030
308-31-060	DECOD	91-03-095	308-50-180	DECOD-P	91-07-058	308-52-141	DECOD	91-06-030
308-31-060	AMD-P	91-05-089	308-50-180	DECOD	91-11-031	308-52-146	DECOD	91-06-030
308-31-100	DECOD	91-03-095	308-50-190	DECOD-P	91-07-058	308-52-147	DECOD	91-06-030
308-31-100	AMD-P	91-05-089	308-50-190	DECOD	91-11-031	308-52-148	DECOD	91-06-030
308-31-110	DECOD	91-03-095	308-50-200	DECOD-P	91-07-058	308-52-149	DECOD	91-06-030
308-31-110	AMD-P	91-05-089	308-50-200	DECOD	91-11-031	308-52-150	DECOD	91-06-030
308-31-120	DECOD	91-03-095	308-50-210	DECOD-P	91-07-058	308-52-160	DECOD	91-06-030
308-31-120	AMD-P	91-05-089	308-50-210	DECOD	91-11-031	308-52-165	DECOD	91-06-030
308-31-210	DECOD	91-03-095	308-50-220	DECOD-P	91-07-058	308-52-190	DECOD	91-06-030
308-31-210	AMD-P	91-05-089	308-50-220	DECOD	91-11-031	308-52-201	DECOD	91-06-030
308-31-220	DECOD	91-03-095	308-50-240	DECOD-P	91-07-058	308-52-205	DECOD	91-06-030
308-31-220	AMD-P	91-05-089	308-50-240	DECOD	91-11-031	308-52-211	DECOD	91-06-030
308-31-230	DECOD	91-03-095	308-50-250	DECOD-P	91-07-058	308-52-215	DECOD	91-06-030
308-31-230	AMD-P	91-05-089	308-50-250	DECOD	91-11-031	308-52-221	DECOD	91-06-030
308-31-240	DECOD	91-03-095	308-50-260	DECOD-P	91-07-058	308-52-255	DECOD	91-06-030
308-31-240	AMD-P	91-05-089	308-50-260	DECOD	91-11-031	308-52-260	DECOD	91-06-030
308-31-250	DECOD	91-03-095	308-50-270	DECOD-P	91-07-058	308-52-260	AMD	91-06-038
308-31-250	AMD-P	91-05-089	308-50-270	DECOD	91-11-031	308-52-265	DECOD	91-06-030
308-31-260	DECOD	91-03-095	308-50-280	DECOD-P	91-07-058	308-52-270	DECOD	91-06-030
308-31-260	AMD-P	91-05-089	308-50-280	DECOD	91-11-031	308-52-320	DECOD	91-06-030
308-31-270	DECOD	91-03-095	308-50-290	DECOD-P	91-07-058	308-52-400	DECOD	91-06-030
308-31-270	AMD-P	91-05-089	308-50-290	DECOD	91-11-031	308-52-405	DECOD	91-06-030
308-31-280	DECOD	91-03-095	308-50-295	AMD-P	91-07-057	308-52-406	DECOD	91-06-030
308-31-280	AMD-P	91-05-089	308-50-295	DECOD-P	91-07-058	308-52-410	DECOD	91-06-030
308-31-500	DECOD	91-03-095	308-50-295	AMD-W	91-07-059	308-52-415	DECOD	91-06-030
308-31-500	AMD-P	91-05-089	308-50-295	DECOD	91-11-031	308-52-420	DECOD	91-06-030
308-31-510	DECOD	91-03-095	308-50-295	AMD	91-11-032	308-52-425	DECOD	91-06-030
308-31-510	AMD-P	91-05-089	308-50-310	AMD-P	91-07-057	308-52-500	DECOD	91-06-030
308-31-520	DECOD	91-03-095	308-50-310	DECOD-P	91-07-058	308-52-502	DECOD	91-06-030
308-31-520	AMD-P	91-05-089	308-50-310	AMD-W	91-07-059	308-52-504	DECOD	91-06-030
308-31-530	DECOD	91-03-095	308-50-310	DECOD	91-11-031	308-52-510	DECOD	91-06-030
308-31-530	AMD-P	91-05-089	308-50-310	AMD	91-11-032	308-52-515	DECOD	91-06-030
308-31-540	DECOD	91-03-095	308-50-320	DECOD-P	91-07-058	308-52-530	DECOD	91-06-030
308-31-540	AMD-P	91-05-089	308-50-320	DECOD	91-11-031	308-52-540	DECOD	91-06-030
308-31-550	DECOD	91-03-095	308-50-330	DECOD-P	91-07-058	308-52-570	DECOD	91-06-030
308-31-550	AMD-P	91-05-089	308-50-330	DECOD	91-11-031	308-52-580	DECOD	91-06-030

**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
308-52-590	REP	91-06-027	308-54-220	DECOD	91-06-060	308-91-095	NEW-P	91-02-110
308-52-600	DECOD	91-06-030	308-54-225	DECOD	91-06-060	308-91-095	NEW	91-06-093
308-52-610	DECOD	91-06-030	308-54-230	DECOD	91-06-060	308-91-150	AMD-E	91-02-109
308-52-620	DECOD	91-06-030	308-54-240	DECOD	91-06-060	308-91-150	AMD-P	91-02-110
308-52-630	DECOD	91-06-030	308-54-250	DECOD	91-06-060	308-91-150	AMD	91-06-093
308-52-640	DECOD	91-06-030	308-54-315	AMD-P	91-05-025	308-93-670	NEW	91-03-089
308-52-650	DECOD	91-06-030	308-54-315	DECOD	91-06-058	308-94-035	AMD-P	91-03-142
308-52-660	DECOD	91-06-030	308-54-320	DECOD	91-06-060	308-94-035	AMD	91-09-001
308-52-680	DECOD	91-06-030	308-56A-090	NEW	91-03-088	308-96A-005	AMD-P	91-11-084
308-52-690	DECOD	91-06-030	308-56A-120	REP-P	91-11-084	308-96A-005	AMD	91-15-006
308-53	DECOD-C	91-03-116	308-56A-120	REP	91-15-006	308-96A-046	AMD	91-04-025
308-53-010	DECOD	91-06-025	308-56A-150	AMD	91-04-024	308-96A-056	AMD	91-04-025
308-53-020	DECOD	91-06-028	308-56A-460	AMD	91-04-025	308-96A-057	NEW-P	91-11-084
308-53-030	DECOD	91-06-025	308-57-005	NEW	91-04-026	308-96A-057	NEW	91-15-006
308-53-070	DECOD	91-06-025	308-57-010	NEW	91-04-026	308-96A-065	AMD-P	91-11-084
308-53-075	DECOD	91-06-025	308-57-020	NEW	91-04-026	308-96A-065	AMD	91-15-006
308-53-084	DECOD	91-06-025	308-57-030	NEW	91-04-026	308-96A-070	AMD	91-04-025
308-53-085	DECOD	91-06-025	308-57-110	NEW	91-04-026	308-96A-071	NEW-P	91-11-084
308-53-100	DECOD	91-06-025	308-57-120	NEW	91-04-026	308-96A-071	NEW	91-15-006
308-53-110	DECOD	91-06-025	308-57-130	NEW	91-04-026	308-96A-073	NEW	91-04-025
308-53-120	DECOD	91-06-025	308-57-140	NEW	91-04-026	308-96A-074	NEW	91-04-025
308-53-123	DECOD	91-06-025	308-57-210	NEW	91-04-026	308-96A-075	AMD	91-04-025
308-53-125	DECOD	91-06-025	308-57-220	NEW	91-04-026	308-96A-161	NEW-P	91-11-084
308-53-135	DECOD	91-06-025	308-57-230	NEW	91-04-026	308-96A-161	NEW	91-15-006
308-53-140	DECOD	91-06-025	308-57-240	NEW	91-04-026	308-96A-162	NEW-P	91-11-084
308-53-145	DECOD	91-06-025	308-57-310	NEW	91-04-026	308-96A-162	NEW	91-15-006
308-53-146	DECOD	91-06-025	308-57-320	NEW	91-04-026	308-96A-345	AMD	91-04-024
308-53-150	DECOD	91-06-025	308-57-410	NEW	91-04-026	308-96A-350	AMD	91-04-024
308-53-151	DECOD	91-06-025	308-57-420	NEW	91-04-026	308-96A-380	AMD	91-04-024
308-53-155	DECOD	91-06-025	308-57-430	NEW	91-04-026	308-96A-505	NEW	91-03-091
308-53-165	DECOD	91-06-025	308-57-440	NEW	91-04-026	308-96A-510	NEW	91-03-091
308-53-170	DECOD	91-06-025	308-58-010	AMD	91-04-025	308-96A-520	NEW	91-03-091
308-53-175	DECOD	91-06-025	308-58-020	AMD	91-04-025	308-96A-530	NEW	91-03-091
308-53-180	DECOD	91-06-025	308-61-175	AMD-P	91-13-035	308-96A-540	NEW	91-03-091
308-53-200	DECOD	91-06-025	308-61-175	AMD	91-20-121	308-96A-550	NEW	91-03-091
308-53-205	DECOD	91-06-025	308-61-185	AMD-P	91-13-035	308-96A-560	NEW	91-03-091
308-53-210	DECOD	91-06-025	308-61-185	AMD	91-20-121	308-120-100	DECOD	91-07-049
308-53-215	DECOD	91-06-025	308-66	AMD-P	91-14-097	308-120-100	AMD	91-07-067
308-53-220	DECOD	91-06-025	308-66	AMD	91-20-057	308-120-161	DECOD	91-07-049
308-53-230	DECOD	91-06-025	308-66-120	AMD-P	91-14-097	308-120-162	DECOD	91-07-049
308-53-235	DECOD	91-06-025	308-66-120	AMD	91-20-057	308-120-163	DECOD	91-07-049
308-53-240	DECOD	91-06-025	308-66-135	AMD-P	91-14-097	308-120-164	DECOD	91-07-049
308-53-245	DECOD	91-06-025	308-66-135	AMD	91-20-057	308-120-165	DECOD	91-07-049
308-53-250	DECOD	91-06-025	308-66-140	AMD-P	91-14-097	308-120-166	DECOD	91-07-049
308-53-260	DECOD	91-06-025	308-66-140	AMD	91-20-057	308-120-168	AMD	91-07-032
308-53-265	DECOD	91-06-025	308-66-152	AMD	91-03-019	308-120-168	DECOD	91-07-049
308-53-270	DECOD	91-06-025	308-66-155	AMD-P	91-14-097	308-120-170	DECOD	91-07-049
308-53-275	DECOD	91-06-025	308-66-155	AMD	91-20-057	308-120-180	DECOD	91-07-049
308-53-280	DECOD	91-06-025	308-66-156	NEW	91-03-092	308-120-185	DECOD	91-07-049
308-53-320	DECOD	91-06-025	308-66-160	AMD-P	91-14-097	308-120-186	DECOD	91-07-049
308-53-330	DECOD	91-06-025	308-66-160	AMD	91-20-057	308-120-270	DECOD	91-07-049
308-53-340	DECOD	91-06-025	308-66-165	NEW-P	91-14-097	308-120-275	DECOD	91-07-048
308-53-350	DECOD	91-06-025	308-66-165	NEW	91-20-057	308-120-300	DECOD	91-07-049
308-53-400	DECOD	91-06-025	308-66-170	AMD-P	91-14-097	308-120-305	DECOD	91-07-049
308-54-010	DECOD	91-06-060	308-66-170	AMD	91-20-057	308-120-315	DECOD	91-07-049
308-54-020	DECOD	91-06-060	308-66-190	AMD-P	91-14-097	308-120-325	DECOD	91-07-049
308-54-030	DECOD	91-06-060	308-66-190	AMD	91-20-057	308-120-335	DECOD	91-07-049
308-54-040	DECOD	91-06-060	308-66-212	AMD-P	91-14-097	308-120-338	DECOD	91-07-049
308-54-050	DECOD	91-06-060	308-66-212	AMD	91-20-057	308-120-345	DECOD	91-07-049
308-54-060	DECOD	91-06-060	308-66-213	REP-P	91-14-097	308-120-360	DECOD	91-07-049
308-54-070	DECOD	91-06-060	308-66-213	REP	91-20-057	308-120-365	REP	91-07-049
308-54-080	DECOD	91-06-060	308-66-214	AMD-P	91-14-097	308-120-400	DECOD	91-07-049
308-54-090	DECOD	91-06-060	308-66-214	AMD	91-20-057	308-120-410	DECOD	91-07-049
308-54-095	DECOD	91-06-060	308-66-215	AMD-P	91-14-097	308-120-420	DECOD	91-07-049
308-54-100	DECOD	91-06-060	308-66-215	AMD	91-20-057	308-120-430	DECOD	91-07-049
308-54-110	DECOD	91-06-060	308-66-240	NEW-P	91-14-097	308-120-440	DECOD	91-07-049
308-54-120	DECOD	91-06-060	308-66-240	NEW	91-20-057	308-120-450	DECOD	91-07-049
308-54-125	DECOD	91-06-060	308-77-080	REP	91-03-018	308-120-505	DECOD	91-07-049
308-54-130	DECOD	91-06-060	308-77-100	AMD	91-03-018	308-120-506	DECOD	91-07-049
308-54-150	DECOD	91-06-060	308-77-250	AMD	91-03-017	308-120-525	DECOD	91-07-049
308-54-155	DECOD	91-06-060	308-91-030	AMD-E	91-02-109	308-120-530	DECOD	91-07-049
308-54-160	DECOD	91-06-060	308-91-030	AMD-P	91-02-110	308-120-535	DECOD	91-07-049
308-54-162	DECOD	91-06-060	308-91-030	AMD	91-06-093	308-120-540	DECOD	91-07-049
308-54-170	DECOD	91-06-060	308-91-090	AMD-E	91-02-109	308-120-545	DECOD	91-07-049
308-54-180	DECOD	91-06-060	308-91-090	AMD-P	91-02-110	308-120-550	DECOD	91-07-049
308-54-200	DECOD	91-06-060	308-91-090	AMD	91-06-093	308-120-555	DECOD	91-07-049
308-54-205	DECOD	91-06-060	308-91-095	NEW-E	91-02-109	308-120-560	DECOD	91-07-049

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
308-120-565	DECOD	91-07-049	308-122-640	DECOD	91-04-020	308-171-045	DECOD	91-05-027
308-120-565	AMD	91-07-067	308-122-650	DECOD	91-04-020	308-171-100	DECOD	91-05-027
308-120-570	DECOD	91-07-049	308-122-660	DECOD	91-04-020	308-171-101	DECOD	91-05-027
308-120-575	DECOD	91-07-049	308-122-660	AMD	91-04-021	308-171-102	DECOD	91-05-027
308-120-610	AMD	91-07-032	308-122-670	DECOD	91-04-020	308-171-103	DECOD	91-05-027
308-120-620	DECOD	91-07-049	308-122-670	AMD	91-04-021	308-171-103	AMD-P	91-05-088
308-120-700	DECOD	91-07-049	308-122-680	DECOD	91-04-020	308-171-104	DECOD	91-05-027
308-120-710	DECOD	91-07-049	308-122-690	DECOD	91-04-020	308-171-200	DECOD	91-05-027
308-120-720	DECOD	91-07-049	308-122-695	DECOD	91-04-020	308-171-201	DECOD	91-05-027
308-120-730	DECOD	91-07-049	308-122-700	DECOD	91-04-020	308-171-202	DECOD	91-05-027
308-120-740	DECOD	91-07-049	308-122-710	DECOD	91-04-020	308-171-300	DECOD	91-05-027
308-120-750	DECOD	91-07-049	308-122-720	DECOD	91-04-020	308-171-301	DECOD	91-05-027
308-120-760	DECOD	91-07-049	308-124A-025	AMD-P	91-20-136	308-171-302	DECOD	91-05-027
308-120-770	DECOD	91-07-049	308-124A-110	AMD-P	91-20-136	308-171-310	DECOD	91-05-030
308-120-780	DECOD	91-07-049	308-124A-120	AMD-P	91-20-136	308-171-320	DECOD	91-05-027
308-120-800	DECOD	91-07-049	308-124A-422	NEW-P	91-20-136	308-171-330	DECOD	91-05-027
308-120-810	DECOD	91-07-049	308-124A-425	AMD-P	91-20-136	308-173-210	DECOD	91-07-049
308-121-110	DECOD	91-07-049	308-124A-430	AMD-P	91-03-047	308-173-220	DECOD	91-07-049
308-121-120	DECOD	91-07-049	308-124A-430	AMD	91-07-029	308-173-230	DECOD	91-07-049
308-121-130	DECOD	91-07-049	308-124A-570	NEW-P	91-20-136	308-173-240	DECOD	91-07-049
308-121-140	DECOD	91-07-049	308-124A-600	NEW-P	91-20-136	308-173-245	DECOD	91-07-049
308-121-145	DECOD	91-07-049	308-124E-012	AMD-P	91-09-013	308-173-250	DECOD	91-07-049
308-121-150	DECOD	91-07-049	308-124E-012	AMD	91-12-012	308-173-255	DECOD	91-07-049
308-121-155	DECOD	91-07-049	308-124E-012	AMD-P	91-20-136	308-173-260	DECOD	91-07-049
308-121-160	DECOD	91-07-049	308-124E-013	AMD-P	91-20-136	308-173-265	DECOD	91-07-049
308-121-165	DECOD	91-07-049	308-124E-014	AMD-P	91-20-136	308-173-270	DECOD	91-07-049
308-121-170	DECOD	91-07-049	308-124H-010	AMD-P	91-03-047	308-173-275	DECOD	91-07-049
308-121-175	DECOD	91-07-049	308-124H-010	REP-P	91-20-136	308-173-280	DECOD	91-07-049
308-121-180	DECOD	91-07-049	308-124H-010	AMD	91-07-029	314-12-035	AMD-P	91-16-081
308-122-001	DECOD	91-04-020	308-124H-025	AMD-P	91-03-047	314-12-035	AMD-W	91-19-096
308-122-005	DECOD	91-04-020	308-124H-025	AMD	91-07-029	314-12-035	AMD-P	91-19-097
308-122-006	DECOD	91-04-020	308-124H-025	AMD-P	91-20-136	314-12-141	NEW-P	91-16-082
308-122-060	DECOD	91-04-020	308-124H-270	AMD-P	91-20-136	314-12-141	NEW	91-19-071
308-122-200	DECOD	91-04-020	308-124H-520	AMD-P	91-09-065	314-16-125	AMD-P	91-05-085
308-122-200	AMD	91-04-021	308-124H-520	AMD	91-12-013	314-16-125	AMD-C	91-09-005
308-122-211	DECOD	91-04-020	308-124H-540	AMD-P	91-03-047	314-16-125	AMD-W	91-10-045
308-122-215	DECOD	91-04-020	308-124H-540	AMD	91-07-029	314-16-125	AMD-P	91-16-083
308-122-220	DECOD	91-04-020	308-124H-800	NEW-P	91-09-013	314-16-125	AMD	91-19-098
308-122-225	DECOD	91-04-020	308-124H-800	NEW	91-12-012	314-16-250	AMD-P	91-16-081
308-122-230	DECOD	91-04-020	308-125-010	NEW	91-04-074	314-16-250	AMD	91-19-070
308-122-235	DECOD	91-04-020	308-125-020	NEW	91-04-074	314-20-020	AMD-P	91-05-086
308-122-275	DECOD	91-05-028	308-125-030	NEW	91-04-074	314-20-020	AMD	91-08-022
308-122-280	DECOD	91-04-020	308-125-035	NEW-P	91-20-137	314-24-230	NEW-P	91-19-014
308-122-350	DECOD	91-04-020	308-125-040	NEW	91-04-074	314-24-240	NEW-P	91-19-014
308-122-360	DECOD	91-04-020	308-125-040	AMD-P	91-20-137	314-24-250	NEW-P	91-19-014
308-122-360	AMD	91-04-021	308-125-045	NEW-P	91-20-137	314-26-010	AMD-P	91-16-081
308-122-370	DECOD	91-04-020	308-125-050	NEW	91-04-074	314-26-010	AMD	91-19-070
308-122-380	REP	91-04-021	308-125-060	NEW	91-04-074	314-52-015	AMD-C	91-03-007
308-122-380	DECOD-W	91-12-035	308-125-070	NEW	91-04-074	314-52-015	AMD-W	91-04-085
308-122-390	REP	91-04-021	308-125-080	NEW	91-04-074	314-64-030	REP-P	91-16-081
308-122-390	DECOD-W	91-12-035	308-125-090	NEW	91-04-074	314-64-030	REP	91-19-070
308-122-400	REP	91-04-021	308-125-100	NEW	91-04-074	314-64-050	AMD-P	91-16-081
308-122-400	DECOD-W	91-12-035	308-125-110	NEW	91-04-074	314-64-050	AMD	91-19-070
308-122-410	REP	91-04-021	308-125-120	NEW	91-04-074	315-04-190	AMD-P	91-16-084
308-122-410	DECOD-W	91-12-035	308-125-130	NEW	91-04-074	315-04-190	AMD	91-20-062
308-122-420	REP	91-04-021	308-125-140	NEW	91-04-074	315-04-205	NEW-P	91-07-070
308-122-420	DECOD-W	91-12-035	308-125-150	NEW	91-04-074	315-04-205	NEW	91-11-033
308-122-430	DECOD	91-04-020	308-125-160	NEW	91-04-074	315-06-095	NEW-P	91-16-084
308-122-440	DECOD	91-04-020	308-125-170	NEW	91-04-074	315-06-095	NEW	91-20-062
308-122-450	DECOD	91-04-020	308-125-180	NEW	91-04-074	315-06-120	AMD	91-03-036
308-122-500	REP	91-04-021	308-125-190	NEW	91-04-074	315-06-125	AMD-P	91-16-084
308-122-500	DECOD-W	91-12-035	308-125-200	NEW	91-04-074	315-06-125	AMD	91-20-062
308-122-505	DECOD	91-04-020	308-125-210	NEW	91-04-074	315-10-080	NEW-P	91-16-084
308-122-510	DECOD	91-04-020	308-128B-080	AMD-P	91-08-049	315-10-080	NEW	91-20-062
308-122-515	DECOD	91-04-020	308-128B-080	AMD	91-11-066	315-11-200	REP	91-03-034
308-122-515	AMD	91-04-021	308-138-055	REP-P	91-03-117	315-11-201	REP	91-03-034
308-122-520	DECOD	91-04-020	308-171-001	DECOD	91-05-027	315-11-202	REP	91-03-034
308-122-520	AMD	91-04-021	308-171-001	AMD-P	91-05-088	315-11-210	REP	91-03-034
308-122-525	DECOD	91-04-020	308-171-002	DECOD	91-05-027	315-11-211	REP	91-03-034
308-122-530	DECOD	91-04-020	308-171-003	DECOD	91-05-027	315-11-212	REP	91-03-034
308-122-535	DECOD	91-04-020	308-171-010	DECOD	91-05-027	315-11-220	REP	91-03-034
308-122-540	DECOD	91-04-020	308-171-010	AMD-P	91-05-088	315-11-221	REP	91-03-034
308-122-545	DECOD	91-04-020	308-171-020	DECOD	91-05-027	315-11-222	REP	91-03-034
308-122-600	DECOD	91-04-020	308-171-020	AMD-P	91-05-088	315-11-230	REP	91-03-034
308-122-610	DECOD	91-04-020	308-171-040	DECOD	91-05-027	315-11-231	REP	91-03-034
308-122-620	DECOD	91-04-020	308-171-041	DECOD	91-05-027	315-11-232	REP	91-03-034
308-122-630	DECOD	91-04-020	308-171-041	AMD-P	91-05-088	315-11-240	REP	91-03-034



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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
315-11-241	REP	91-03-034	315-11-650	NEW	91-11-033	317-10-045	NEW-P	91-14-111
315-11-242	REP	91-03-034	315-11-651	NEW-P	91-07-070	317-10-050	NEW-P	91-14-111
315-11-250	REP	91-03-034	315-11-651	NEW	91-11-033	317-10-060	NEW-P	91-14-111
315-11-251	REP	91-03-034	315-11-652	NEW-P	91-07-070	317-10-065	NEW-P	91-14-111
315-11-252	REP	91-03-034	315-11-652	NEW	91-11-033	317-10-070	NEW-P	91-14-111
315-11-260	REP	91-03-034	315-11-660	NEW-P	91-07-070	317-10-075	NEW-P	91-14-111
315-11-261	REP	91-03-034	315-11-660	NEW	91-11-033	317-10-080	NEW-P	91-14-111
315-11-262	REP	91-03-034	315-11-660	AMD-P	91-16-084	317-10-085	NEW-P	91-14-111
315-11-270	REP	91-03-034	315-11-660	AMD	91-20-062	317-10-098	NEW-P	91-14-111
315-11-271	REP	91-03-034	315-11-661	NEW-P	91-07-070	318-04-020	AMD-P	91-16-086
315-11-272	REP	91-03-034	315-11-661	NEW	91-11-033	318-04-020	AMD	91-19-073
315-11-280	REP	91-03-034	315-11-661	AMD-P	91-16-084	318-04-030	AMD-P	91-16-086
315-11-281	REP	91-03-034	315-11-661	AMD	91-20-062	318-04-030	AMD	91-19-073
315-11-282	REP	91-03-034	315-11-662	NEW-P	91-07-070	318-05-010	NEW-P	91-16-086
315-11-290	REP	91-03-034	315-11-662	NEW	91-11-033	318-05-020	NEW-P	91-16-086
315-11-291	REP	91-03-034	315-11-662	AMD-P	91-16-084	318-05-030	NEW-P	91-16-086
315-11-292	REP	91-03-034	315-11-662	AMD	91-20-062	318-05-040	NEW-P	91-16-086
315-11-300	REP	91-03-034	315-11-670	NEW-P	91-12-069	318-05-050	NEW-P	91-16-086
315-11-301	REP	91-03-034	315-11-670	NEW	91-15-037	326-30-03904	NEW-E	91-12-051
315-11-302	REP	91-03-034	315-11-671	NEW-P	91-12-069	326-30-03904	NEW-P	91-14-105
315-11-310	REP	91-03-034	315-11-671	NEW	91-15-037	326-30-03904	NEW	91-18-041
315-11-311	REP	91-03-034	315-11-672	NEW-P	91-12-069	332-08-005	NEW-P	91-08-066
315-11-312	REP	91-03-034	315-11-672	NEW	91-15-037	332-08-005	NEW	91-13-059
315-11-320	REP	91-03-034	315-11-680	NEW-P	91-12-069	332-08-010	REP-P	91-08-066
315-11-321	REP	91-03-034	315-11-680	NEW	91-15-037	332-08-010	REP	91-13-059
315-11-322	REP	91-03-034	315-11-680	AMD-P	91-19-108	332-08-015	NEW-P	91-08-066
315-11-330	REP	91-03-034	315-11-681	NEW-P	91-12-069	332-08-015	NEW	91-13-059
315-11-331	REP	91-03-034	315-11-681	NEW	91-15-037	332-08-020	REP-P	91-08-066
315-11-332	REP	91-03-034	315-11-682	NEW-P	91-12-069	332-08-020	REP	91-13-059
315-11-340	REP	91-03-034	315-11-682	NEW	91-15-037	332-08-025	NEW-P	91-08-066
315-11-341	REP	91-03-034	315-11-690	NEW-P	91-16-084	332-08-025	NEW	91-13-059
315-11-342	REP	91-03-034	315-11-690	NEW	91-20-062	332-08-040	REP-P	91-08-066
315-11-350	REP	91-03-034	315-11-691	NEW-P	91-16-084	332-08-040	REP	91-13-059
315-11-351	REP	91-03-034	315-11-691	NEW	91-20-062	332-08-050	REP-P	91-08-066
315-11-352	REP	91-03-034	315-11-692	NEW-P	91-16-084	332-08-050	REP	91-13-059
315-11-360	REP	91-03-034	315-11-692	NEW	91-20-062	332-08-060	REP-P	91-08-066
315-11-361	REP	91-03-034	315-11-700	NEW-P	91-16-084	332-08-060	REP	91-13-059
315-11-362	REP	91-03-034	315-11-700	NEW	91-20-062	332-08-070	REP-P	91-08-066
315-11-370	REP	91-03-034	315-11-700	REP-P	91-20-155	332-08-070	REP	91-13-059
315-11-371	REP	91-03-034	315-11-701	NEW-P	91-16-084	332-08-080	REP-P	91-08-066
315-11-372	REP	91-03-034	315-11-701	NEW	91-20-062	332-08-080	REP	91-13-059
315-11-380	REP	91-03-034	315-11-701	REP-P	91-20-155	332-08-090	REP-P	91-08-066
315-11-381	REP	91-03-034	315-11-702	NEW-P	91-16-084	332-08-090	REP	91-13-059
315-11-382	REP	91-03-034	315-11-702	NEW	91-20-062	332-08-100	REP-P	91-08-066
315-11-390	REP	91-03-034	315-11-702	REP-P	91-20-155	332-08-100	REP	91-13-059
315-11-391	REP	91-03-034	315-11-703	NEW-P	91-20-156	332-08-105	NEW-P	91-08-066
315-11-392	REP	91-03-034	315-11-704	NEW-P	91-20-156	332-08-105	NEW	91-13-059
315-11-590	AMD	91-03-036	315-11-705	NEW-P	91-20-156	332-08-110	REP-P	91-08-066
315-11-591	AMD	91-03-036	315-11-710	NEW-P	91-19-108	332-08-110	REP	91-13-059
315-11-610	NEW	91-03-036	315-11-711	NEW-P	91-19-108	332-08-115	NEW-P	91-08-066
315-11-611	NEW	91-03-036	315-11-712	NEW-P	91-19-108	332-08-115	NEW	91-13-059
315-11-611	AMD-P	91-03-112	315-11-720	NEW-P	91-19-108	332-08-120	REP-P	91-08-066
315-11-611	AMD	91-06-074	315-11-721	NEW-P	91-19-108	332-08-120	REP	91-13-059
315-11-612	NEW	91-03-036	315-11-722	NEW-P	91-19-108	332-08-125	NEW-P	91-08-066
315-11-620	NEW-P	91-03-112	315-12-140	REP	91-03-035	332-08-125	NEW	91-13-059
315-11-620	NEW	91-06-074	315-12-145	NEW	91-03-036	332-08-130	REP-P	91-08-066
315-11-621	NEW-P	91-03-112	315-33-060	AMD-P	91-16-084	332-08-130	REP	91-13-059
315-11-621	NEW	91-06-074	315-33-060	AMD	91-20-062	332-08-140	REP-P	91-08-066
315-11-622	NEW-P	91-03-112	315-33A-010	NEW-P	91-16-084	332-08-140	REP	91-13-059
315-11-622	NEW	91-06-074	315-33A-010	NEW	91-20-062	332-08-150	REP-P	91-08-066
315-11-630	NEW-P	91-03-112	315-33A-020	NEW-P	91-16-084	332-08-150	REP	91-13-059
315-11-630	NEW	91-06-074	315-33A-020	NEW	91-20-062	332-08-160	REP-P	91-08-066
315-11-630	AMD-P	91-12-069	315-33A-030	NEW-P	91-16-084	332-08-160	REP	91-13-059
315-11-630	AMD	91-15-037	315-33A-030	NEW	91-20-062	332-08-170	REP-P	91-08-066
315-11-631	NEW-P	91-03-112	315-33A-040	NEW-P	91-16-084	332-08-170	REP	91-13-059
315-11-631	NEW	91-06-074	315-33A-040	NEW	91-20-062	332-08-180	REP-P	91-08-066
315-11-632	NEW-P	91-03-112	315-33A-050	NEW-P	91-16-084	332-08-180	REP	91-13-059
315-11-632	NEW	91-06-074	315-33A-050	NEW	91-20-062	332-08-190	REP-P	91-08-066
315-11-632	AMD-P	91-12-069	315-33A-060	NEW-P	91-16-084	332-08-190	REP	91-13-059
315-11-632	AMD	91-15-037	315-33A-060	NEW	91-20-062	332-08-200	REP-P	91-08-066
315-11-640	NEW-P	91-07-070	315-33A-070	NEW-P	91-16-084	332-08-200	REP	91-13-059
315-11-640	NEW	91-11-033	315-33A-070	NEW	91-20-062	332-08-210	REP-P	91-08-066
315-11-641	NEW-P	91-07-070	317-10-010	NEW-P	91-14-111	332-08-210	REP	91-13-059
315-11-641	NEW	91-11-033	317-10-020	NEW-P	91-14-111	332-08-220	REP-P	91-08-066
315-11-642	NEW-P	91-07-070	317-10-030	NEW-P	91-14-111	332-08-220	REP	91-13-059
315-11-642	NEW	91-11-033	317-10-035	NEW-P	91-14-111	332-08-230	REP-P	91-08-066
315-11-650	NEW-P	91-07-070	317-10-040	NEW-P	91-14-111	332-08-230	REP	91-13-059

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
332-08-240	REP-P	91-08-066	332-08-550	REP	91-13-059	332-30-122	AMD-P	91-19-099
332-08-240	REP	91-13-059	332-08-560	REP-P	91-08-066	332-48-010	REP-P	91-15-107
332-08-250	REP-P	91-08-066	332-08-560	REP	91-13-059	332-48-010	REP	91-20-060
332-08-250	REP	91-13-059	332-08-570	REP-P	91-08-066	332-48-020	REP-P	91-15-107
332-08-260	REP-P	91-08-066	332-08-570	REP	91-13-059	332-48-020	REP	91-20-060
332-08-260	REP	91-13-059	332-08-580	REP-P	91-08-066	332-52-065	AMD-P	91-13-090
332-08-270	REP-P	91-08-066	332-08-580	REP	91-13-059	332-52-065	AMD-C	91-17-031
332-08-270	REP	91-13-059	332-08-590	REP-P	91-08-066	332-100-030	AMD-P	91-18-059
332-08-280	REP-P	91-08-066	332-08-590	REP	91-13-059	332-100-030	AMD-W	91-18-072
332-08-280	REP	91-13-059	332-10-020	AMD-P	91-09-060	332-100-030	AMD-P	91-19-099
332-08-290	REP-P	91-08-066	332-10-020	AMD	91-14-014	332-100-050	AMD-P	91-18-059
332-08-290	REP	91-13-059	332-10-030	AMD-P	91-09-060	332-100-050	AMD-W	91-18-072
332-08-300	REP-P	91-08-066	332-10-030	AMD	91-14-014	332-100-050	AMD-P	91-19-099
332-08-300	REP	91-13-059	332-10-035	REP-P	91-09-060	332-130-020	AMD-P	91-15-060
332-08-305	NEW-P	91-08-066	332-10-035	REP	91-14-014	332-130-020	AMD	91-19-013
332-08-305	NEW	91-13-059	332-10-040	AMD-P	91-09-060	332-130-060	AMD-P	91-15-060
332-08-310	REP-P	91-08-066	332-10-040	AMD	91-14-014	332-130-060	AMD	91-19-013
332-08-310	REP	91-13-059	332-10-045	REP-P	91-09-060	352-12-010	AMD-P	91-03-142
332-08-315	NEW-P	91-08-066	332-10-045	REP	91-14-014	352-12-010	AMD-W	91-16-078
332-08-315	NEW	91-13-059	332-10-050	AMD-P	91-09-060	352-12-020	AMD-P	91-03-142
332-08-320	REP-P	91-08-066	332-10-050	AMD	91-14-014	352-12-020	AMD	91-09-001
332-08-320	REP	91-13-059	332-10-060	AMD-P	91-09-060	352-12-030	AMD-P	91-03-142
332-08-330	REP-P	91-08-066	332-10-060	AMD	91-14-014	352-12-030	AMD	91-09-001
332-08-330	REP	91-13-059	332-10-070	AMD-P	91-09-060	352-32-010	AMD-P	91-03-142
332-08-340	REP-P	91-08-066	332-10-070	AMD	91-14-014	352-32-010	AMD	91-09-001
332-08-340	REP	91-13-059	332-10-080	AMD-P	91-09-060	352-32-035	AMD-P	91-03-142
332-08-350	REP-P	91-08-066	332-10-080	AMD	91-14-014	352-32-035	AMD	91-09-001
332-08-350	REP	91-13-059	332-10-100	AMD-P	91-09-060	352-32-045	AMD-P	91-03-142
332-08-360	REP-P	91-08-066	332-10-100	AMD	91-14-014	352-32-045	AMD	91-09-001
332-08-360	REP	91-13-059	332-10-120	AMD-P	91-09-060	352-32-200	AMD-P	91-03-140
332-08-370	REP-P	91-08-066	332-10-120	AMD	91-14-014	352-32-200	AMD	91-07-014
332-08-370	REP	91-13-059	332-10-130	AMD-P	91-09-060	352-32-210	AMD-P	91-03-140
332-08-380	REP-P	91-08-066	332-10-130	AMD	91-14-014	352-32-210	AMD	91-07-014
332-08-380	REP	91-13-059	332-10-135	REP-P	91-09-060	352-32-250	AMD-P	91-03-142
332-08-390	REP-P	91-08-066	332-10-135	REP	91-14-014	352-32-250	AMD	91-09-001
332-08-390	REP	91-13-059	332-10-140	AMD-P	91-09-060	352-32-25001	AMD-P	91-19-095
332-08-400	REP-P	91-08-066	332-10-140	AMD	91-14-014	352-32-25002	AMD-P	91-19-095
332-08-400	REP	91-13-059	332-10-145	NEW-P	91-09-060	352-32-25002	AMD-W	91-20-161
332-08-405	NEW-P	91-08-066	332-10-145	NEW	91-14-014	352-32-252	AMD-P	91-03-142
332-08-405	NEW	91-13-059	332-24-005	AMD-P	91-15-107	352-32-252	AMD	91-09-001
332-08-410	REP-P	91-08-066	332-24-005	AMD	91-20-060	352-32-270	AMD-P	91-03-142
332-08-410	REP	91-13-059	332-24-201	AMD-P	91-15-107	352-32-270	AMD	91-09-001
332-08-420	REP-P	91-08-066	332-24-201	AMD	91-20-060	352-44-010	AMD-P	91-16-096
332-08-420	REP	91-13-059	332-24-211	AMD-P	91-15-107	352-44-010	AMD	91-19-068
332-08-430	REP-P	91-08-066	332-24-211	AMD	91-20-060	352-44-060	AMD-P	91-16-096
332-08-430	REP	91-13-059	332-24-225	REP-E	91-14-083	352-44-060	AMD	91-19-068
332-08-440	REP-P	91-08-066	332-24-225	REP-P	91-15-107	352-44-070	AMD-P	91-16-096
332-08-440	REP	91-13-059	332-24-225	REP	91-20-060	352-44-070	AMD	91-19-068
332-08-450	REP-P	91-08-066	332-24-231	AMD-P	91-15-107	352-44-080	AMD-P	91-16-096
332-08-450	REP	91-13-059	332-24-231	AMD	91-20-060	352-44-080	AMD	91-19-068
332-08-460	REP-P	91-08-066	332-24-234	AMD-P	91-15-107	352-44-090	AMD-P	91-16-096
332-08-460	REP	91-13-059	332-24-234	AMD	91-20-060	352-44-090	AMD	91-19-068
332-08-470	REP-P	91-08-066	332-24-238	AMD-P	91-15-107	352-75	AMD-P	91-11-058
332-08-470	REP	91-13-059	332-24-238	AMD	91-20-060	352-75	AMD	91-15-103
332-08-480	REP-P	91-08-066	332-24-301	AMD-P	91-15-107	352-75-010	AMD-P	91-11-058
332-08-480	REP	91-13-059	332-24-301	AMD	91-20-060	352-75-010	AMD	91-15-103
332-08-500	REP-P	91-08-066	332-24-405	AMD-P	91-15-107	352-75-020	AMD-P	91-11-058
332-08-500	REP	91-13-059	332-24-405	AMD	91-20-060	352-75-020	AMD	91-15-103
332-08-505	NEW-P	91-08-066	332-24-409	NEW-P	91-15-107	352-75-030	AMD-P	91-11-058
332-08-505	NEW	91-13-059	332-24-409	NEW	91-20-060	352-75-030	AMD	91-15-103
332-08-510	REP-P	91-08-066	332-24-600	AMD-P	91-15-107	352-75-040	AMD-P	91-11-058
332-08-510	REP	91-13-059	332-24-600	AMD	91-20-060	352-75-040	AMD	91-15-103
332-08-515	NEW-P	91-08-066	332-26-010	NEW-E	91-15-001	352-75-050	AMD-P	91-11-058
332-08-515	NEW	91-13-059	332-26-015	NEW-E	91-20-059	352-75-050	AMD	91-15-103
332-08-520	REP-P	91-08-066	332-26-020	NEW-E	91-15-001	352-75-060	AMD-P	91-11-058
332-08-520	REP	91-13-059	332-26-040	NEW-E	91-15-001	352-75-060	AMD	91-15-103
332-08-525	NEW-P	91-08-066	332-26-050	NEW-E	91-15-001	352-75-070	AMD-P	91-11-058
332-08-525	NEW	91-13-059	332-26-060	NEW-E	91-15-001	352-75-070	AMD	91-15-103
332-08-530	REP-P	91-08-066	332-26-080	NEW-E	91-09-029	352-75-080	AMD-P	91-11-058
332-08-530	REP	91-13-059	332-26-081	NEW-E	91-10-067	352-75-080	AMD	91-15-103
332-08-535	NEW-P	91-08-066	332-26-082	NEW-E	91-14-083	352-75-090	AMD-P	91-11-058
332-08-535	NEW	91-13-059	332-26-083	NEW-E	91-14-083	352-75-090	AMD	91-15-103
332-08-540	REP-P	91-08-066	332-30-106	AMD-P	91-18-059	356-05-173	NEW-P	91-16-045
332-08-540	REP	91-13-059	332-30-106	AMD-W	91-18-072	356-05-173	NEW	91-20-030
332-08-545	NEW-P	91-08-066	332-30-106	AMD-P	91-19-099	356-05-260	AMD-P	91-16-046
332-08-545	NEW	91-13-059	332-30-122	AMD-P	91-18-059	356-05-260	AMD-C	91-20-021
332-08-550	REP-P	91-08-066	332-30-122	AMD-W	91-18-072	356-05-327	AMD-P	91-16-044

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356-05-493	NEW-P	91-16-043	360-08-050	DECOD	91-18-057
356-05-493	NEW	91-20-032	360-08-060	DECOD-P	91-14-033
356-06-040	AMD-C	91-03-068	360-08-060	DECOD	91-18-057
356-06-040	AMD-W	91-05-081	360-08-230	DECOD-P	91-14-033
356-06-055	AMD-P	91-15-077	360-08-230	DECOD	91-18-057
356-06-055	AMD-C	91-20-023	360-08-240	DECOD-P	91-14-033
356-06-110	NEW-P	91-10-062	360-08-240	DECOD	91-18-057
356-06-110	NEW-C	91-13-040	360-08-250	DECOD-P	91-14-033
356-06-110	NEW-C	91-15-074	360-08-250	DECOD	91-18-057
356-06-110	NEW-C	91-20-025	360-08-260	DECOD-P	91-14-033
356-09-020	AMD-P	91-16-051	360-08-260	DECOD	91-18-057
356-09-020	AMD	91-20-033	360-08-270	DECOD-P	91-14-033
356-09-050	AMD-P	91-16-047	360-08-270	DECOD	91-18-057
356-09-050	AMD	91-20-034	360-08-280	DECOD-P	91-14-033
356-10-050	AMD	91-03-070	360-08-280	DECOD	91-18-057
356-15-020	AMD-P	91-04-046	360-08-290	DECOD-P	91-14-033
356-15-020	AMD-C	91-07-054	360-08-290	DECOD	91-18-057
356-15-020	AMD-W	91-09-037	360-08-300	DECOD-P	91-14-033
356-15-061	AMD-E	91-15-079	360-08-300	DECOD	91-18-057
356-15-061	AMD-P	91-16-089	360-08-310	DECOD-P	91-14-033
356-15-061	AMD	91-20-028	360-08-310	DECOD	91-18-057
356-15-063	AMD-E	91-15-079	360-08-320	DECOD-P	91-14-033
356-15-063	AMD-P	91-16-089	360-08-320	DECOD	91-18-057
356-15-063	AMD	91-20-028	360-08-330	DECOD-P	91-14-033
356-15-080	AMD	91-03-069	360-08-330	DECOD	91-18-057
356-15-080	AMD-E	91-15-027	360-08-340	DECOD-P	91-14-033
356-15-080	AMD-P	91-15-075	360-08-340	DECOD	91-18-057
356-15-080	AMD	91-20-027	360-08-350	DECOD-P	91-14-033
356-15-130	AMD	91-05-083	360-08-350	DECOD	91-18-057
356-15-130	AMD-P	91-10-063	360-08-360	DECOD-P	91-14-033
356-15-130	AMD	91-13-034	360-08-360	DECOD	91-18-057
356-15-130	AMD	91-15-021	360-08-370	DECOD-P	91-14-033
356-18-110	AMD-P	91-16-050	360-08-370	DECOD	91-18-057
356-18-110	AMD	91-20-035	360-08-380	DECOD-P	91-14-033
356-18-112	AMD-C	91-05-082	360-08-380	DECOD	91-18-057
356-18-112	AMD	91-07-055	360-08-390	DECOD-P	91-14-033
356-18-116	AMD-P	91-16-042	360-08-390	DECOD	91-18-057
356-18-116	AMD-C	91-20-022	360-08-400	DECOD-P	91-14-033
356-18-230	NEW-P	91-10-066	360-08-400	DECOD	91-18-057
356-18-230	NEW-E	91-11-043	360-08-420	DECOD-P	91-14-033
356-18-230	NEW-E	91-13-043	360-08-420	DECOD	91-18-057
356-18-230	NEW	91-14-044	360-08-520	DECOD-P	91-14-033
356-22-090	AMD-P	91-16-049	360-08-520	DECOD	91-18-057
356-22-090	AMD	91-20-036	360-08-530	DECOD-P	91-14-033
356-22-120	AMD-P	91-12-034	360-08-530	DECOD	91-18-057
356-22-120	AMD	91-15-078	360-08-540	DECOD-P	91-14-033
356-22-130	AMD	91-03-071	360-08-540	DECOD	91-18-057
356-22-230	AMD-C	91-03-068	360-08-550	DECOD-P	91-14-033
356-22-230	AMD-W	91-05-081	360-08-550	DECOD	91-18-057
356-26-040	AMD-P	91-10-064	360-08-560	DECOD-P	91-14-033
356-26-040	AMD	91-13-041	360-08-560	DECOD	91-18-057
356-30-067	AMD-P	91-15-076	360-08-570	DECOD-P	91-14-033
356-30-067	AMD	91-20-029	360-08-570	DECOD	91-18-057
356-30-120	AMD-P	91-18-083	360-08-580	DECOD-P	91-14-033
356-30-260	AMD-C	91-05-082	360-08-580	DECOD	91-18-057
356-30-260	AMD	91-07-055	360-08-590	DECOD-P	91-14-033
356-30-260	AMD-P	91-15-076	360-08-590	DECOD	91-18-057
356-30-260	AMD	91-20-029	360-10	DECOD-W	91-06-037
356-30-290	AMD-P	91-15-076	360-10-010	DECOD-P	91-14-033
356-30-290	AMD	91-20-029	360-10-010	DECOD	91-18-057
356-30-300	AMD-P	91-16-048	360-10-020	DECOD-P	91-14-033
356-30-300	AMD	91-20-037	360-10-020	DECOD	91-18-057
356-30-305	AMD-C	91-05-082	360-10-030	AMD-P	91-05-091
356-30-305	AMD	91-07-055	360-10-030	AMD	91-11-041
356-30-305	AMD-P	91-15-076	360-10-030	DECOD-P	91-14-033
356-30-305	AMD	91-20-029	360-10-030	DECOD	91-18-057
356-30-320	AMD-P	91-10-065	360-10-040	DECOD-P	91-14-033
356-30-320	AMD	91-13-042	360-10-040	DECOD	91-18-057
356-30-330	AMD-P	91-20-026	360-10-050	AMD-P	91-05-091
360-08	DECOD-W	91-06-037	360-10-050	AMD	91-11-041
360-08-005	DECOD-P	91-14-033	360-10-050	DECOD-P	91-14-033
360-08-005	DECOD	91-18-057	360-10-050	DECOD	91-18-057
360-08-010	DECOD-P	91-14-033	360-10-060	AMD-P	91-05-091
360-08-010	DECOD	91-18-057	360-10-060	AMD	91-11-041
360-08-040	DECOD-P	91-14-033	360-10-060	DECOD-P	91-14-033
360-08-040	DECOD	91-18-057	360-10-060	DECOD	91-18-057
360-10-080	DECOD-P	91-14-033	360-10-080	DECOD-P	91-14-033
360-10-080	DECOD	91-18-057	360-10-080	DECOD	91-18-057
360-11	DECOD-W	91-06-037	360-11-005	NEW-P	91-19-026
360-11-005	NEW-P	91-19-026	360-11-010	DECOD-P	91-14-033
360-11-010	DECOD-P	91-14-033	360-11-010	DECOD	91-18-057
360-11-010	DECOD	91-18-057	360-11-010	AMD-P	91-19-026
360-11-020	DECOD-P	91-14-033	360-11-020	DECOD-P	91-14-033
360-11-020	DECOD	91-18-057	360-11-020	DECOD	91-18-057
360-11-020	AMD-P	91-19-026	360-11-023	DECOD-P	91-14-033
360-11-023	DECOD-P	91-14-033	360-11-023	DECOD	91-18-057
360-11-023	AMD-P	91-19-026	360-11-027	DECOD-P	91-14-033
360-11-027	DECOD	91-18-057	360-11-027	DECOD	91-18-057
360-11-027	AMD-P	91-19-026	360-11-030	DECOD-P	91-14-033
360-11-030	DECOD-P	91-14-033	360-11-030	DECOD	91-18-057
360-11-030	DECOD	91-18-057	360-11-030	AMD-P	91-19-026
360-11-033	DECOD-P	91-14-033	360-11-033	DECOD-P	91-14-033
360-11-033	DECOD	91-18-057	360-11-033	DECOD	91-18-057
360-11-033	REP-P	91-19-026	360-11-037	DECOD-P	91-14-033
360-11-037	DECOD-P	91-14-033	360-11-037	DECOD	91-18-057
360-11-037	REP-P	91-19-026	360-11-040	DECOD-P	91-14-033
360-11-040	DECOD-P	91-14-033	360-11-040	DECOD	91-18-057
360-11-040	DECOD	91-18-057	360-11-040	AMD-P	91-19-026
360-11-045	DECOD-P	91-14-033	360-11-045	DECOD-P	91-14-033
360-11-045	DECOD	91-18-057	360-11-045	DECOD	91-18-057
360-11-060	REP-P	91-19-026	360-11-060	DECOD-P	91-14-033
360-11-060	DECOD-P	91-14-033	360-11-060	DECOD	91-18-057
360-11-060	REP-P	91-19-026	360-11-060	REP-P	91-19-026
360-11-065	NEW-P	91-19-026	360-11-070	DECOD-P	91-14-033
360-11-070	DECOD-P	91-14-033	360-11-070	DECOD	91-18-057
360-11-070	DECOD	91-18-057	360-11-070	AMD-P	91-19-026
360-12	DECOD-W	91-06-037	360-12	DECOD-W	91-06-037
360-12-015	DECOD-P	91-14-033	360-12-015	DECOD-P	91-14-033
360-12-015	DECOD	91-18-057	360-12-015	DECOD	91-18-057
360-12-050	DECOD-P	91-14-033	360-12-050	DECOD-P	91-14-033
360-12-050	DECOD	91-18-057	360-12-050	DECOD	91-18-057
360-12-065	DECOD-P	91-14-033	360-12-065	DECOD-P	91-14-033
360-12-065	DECOD	91-18-057	360-12-065	DECOD	91-18-057
360-12-110	DECOD-P	91-14-033	360-12-110	DECOD-P	91-14-033
360-12-110	DECOD	91-18-057	360-12-110	DECOD	91-18-057
360-12-120	DECOD-P	91-14-033	360-12-120	DECOD-P	91-14-033
360-12-120	DECOD	91-18-057	360-12-120	DECOD	91-18-057
360-12-125	DECOD-P	91-14-033	360-12-125	DECOD-P	91-14-033
360-12-120	DECOD	91-18-057	360-12-120	DECOD	91-18-057
360-12-128	AMD-P	91-08-078	360-12-128	AMD-P	91-08-078
360-12-128	AMD	91-13-002	360-12-128	AMD	91-13-002
360-12-128	DECOD-P	91-15-003	360-12-128	DECOD-P	91-15-003
360-12-128	DECOD	91-19-028	360-12-128	DECOD	91-19-028
360-12-130	DECOD-P	91-14-033	360-12-130	DECOD-P	91-14-033
360-12-130	DECOD	91-18-057	360-12-130	DECOD	91-18-057
360-12-140	DECOD-P	91-14-033	360-12-140	DECOD-P	91-14-033
360-12-140	DECOD	91-18-057	360-12-140	DECOD	91-18-057
360-12-150	DECOD-P	91-14-033	360-12-150	DECOD-P	91-14-033
360-12-150	DECOD	91-18-057	360-12-150	DECOD	91-18-057
360-12-160	DECOD-P	91-14-033	360-12-160	DECOD-P	91-14-033
360-12-160	DECOD	91-18-057	360-12-160	DECOD	91-18-057
360-13	DECOD-W	91-06-037	360-13	DECOD-W	91-06-037
360-13-010	DECOD-P	91-14-033	360-13-010	DECOD-P	91-14-033
360-13-010	DECOD	91-18-057	360-13-010	DECOD	91-18-057
360-13-020	DECOD-P	91-14-033	360-13-020	DECOD-P	91-14-033
360-13-020	DECOD	91-18-057	360-13-020	DECOD	91-18-057
360-13-030	DECOD-P	91-14-033	360-13-030	DECOD-P	91-14-033
360-13-030	DECOD	91-18-057	360-13-030	DECOD	91-18-057
360-13-045	DECOD-P	91-14-033	360-13-045	DECOD-P	91-14-033
360-13-045	DECOD	91-18-057	360-13-045	DECOD	91-18-057
360-13-055	DECOD-P	91-14-033	360-13-055	DECOD-P	91-14-033
360-13-055	DECOD	91-18-057	360-13-055	DECOD	91-18-057
360-13-066	DECOD-P	91-14-033	360-13-066	DECOD-P	91-14-033
360-13-066	DECOD	91-18-057	360-13-066	DECOD	91-18-057
360-13-100	DECOD-P	91-14-033	360-13-100	DECOD-P	91-14-033

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
360-13-100	DECOD 91-18-057	360-16A-070	DECOD 91-18-057	360-21-020	DECOD 91-18-057
360-15	DECOD-W 91-06-037	360-16A-080	DECOD-P 91-14-033	360-21-030	DECOD-P 91-14-033
360-15-010	DECOD-P 91-14-033	360-16A-080	DECOD 91-18-057	360-21-030	DECOD 91-18-057
360-15-010	DECOD 91-18-057	360-16A-090	DECOD-P 91-14-033	360-21-040	DECOD-P 91-14-033
360-15-020	DECOD-P 91-14-033	360-16A-090	DECOD 91-18-057	360-21-040	DECOD 91-18-057
360-15-020	DECOD 91-18-057	360-16A-100	DECOD-P 91-14-033	360-21-050	DECOD-P 91-14-033
360-15-030	DECOD-P 91-14-033	360-16A-100	DECOD 91-18-057	360-21-050	DECOD 91-18-057
360-15-030	DECOD 91-18-057	360-17	DECOD-W 91-06-037	360-21-060	DECOD-P 91-14-033
360-15-040	DECOD-P 91-14-033	360-17-010	AMD-W 91-05-049	360-21-060	DECOD 91-18-057
360-15-040	DECOD 91-18-057	360-17-010	DECOD-P 91-14-033	360-21-070	DECOD-P 91-14-033
360-15-050	DECOD-P 91-14-033	360-17-010	DECOD 91-18-057	360-21-070	DECOD 91-18-057
360-15-050	DECOD 91-18-057	360-17-020	DECOD-P 91-14-033	360-21-080	DECOD-P 91-14-033
360-15-060	DECOD-P 91-14-033	360-17-020	DECOD 91-18-057	360-21-080	DECOD 91-18-057
360-15-060	DECOD 91-18-057	360-17-030	DECOD-P 91-14-033	360-21-090	DECOD-P 91-14-033
360-15-070	DECOD-P 91-14-033	360-17-030	DECOD 91-18-057	360-21-090	DECOD 91-18-057
360-15-070	DECOD 91-18-057	360-17-040	AMD-W 91-05-049	360-23	DECOD-W 91-06-037
360-16	DECOD-W 91-06-037	360-17-040	DECOD-P 91-14-033	360-23-010	DECOD-P 91-14-033
360-16-005	DECOD-P 91-14-033	360-17-040	DECOD 91-18-057	360-23-010	DECOD 91-18-057
360-16-005	DECOD 91-18-057	360-17-050	DECOD-P 91-14-033	360-23-020	DECOD-P 91-14-033
360-16-011	DECOD-P 91-14-033	360-17-050	DECOD 91-18-057	360-23-020	DECOD 91-18-057
360-16-010	DECOD 91-18-057	360-17-055	DECOD-P 91-14-033	360-23-030	DECOD-P 91-14-033
360-16-020	DECOD-P 91-14-033	360-17-055	DECOD 91-18-057	360-23-030	DECOD 91-18-057
360-16-020	DECOD 91-18-057	360-17-060	DECOD-P 91-14-033	360-23-050	DECOD-P 91-14-033
360-16-025	DECOD-P 91-14-033	360-17-060	DECOD 91-18-057	360-23-050	DECOD 91-18-057
360-16-025	DECOD 91-18-057	360-17-070	AMD-W 91-05-049	360-28-010	DECOD-P 91-14-033
360-16-040	DECOD-P 91-14-033	360-17-070	DECOD-P 91-14-033	360-28-010	DECOD 91-18-057
360-16-040	DECOD 91-18-057	360-17-070	DECOD 91-18-057	360-32	DECOD-W 91-06-037
360-16-050	DECOD-P 91-14-033	360-17-075	NEW-W 91-05-049	360-32-050	DECOD-P 91-14-033
360-16-050	DECOD 91-18-057	360-17-080	DECOD-P 91-14-033	360-32-050	DECOD 91-18-057
360-16-070	DECOD-P 91-14-033	360-17-080	DECOD 91-18-057	360-32-055	DECOD-P 91-14-033
360-16-070	DECOD 91-18-057	360-17-090	DECOD-P 91-14-033	360-32-055	DECOD 91-18-057
360-16-094	DECOD-P 91-14-033	360-17-090	DECOD 91-18-057	360-32-060	DECOD-P 91-14-033
360-16-094	DECOD 91-18-057	360-17-095	NEW-W 91-05-049	360-32-060	DECOD 91-18-057
360-16-096	DECOD-P 91-14-033	360-17-100	AMD-W 91-05-049	360-33	DECOD-W 91-06-037
360-16-096	DECOD 91-18-057	360-17-100	DECOD-P 91-14-033	360-33-050	DECOD-P 91-14-033
360-16-098	DECOD-P 91-14-033	360-17-100	DECOD 91-18-057	360-33-050	DECOD 91-18-057
360-16-098	DECOD 91-18-057	360-18	DECOD-W 91-06-037	360-35-010	NEW 91-04-056
360-16-120	DECOD-P 91-14-033	360-18-010	DECOD-P 91-15-003	360-35-010	DECOD-P 91-14-033
360-16-120	DECOD 91-18-057	360-18-010	DECOD 91-19-028	360-35-010	DECOD 91-18-057
360-16-150	DECOD-P 91-14-033	360-18-020	AMD-P 91-08-078	360-35-020	NEW 91-04-056
360-16-150	DECOD 91-18-057	360-18-020	AMD 91-13-002	360-35-020	DECOD-P 91-14-033
360-16-180	DECOD-P 91-14-033	360-18-020	DECOD-P 91-15-003	360-35-020	DECOD 91-18-057
360-16-180	DECOD 91-18-057	360-18-020	DECOD 91-19-028	360-35-030	NEW 91-04-056
360-16-200	DECOD-P 91-14-033	360-18-025	DECOD-P 91-15-003	360-35-030	DECOD-P 91-14-033
360-16-200	DECOD 91-18-057	360-18-025	DECOD 91-19-028	360-35-030	DECOD 91-18-057
360-16-210	DECOD-P 91-14-033	360-19	DECOD-W 91-06-037	360-35-040	NEW 91-04-056
360-16-210	DECOD 91-18-057	360-19-010	DECOD-P 91-14-033	360-35-040	DECOD-P 91-14-033
360-16-220	DECOD-P 91-14-033	360-19-010	DECOD 91-18-057	360-35-040	DECOD 91-18-057
360-16-220	DECOD 91-18-057	360-19-020	DECOD-P 91-14-033	360-35-050	NEW 91-04-056
360-16-230	DECOD-P 91-14-033	360-19-020	DECOD 91-18-057	360-35-050	DECOD-P 91-14-033
360-16-230	DECOD 91-18-057	360-19-030	DECOD-P 91-14-033	360-35-050	DECOD 91-18-057
360-16-235	DECOD-P 91-14-033	360-19-030	DECOD 91-18-057	360-35-060	NEW 91-04-056
360-16-235	DECOD 91-18-057	360-19-040	DECOD-P 91-14-033	360-35-060	DECOD-P 91-14-033
360-16-245	DECOD-P 91-14-033	360-19-040	DECOD 91-18-057	360-35-060	DECOD 91-18-057
360-16-245	DECOD 91-18-057	360-19-050	DECOD-P 91-14-033	360-35-070	NEW 91-04-056
360-16-255	DECOD-P 91-14-033	360-19-050	DECOD 91-18-057	360-35-070	DECOD-P 91-14-033
360-16-255	DECOD 91-18-057	360-19-060	DECOD-P 91-14-033	360-35-070	DECOD 91-18-057
360-16-265	DECOD-P 91-14-033	360-19-060	DECOD 91-18-057	360-35-080	NEW 91-04-056
360-16-265	DECOD 91-18-057	360-19-070	DECOD-P 91-14-033	360-35-080	DECOD-P 91-14-033
360-16-270	DECOD-P 91-14-033	360-19-070	DECOD 91-18-057	360-35-080	DECOD 91-18-057
360-16-270	DECOD 91-18-057	360-19-080	DECOD-P 91-14-033	360-35-090	NEW 91-04-056
360-16-290	DECOD-P 91-14-033	360-19-080	DECOD 91-18-057	360-35-090	DECOD-P 91-14-033
360-16-290	DECOD 91-18-057	360-19-090	DECOD-P 91-14-033	360-35-090	DECOD 91-18-057
360-16-300	DECOD-P 91-14-033	360-19-090	DECOD 91-18-057	360-35-100	NEW 91-04-056
360-16-300	DECOD 91-18-057	360-19-100	DECOD-P 91-14-033	360-35-100	DECOD-P 91-14-033
360-16A	DECOD-W 91-06-037	360-19-100	DECOD 91-18-057	360-35-100	DECOD 91-18-057
360-16A-010	DECOD-P 91-14-033	360-20	DECOD-W 91-06-037	360-35-110	NEW 91-04-056
360-16A-010	DECOD 91-18-057	360-20-100	DECOD-P 91-14-033	360-35-110	DECOD-P 91-14-033
360-16A-020	DECOD-P 91-14-033	360-20-100	DECOD 91-18-057	360-35-110	DECOD 91-18-057
360-16A-020	DECOD 91-18-057	360-20-210	DECOD-P 91-14-033	360-36	DECOD-W 91-06-037
360-16A-030	DECOD-P 91-14-033	360-20-210	DECOD 91-18-057	360-36-010	DECOD-P 91-14-033
360-16A-030	DECOD 91-18-057	360-20-220	NEW-P 91-07-056	360-36-010	DECOD 91-18-057
360-16A-040	DECOD-P 91-14-033	360-20-220	NEW-W 91-20-134	360-36-010	AMD-P 91-19-027
360-16A-040	DECOD 91-18-057	360-21	DECOD-W 91-06-037	360-36-020	DECOD-P 91-14-033
360-16A-060	DECOD-P 91-14-033	360-21-010	DECOD-P 91-14-033	360-36-020	DECOD 91-18-057
360-16A-060	DECOD 91-18-057	360-21-010	DECOD 91-18-057	360-36-115	DECOD-P 91-14-033
360-16A-070	DECOD-P 91-14-033	360-21-020	DECOD-P 91-14-033	360-36-115	DECOD 91-18-057

**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
360-36-115	AMD-P 91-19-027	360-44-130	DECOD 91-18-057	360-49-040	DECOD-P 91-14-033
360-36-210	DECOD-P 91-14-033	360-44-140	DECOD-P 91-14-033	360-49-040	DECOD 91-18-057
360-36-210	DECOD 91-18-057	360-44-140	DECOD 91-18-057	360-49-050	NEW-P 91-05-090
360-36-250	DECOD-P 91-14-033	360-44-150	DECOD-P 91-14-033	360-49-050	NEW 91-13-004
360-36-250	DECOD 91-18-057	360-44-150	DECOD 91-18-057	360-49-050	DECOD-P 91-14-033
360-36-260	DECOD-P 91-14-033	360-44-990	DECOD-P 91-14-033	360-49-050	DECOD 91-18-057
360-36-260	DECOD 91-18-057	360-44-990	DECOD 91-18-057	360-52	DECOD-W 91-06-037
360-36-270	DECOD-P 91-14-033	360-45-010	DECOD-P 91-14-033	360-52-010	DECOD-P 91-14-033
360-36-270	DECOD 91-18-057	360-45-010	DECOD 91-18-057	360-52-010	DECOD 91-18-057
360-36-400	DECOD-P 91-14-033	360-46	DECOD-W 91-06-037	360-52-020	DECOD-P 91-14-033
360-36-400	DECOD 91-18-057	360-46-010	DECOD-P 91-14-033	360-52-020	DECOD 91-18-057
360-36-410	DECOD-P 91-14-033	360-46-010	DECOD 91-18-057	360-52-030	DECOD-P 91-14-033
360-36-410	DECOD 91-18-057	360-46-020	DECOD-P 91-14-033	360-52-030	DECOD 91-18-057
360-36-410	AMD-P 91-19-027	360-46-020	DECOD 91-18-057	360-52-040	DECOD-P 91-14-033
360-36-411	DECOD-P 91-14-033	360-46-030	DECOD-P 91-14-033	360-52-040	DECOD 91-18-057
360-36-411	DECOD 91-18-057	360-46-030	DECOD 91-18-057	360-52-050	DECOD-P 91-14-033
360-36-412	DECOD-P 91-14-033	360-46-040	DECOD-P 91-14-033	360-52-050	DECOD 91-18-057
360-36-412	DECOD 91-18-057	360-46-040	DECOD 91-18-057	360-52-060	DECOD-P 91-14-033
360-36-413	DECOD-P 91-14-033	360-46-050	DECOD-P 91-14-033	360-52-060	DECOD 91-18-057
360-36-413	DECOD 91-18-057	360-46-050	DECOD 91-18-057	360-52-070	DECOD-P 91-14-033
360-36-420	DECOD-P 91-14-033	360-46-060	DECOD-P 91-14-033	360-52-070	DECOD 91-18-057
360-36-420	DECOD 91-18-057	360-46-060	DECOD 91-18-057	360-52-080	DECOD-P 91-14-033
360-36-420	AMD-P 91-19-027	360-46-070	DECOD-P 91-14-033	360-52-080	DECOD 91-18-057
360-36-425	DECOD-P 91-14-033	360-46-070	DECOD 91-18-057	360-52-090	DECOD-P 91-14-033
360-36-425	DECOD 91-18-057	360-46-081	DECOD-P 91-14-033	360-52-090	DECOD 91-18-057
360-36-430	DECOD-P 91-14-033	360-46-081	DECOD 91-18-057	360-52-100	DECOD-P 91-14-033
360-36-430	DECOD 91-18-057	360-46-082	DECOD-P 91-14-033	360-52-100	DECOD 91-18-057
360-36-430	AMD-P 91-19-027	360-46-082	DECOD 91-18-057	360-52-110	DECOD-P 91-14-033
360-36-440	DECOD-P 91-14-033	360-46-090	DECOD-P 91-14-033	360-52-110	DECOD 91-18-057
360-36-440	DECOD 91-18-057	360-46-090	DECOD 91-18-057	360-52-120	NEW-P 91-05-092
360-36-440	AMD-P 91-19-027	360-46-100	DECOD-P 91-14-033	360-52-120	NEW 91-11-040
360-36-450	DECOD-P 91-14-033	360-46-100	DECOD 91-18-057	360-52-120	DECOD-P 91-14-033
360-36-450	DECOD 91-18-057	360-46-110	DECOD-P 91-14-033	360-52-120	DECOD 91-18-057
360-36-451	DECOD-P 91-14-033	360-46-110	DECOD 91-18-057	360-54	DECOD-W 91-06-037
360-36-451	DECOD 91-18-057	360-46-120	DECOD-P 91-14-033	360-54-010	DECOD-P 91-14-033
360-36-500	DECOD-P 91-14-033	360-46-120	DECOD 91-18-057	360-54-010	DECOD 91-18-057
360-36-500	DECOD 91-18-057	360-46-130	DECOD-P 91-14-033	360-54-020	DECOD-P 91-14-033
360-38	DECOD-W 91-06-037	360-46-130	DECOD 91-18-057	360-54-020	DECOD 91-18-057
360-38-010	DECOD-P 91-14-033	360-46-140	DECOD-P 91-14-033	360-54-030	DECOD-P 91-14-033
360-38-010	DECOD 91-18-057	360-46-140	DECOD 91-18-057	360-54-030	DECOD 91-18-057
360-38-020	DECOD-P 91-14-033	360-46-150	DECOD-P 91-14-033	360-54-040	DECOD-P 91-14-033
360-38-020	DECOD 91-18-057	360-46-150	DECOD 91-18-057	360-54-040	DECOD 91-18-057
360-38-030	DECOD-P 91-14-033	360-46-160	DECOD-P 91-14-033	360-54-050	DECOD-P 91-14-033
360-38-030	DECOD 91-18-057	360-46-160	DECOD 91-18-057	360-54-050	DECOD 91-18-057
360-40	DECOD-W 91-06-037	360-47	DECOD-W 91-06-037	360-60	DECOD-W 91-06-037
360-40-010	DECOD-P 91-14-033	360-47-010	DECOD-P 91-14-033	360-60-010	DECOD-P 91-14-033
360-40-010	DECOD 91-18-057	360-47-010	DECOD 91-18-057	360-60-010	DECOD 91-18-057
360-40-040	DECOD-P 91-14-033	360-47-020	DECOD-P 91-14-033	360-60-020	DECOD-P 91-14-033
360-40-040	DECOD 91-18-057	360-47-020	DECOD 91-18-057	360-60-020	DECOD 91-18-057
360-40-070	DECOD-P 91-14-033	360-47-030	DECOD-P 91-14-033	360-60-030	DECOD-P 91-14-033
360-40-070	DECOD 91-18-057	360-47-030	DECOD 91-18-057	360-60-030	DECOD 91-18-057
360-44	DECOD-W 91-06-037	360-47-040	DECOD-P 91-14-033	360-60-040	DECOD-P 91-14-033
360-44-010	DECOD-P 91-14-033	360-47-040	DECOD 91-18-057	360-60-040	DECOD 91-18-057
360-44-010	DECOD 91-18-057	360-47-050	DECOD-P 91-14-033	365-90-010	AMD 91-04-017
360-44-020	DECOD-P 91-14-033	360-47-050	DECOD 91-18-057	365-90-020	AMD 91-04-017
360-44-020	DECOD 91-18-057	360-48	DECOD-W 91-06-037	365-90-030	REP 91-04-017
360-44-030	DECOD-P 91-14-033	360-48-010	DECOD-P 91-14-033	365-90-040	AMD 91-04-017
360-44-030	DECOD 91-18-057	360-48-010	DECOD 91-18-057	365-90-050	REP 91-04-017
360-44-040	DECOD-P 91-14-033	360-48-020	DECOD-P 91-14-033	365-90-070	AMD 91-04-017
360-44-040	DECOD 91-18-057	360-48-020	DECOD 91-18-057	365-90-080	AMD 91-04-017
360-44-050	DECOD-P 91-14-033	360-48-030	DECOD-P 91-14-033	365-90-090	AMD 91-04-017
360-44-050	DECOD 91-18-057	360-48-030	DECOD 91-18-057	365-190-010	NEW 91-07-041
360-44-060	DECOD-P 91-14-033	360-48-040	DECOD-P 91-14-033	365-190-020	NEW 91-07-041
360-44-060	DECOD 91-18-057	360-48-040	DECOD 91-18-057	365-190-030	NEW 91-07-041
360-44-070	DECOD-P 91-14-033	360-48-050	DECOD-P 91-14-033	365-190-040	NEW 91-07-041
360-44-070	DECOD 91-18-057	360-48-050	DECOD 91-18-057	365-190-050	NEW 91-07-041
360-44-080	DECOD-P 91-14-033	360-48-060	DECOD-P 91-14-033	365-190-060	NEW 91-07-041
360-44-080	DECOD 91-18-057	360-48-060	DECOD 91-18-057	365-190-070	NEW 91-07-041
360-44-090	DECOD-P 91-14-033	360-48-070	DECOD-P 91-14-033	365-190-080	NEW 91-07-041
360-44-090	DECOD 91-18-057	360-48-070	DECOD 91-18-057	371-08	AMD-C 91-03-027
360-44-100	DECOD-P 91-14-033	360-48-080	DECOD-P 91-14-033	371-08-001	NEW 91-03-028
360-44-100	DECOD 91-18-057	360-48-080	DECOD 91-18-057	371-08-002	NEW 91-03-028
360-44-110	DECOD-P 91-14-033	360-49	DECOD-W 91-06-037	371-08-005	AMD 91-03-028
360-44-110	DECOD 91-18-057	360-49-010	DECOD-P 91-14-033	371-08-010	AMD 91-03-028
360-44-120	DECOD-P 91-14-033	360-49-010	DECOD 91-18-057	371-08-015	REP 91-03-028
360-44-120	DECOD 91-18-057	360-49-020	DECOD-P 91-14-033	371-08-020	AMD 91-03-028
360-44-130	DECOD-P 91-14-033	360-49-020	DECOD 91-18-057	371-08-030	AMD 91-03-028

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371-08-031	REP	91-03-028	374-50-080	NEW-P	91-08-033	381-30-140	NEW	91-14-029
371-08-032	AMD	91-03-028	374-50-090	NEW-P	91-08-033	381-30-150	NEW	91-14-029
371-08-033	NEW	91-03-028	381-10-010	NEW-P	91-10-009	381-30-160	NEW	91-14-029
371-08-035	AMD	91-03-028	381-10-010	NEW	91-14-028	381-30-170	NEW	91-14-029
371-08-040	AMD	91-03-028	381-10-020	NEW-P	91-10-009	381-30-180	NEW	91-14-029
371-08-045	REP	91-03-028	381-10-020	NEW	91-14-028	381-40-010	NEW	91-14-029
371-08-065	AMD	91-03-028	381-10-030	NEW-P	91-10-009	381-40-020	NEW	91-14-029
371-08-071	AMD	91-03-028	381-10-030	NEW	91-14-028	381-40-030	NEW	91-14-029
371-08-075	AMD	91-03-028	381-10-040	NEW-P	91-10-009	381-40-040	NEW	91-14-029
371-08-080	AMD	91-03-028	381-10-040	NEW	91-14-028	381-40-050	NEW	91-14-029
371-08-085	AMD	91-03-028	381-10-050	NEW-P	91-10-009	381-40-060	NEW	91-14-029
371-08-095	REP	91-03-028	381-10-050	NEW	91-14-028	381-40-070	NEW	91-14-029
371-08-100	AMD	91-03-028	381-10-060	NEW-P	91-10-009	381-40-080	NEW	91-14-029
371-08-102	REP	91-03-028	381-10-060	NEW	91-14-028	381-40-090	NEW	91-14-029
371-08-104	AMD	91-03-028	381-10-070	NEW-P	91-10-009	381-40-100	NEW	91-14-029
371-08-105	REP	91-03-028	381-10-070	NEW	91-14-028	381-40-110	NEW	91-14-029
371-08-106	NEW	91-03-028	381-10-080	NEW-P	91-10-009	381-40-120	NEW	91-14-029
371-08-110	REP	91-03-028	381-10-080	NEW	91-14-028	381-40-130	NEW	91-14-029
371-08-115	REP	91-03-028	381-10-090	NEW-P	91-10-009	381-40-140	NEW	91-14-029
371-08-120	REP	91-03-028	381-10-090	NEW	91-14-028	381-40-150	NEW	91-14-029
371-08-125	AMD	91-03-028	381-10-100	NEW-P	91-10-009	381-40-160	NEW	91-14-029
371-08-130	AMD	91-03-028	381-10-100	NEW	91-14-028	381-40-170	NEW	91-14-029
371-08-131	REP	91-03-028	381-10-110	NEW-P	91-10-009	381-50-010	NEW	91-14-029
371-08-132	REP	91-03-028	381-10-110	NEW	91-14-028	381-50-020	NEW	91-14-029
371-08-135	REP	91-03-028	381-10-120	NEW-P	91-10-009	381-50-030	NEW	91-14-029
371-08-140	AMD	91-03-028	381-10-120	NEW	91-14-028	381-50-040	NEW	91-14-029
371-08-144	AMD	91-03-028	381-10-130	NEW-P	91-10-009	381-50-050	NEW	91-14-029
371-08-146	NEW	91-03-028	381-10-130	NEW	91-14-028	381-50-060	NEW	91-14-029
371-08-147	NEW	91-03-028	381-10-140	NEW-P	91-10-009	381-50-070	NEW	91-14-029
371-08-148	NEW	91-03-028	381-10-140	NEW	91-14-028	381-50-080	NEW	91-14-029
371-08-155	AMD	91-03-028	381-10-150	NEW-P	91-10-009	381-50-090	NEW	91-14-029
371-08-156	AMD	91-03-028	381-10-150	NEW	91-14-028	381-50-100	NEW	91-14-029
371-08-160	REP	91-03-028	381-10-160	NEW-P	91-10-009	381-50-110	NEW	91-14-029
371-08-162	NEW	91-03-028	381-10-160	NEW	91-14-028	381-50-120	NEW	91-14-029
371-08-163	REP	91-03-028	381-10-170	NEW-P	91-10-009	381-50-130	NEW	91-14-029
371-08-165	AMD	91-03-028	381-10-170	NEW	91-14-028	381-50-140	NEW	91-14-029
371-08-175	REP	91-03-028	381-20-010	NEW-P	91-10-009	381-50-150	NEW	91-14-029
371-08-180	AMD	91-03-028	381-20-010	NEW	91-14-028	381-50-160	NEW	91-14-029
371-08-183	AMD	91-03-028	381-20-020	NEW-P	91-10-009	381-50-170	NEW	91-14-029
371-08-184	NEW	91-03-028	381-20-020	NEW	91-14-028	381-50-180	NEW	91-14-029
371-08-186	AMD	91-03-028	381-20-030	NEW-P	91-10-009	381-60-010	NEW	91-14-029
371-08-187	AMD	91-03-028	381-20-030	NEW	91-14-028	381-60-020	NEW	91-14-029
371-08-188	AMD	91-03-028	381-20-040	NEW-P	91-10-009	381-60-030	NEW	91-14-029
371-08-189	AMD	91-03-028	381-20-040	NEW	91-14-028	381-60-040	NEW	91-14-029
371-08-190	REP	91-03-028	381-20-050	NEW-P	91-10-009	381-60-050	NEW	91-14-029
371-08-195	AMD	91-03-028	381-20-050	NEW	91-14-028	381-60-060	NEW	91-14-029
371-08-196	AMD	91-03-028	381-20-060	NEW-P	91-10-009	381-60-070	NEW	91-14-029
371-08-200	AMD	91-03-028	381-20-060	NEW	91-14-028	381-60-080	NEW	91-14-029
371-08-201	REP	91-03-028	381-20-070	NEW-P	91-10-009	381-60-090	NEW	91-14-029
371-08-205	REP	91-03-028	381-20-070	NEW	91-14-028	381-60-100	NEW	91-14-029
371-08-210	REP	91-03-028	381-20-080	NEW-P	91-10-009	381-60-110	NEW	91-14-029
371-08-215	AMD	91-03-028	381-20-080	NEW	91-14-028	381-60-120	NEW	91-14-029
371-08-220	AMD	91-03-028	381-20-090	NEW-P	91-10-009	381-60-130	NEW	91-14-029
371-08-230	AMD	91-03-028	381-20-090	NEW	91-14-028	381-60-140	NEW	91-14-029
371-08-240	AMD	91-03-028	381-20-100	NEW-P	91-10-009	381-60-150	NEW	91-14-029
371-08-245	REP	91-03-028	381-20-100	NEW	91-14-028	381-60-160	NEW	91-14-029
371-12	REP-C	91-03-027	381-20-110	NEW-P	91-10-009	381-60-170	NEW	91-14-029
371-12-010	REP	91-03-028	381-20-110	NEW	91-14-028	381-60-180	NEW	91-14-029
371-12-020	REP	91-03-028	381-20-120	NEW-P	91-10-009	381-70-010	NEW	91-14-029
371-12-030	REP	91-03-028	381-20-120	NEW	91-14-028	381-70-020	NEW	91-14-029
371-12-040	REP	91-03-028	381-20-130	NEW-P	91-10-009	381-70-030	NEW	91-14-029
371-12-050	REP	91-03-028	381-20-130	NEW	91-14-028	381-70-040	NEW	91-14-029
371-12-060	REP	91-03-028	381-20-140	NEW-P	91-10-009	381-70-050	NEW	91-14-029
371-12-070	REP	91-03-028	381-20-140	NEW	91-14-028	381-70-060	NEW	91-14-029
371-12-080	REP	91-03-028	381-30-010	NEW	91-14-029	381-70-070	NEW	91-14-029
371-12-090	REP	91-03-028	381-30-020	NEW	91-14-029	381-70-080	NEW	91-14-029
371-12-100	REP	91-03-028	381-30-030	NEW	91-14-029	381-70-090	NEW	91-14-029
371-12-110	REP	91-03-028	381-30-040	NEW	91-14-029	381-70-100	NEW	91-14-029
371-12-120	REP	91-03-028	381-30-050	NEW	91-14-029	381-70-110	NEW	91-14-029
371-12-130	REP	91-03-028	381-30-060	NEW	91-14-029	381-70-120	NEW	91-14-029
374-50-010	NEW-P	91-08-033	381-30-070	NEW	91-14-029	381-70-130	NEW	91-14-029
374-50-020	NEW-P	91-08-033	381-30-080	NEW	91-14-029	381-70-140	NEW	91-14-029
374-50-030	NEW-P	91-08-033	381-30-090	NEW	91-14-029	381-70-150	NEW	91-14-029
374-50-040	NEW-P	91-08-033	381-30-100	NEW	91-14-029	381-70-160	NEW	91-14-029
374-50-050	NEW-P	91-08-033	381-30-110	NEW	91-14-029	381-70-170	NEW	91-14-029
374-50-060	NEW-P	91-08-033	381-30-120	NEW	91-14-029	381-70-180	NEW	91-14-029
374-50-070	NEW-P	91-08-033	381-30-130	NEW	91-14-029	381-70-190	NEW	91-14-029

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381-70-210	NEW	91-14-029	388-15-215	AMD-S	91-04-039	388-37-038	AMD-P	91-16-037
381-70-220	NEW	91-14-029	388-15-215	AMD	91-08-011	388-37-038	AMD-E	91-16-039
381-70-230	NEW	91-14-029	388-15-216	AMD-S	91-04-039	388-37-038	AMD-W	91-16-073
381-70-240	NEW	91-14-029	388-15-216	AMD	91-08-011	388-37-038	AMD-P	91-16-074
381-70-250	NEW	91-14-029	388-15-820	AMD-P	91-16-056	388-37-038	AMD-E	91-16-075
381-70-260	NEW	91-14-029	388-15-820	AMD-E	91-16-066	388-37-038	AMD	91-20-051
381-70-270	NEW	91-14-029	388-15-820	AMD-C	91-20-049	388-37-115	AMD-E	91-15-002
381-70-280	NEW	91-14-029	388-15-840	AMD-P	91-16-056	388-37-115	AMD-P	91-15-063
381-70-290	NEW	91-14-029	388-15-840	AMD-E	91-16-066	388-37-115	AMD-W	91-16-036
381-70-300	NEW	91-14-029	388-15-840	AMD-C	91-20-049	388-37-115	AMD-P	91-16-037
381-70-310	NEW	91-14-029	388-15-850	AMD-P	91-16-056	388-37-115	AMD-E	91-16-039
381-70-320	NEW	91-14-029	388-15-850	AMD-E	91-16-066	388-37-115	AMD-W	91-16-073
381-70-330	NEW	91-14-029	388-15-850	AMD-C	91-20-049	388-37-115	AMD-P	91-16-074
381-70-340	NEW	91-14-029	388-15-860	AMD-P	91-16-056	388-37-115	AMD-E	91-16-075
381-70-350	NEW	91-14-029	388-15-860	AMD-E	91-16-066	388-37-115	AMD	91-20-051
381-70-360	NEW	91-14-029	388-15-860	AMD-C	91-20-049	388-42-150	AMD	91-06-005
381-70-370	NEW	91-14-029	388-15-870	AMD-P	91-16-056	388-44-145	AMD-C	91-03-039
381-70-380	NEW	91-14-029	388-15-870	AMD-E	91-16-066	388-44-145	AMD-C	91-04-047
381-70-390	NEW	91-14-029	388-15-870	AMD-C	91-20-049	388-44-145	AMD-C	91-06-055
381-70-400	NEW	91-14-029	388-15-880	AMD-P	91-16-056	388-44-145	AMD	91-09-070
381-70-410	NEW	91-14-029	388-15-880	AMD-E	91-16-066	388-49-020	AMD-P	91-05-074
381-70-420	NEW	91-14-029	388-15-880	AMD-C	91-20-049	388-49-020	AMD	91-10-096
381-70-430	NEW	91-14-029	388-24-050	AMD-E	91-04-042	388-49-020	AMD-P	91-13-104
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381-80-020	NEW	91-14-029	388-24-050	AMD-W	91-08-063	388-49-030	AMD	91-14-081
381-80-030	NEW	91-14-029	388-24-050	AMD-P	91-09-068	388-49-040	AMD-P	91-11-110
381-80-040	NEW	91-14-029	388-24-050	AMD-E	91-09-069	388-49-040	AMD	91-14-082
381-80-050	NEW	91-14-029	388-24-050	AMD	91-12-044	388-49-080	AMD-P	91-09-031
381-80-060	NEW	91-14-029	388-24-070	AMD-P	91-13-101	388-49-080	AMD-E	91-09-032
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388-11-055	AMD-E	91-18-053	388-24-074	AMD-P	91-13-099	388-49-120	AMD-P	91-11-110
388-11-055	AMD-W	91-19-001	388-24-074	AMD	91-16-058	388-49-120	AMD	91-14-082
388-11-140	AMD-P	91-18-049	388-28-435	AMD-P	91-10-074	388-49-190	AMD-P	91-05-073
388-11-140	AMD-E	91-18-053	388-28-435	AMD-E	91-10-078	388-49-190	AMD	91-10-098
388-11-140	AMD-W	91-19-001	388-28-435	AMD	91-13-082	388-49-270	AMD-P	91-13-098
388-11-200	AMD-P	91-18-049	388-28-482	AMD-P	91-10-075	388-49-270	AMD	91-16-063
388-11-200	AMD-E	91-18-053	388-28-482	AMD-E	91-10-076	388-49-310	AMD-P	91-07-069
388-11-200	AMD-W	91-19-001	388-28-482	AMD	91-13-083	388-49-310	AMD	91-11-019
388-11-205	AMD-P	91-18-049	388-28-570	AMD-P	91-20-094	388-49-330	AMD-P	91-05-075
388-11-205	AMD-E	91-18-053	388-28-570	AMD-E	91-20-113	388-49-330	AMD	91-10-099
388-11-205	AMD-W	91-19-001	388-28-575	AMD	91-06-007	388-49-410	AMD-P	91-05-071
388-11-210	AMD-P	91-18-049	388-28-575	AMD-P	91-10-072	388-49-410	AMD	91-10-097
388-11-210	AMD-E	91-18-053	388-28-575	AMD-E	91-10-077	388-49-410	AMD-P	91-20-097
388-11-210	AMD-W	91-19-001	388-28-575	AMD	91-13-080	388-49-410	AMD-E	91-20-110
388-11-220	AMD-P	91-06-040	388-29-100	AMD-P	91-14-122	388-49-420	AMD-P	91-05-071
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388-11-220	AMD	91-10-027	388-29-100	AMD	91-17-065	388-49-420	AMD-P	91-17-087
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388-14-385	AMD-P	91-04-002	388-33-135	AMD-P	91-16-014	388-49-480	AMD-W	91-10-034
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388-14-435	NEW-P	91-04-002	388-37-029	NEW-E	91-16-019	388-49-500	AMD-P	91-20-090
388-14-435	NEW-E	91-04-003	388-37-029	NEW-W	91-18-015	388-49-500	AMD-E	91-20-114
388-14-435	NEW	91-09-018	388-37-029	NEW-P	91-18-016	388-49-505	AMD-P	91-04-035
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388-14-440	NEW	91-09-018	388-37-030	AMD-P	91-15-063	388-49-510	AMD-P	91-20-090
388-14-445	NEW-P	91-04-002	388-37-030	AMD-P	91-16-016	388-49-510	AMD-E	91-20-114
388-14-445	NEW-E	91-04-003	388-37-030	AMD-E	91-16-020	388-49-520	AMD-P	91-09-067
388-14-445	NEW	91-09-018	388-37-030	AMD-W	91-16-036	388-49-520	AMD	91-12-025
388-14-450	NEW-P	91-04-002	388-37-030	AMD-P	91-16-037	388-49-530	AMD-P	91-09-067
388-14-450	NEW-E	91-04-003	388-37-030	AMD-E	91-16-039	388-49-530	AMD	91-12-025
388-14-450	NEW	91-09-018	388-37-030	AMD-W	91-16-073	388-49-535	AMD-P	91-09-067
388-15-208	AMD-S	91-04-039	388-37-030	AMD-P	91-16-074	388-49-535	AMD	91-12-025
388-15-208	AMD	91-08-011	388-37-030	AMD-E	91-16-075	388-49-550	AMD-P	91-20-095
388-15-209	AMD-S	91-04-039	388-37-030	AMD	91-20-051	388-49-550	AMD-E	91-20-112
388-15-209	AMD	91-08-011	388-37-038	AMD-E	91-15-002	388-49-600	AMD-P	91-08-064
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388-51-010	AMD-P	91-20-094	388-62-135	AMD-P	91-14-119	388-77-610	AMD	91-05-058
388-51-010	AMD-E	91-20-113	388-62-135	AMD	91-17-060	388-77-610	AMD	91-08-050
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388-51-020	AMD-E	91-20-113	388-62-155	REP	91-17-060	388-77-610	AMD-E	91-10-079
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388-51-100	AMD-E	91-20-113	388-62-160	REP	91-17-060	388-77-615	AMD	91-04-041
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388-51-135	NEW-E	91-20-113	388-70-031	NEW-E	91-19-106	388-81-070	REP-W	91-20-088
388-51-140	NEW-P	91-20-094	388-70-032	NEW-P	91-19-104	388-81-070	AMD-P	91-20-098
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388-51-145	NEW-E	91-20-113	388-70-033	NEW-E	91-19-106	388-82-010	AMD-E	91-11-016
388-53	AMD	91-06-006	388-70-034	NEW-P	91-19-104	388-82-010	AMD-P	91-11-017
388-53-010	AMD	91-06-006	388-70-034	NEW-E	91-19-106	388-82-010	AMD	91-15-014
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388-53A-010	REP	91-15-087	388-70-036	NEW-P	91-19-104	388-82-160	AMD-E	91-08-036
388-53A-020	REP-P	91-12-066	388-70-036	NEW-E	91-19-106	388-82-160	AMD	91-11-086
388-53A-020	REP	91-15-087	388-70-037	NEW-P	91-19-104	388-83-013	AMD-P	91-06-042
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388-53A-110	REP-P	91-12-066	388-77-240	AMD	91-19-024	388-83-200	AMD	91-16-059
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388-53A-120	REP	91-15-087	388-77-320	AMD	91-05-058	388-84-105	AMD-E	91-20-109
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388-53A-130	REP	91-15-087	388-77-500	AMD	91-04-041	388-85-115	AMD-P	91-11-017
388-53A-140	REP-P	91-12-066	388-77-500	AMD	91-05-010	388-85-115	AMD	91-16-024
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388-62-025	NEW	91-17-060	388-77-520	AMD	91-05-058	388-87-007	AMD-E	91-16-040
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388-62-035	AMD	91-17-060	388-77-530	REP	91-04-041	388-87-010	AMD	91-07-011
388-62-050	REP-P	91-14-119	388-77-530	REP	91-05-010	388-87-010	AMD-P	91-14-067
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388-62-075	AMD	91-17-060	388-77-531	NEW	91-15-086	388-87-015	AMD	91-20-054
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388-87-072	AMD-P	91-18-050	388-100-015	AMD-P	91-14-067	388-155-330	NEW	91-04-048
388-87-072	AMD-E	91-18-052	388-100-015	AMD-E	91-14-072	388-155-340	NEW	91-04-048
388-87-105	AMD-P	91-16-018	388-100-015	AMD	91-17-062	388-155-350	NEW	91-04-048
388-87-105	AMD-E	91-16-023	388-100-020	AMD-P	91-14-067	388-155-360	NEW	91-04-048
388-87-105	AMD	91-20-050	388-100-020	AMD-E	91-14-072	388-155-370	NEW	91-04-048
388-91-005	NEW-P	91-19-002	388-100-020	AMD	91-17-062	388-155-380	NEW	91-04-048
388-91-005	NEW-E	91-19-003	388-100-025	AMD-P	91-14-067	388-155-390	NEW	91-04-048
388-91-010	AMD-P	91-19-002	388-100-025	AMD-E	91-14-072	388-155-400	NEW	91-04-048
388-91-010	AMD-E	91-19-003	388-100-025	AMD	91-17-062	388-155-410	NEW	91-04-048
388-91-013	AMD-P	91-19-002	388-100-030	AMD-P	91-14-067	388-155-420	NEW	91-04-048
388-91-013	AMD-E	91-19-003	388-100-030	AMD-E	91-14-072	388-155-430	NEW	91-04-048
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388-91-016	AMD-P	91-19-002	388-100-035	AMD-E	91-14-072	388-155-460	NEW	91-04-048
388-91-016	AMD-E	91-19-003	388-100-035	AMD	91-17-062	388-155-470	NEW	91-04-048
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388-91-020	AMD-E	91-19-003	388-150-005	AMD-E	91-03-128	388-155-490	NEW	91-04-048
388-91-030	AMD-P	91-19-002	388-150-005	AMD	91-07-013	388-155-500	NEW	91-04-048
388-91-030	AMD-E	91-19-003	388-150-020	AMD-P	91-12-024	388-320-010	AMD-P	91-20-091
388-91-035	AMD-P	91-19-002	388-150-020	AMD-E	91-12-028	388-320-020	REP-P	91-20-091
388-91-035	AMD-E	91-19-003	388-150-020	AMD	91-15-084	388-320-030	AMD-P	91-20-091
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388-91-040	AMD-E	91-19-003	388-150-100	AMD-E	91-03-128	388-320-040	REP-P	91-20-091
388-91-050	AMD-P	91-19-002	388-150-100	AMD	91-07-013	388-320-045	REP-P	91-20-091
388-91-050	AMD-E	91-19-003	388-150-180	AMD-P	91-03-127	388-320-050	REP-P	91-20-091
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388-96-507	AMD-E	91-17-089	388-155-060	NEW	91-04-048	390-16-041	AMD-P	91-19-038
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388-96-559	AMD-E	91-17-089	388-155-080	NEW	91-04-048	390-16-240	NEW	91-14-041
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400-12-400	AMD-P	91-15-090	415-114-010	NEW-C	91-10-108	415-115-100	NEW-P	91-10-109
400-12-410	AMD-P	91-15-090	415-114-010	NEW	91-11-061	415-115-100	NEW	91-13-030
400-12-415	NEW-P	91-15-090	415-114-010	RE-AD	91-13-049	415-115-110	NEW-P	91-10-109
400-12-420	AMD-P	91-15-090	415-114-010	REP-P	91-16-091	415-115-110	NEW	91-13-030
400-12-500	AMD-P	91-15-090	415-114-010	REP	91-19-062	415-115-120	NEW-P	91-10-109
400-12-510	REP-P	91-15-090	415-114-020	NEW-P	91-06-089	415-115-120	NEW	91-13-030
400-12-515	NEW-P	91-15-090	415-114-020	NEW-C	91-10-108	415-116-010	NEW-P	91-10-107
400-12-520	REP-P	91-15-090	415-114-020	NEW	91-11-061	415-116-010	NEW	91-13-029
400-12-525	NEW-P	91-15-090	415-114-020	RE-AD	91-13-049	415-116-020	NEW-P	91-10-107
400-12-530	REP-P	91-15-090	415-114-020	REP-P	91-16-091	415-116-020	NEW	91-13-029
400-12-535	NEW-P	91-15-090	415-114-020	REP	91-19-062	415-116-030	NEW-P	91-10-107
400-12-540	REP-P	91-15-090	415-114-030	NEW-P	91-06-089	415-116-030	NEW	91-13-029
400-12-545	NEW-P	91-15-090	415-114-030	NEW-C	91-10-108	415-116-040	NEW-P	91-10-107
400-12-550	REP-P	91-15-090	415-114-030	NEW	91-11-061	415-116-040	NEW	91-13-029
400-12-555	NEW-P	91-15-090	415-114-030	RE-AD	91-13-049	415-116-050	NEW-P	91-10-107
400-12-560	REP-P	91-15-090	415-114-030	REP-P	91-16-091	415-116-050	NEW	91-13-029
400-12-565	NEW-P	91-15-090	415-114-030	REP	91-19-062	417-01-100	NEW-E	91-09-052
400-12-570	REP-P	91-15-090	415-114-040	NEW-P	91-06-089	417-01-100	NEW-P	91-15-028
400-12-600	REP-P	91-15-090	415-114-040	NEW-C	91-10-108	417-01-100	NEW	91-20-006
400-12-605	NEW-P	91-15-090	415-114-040	NEW	91-11-061	417-01-105	NEW-E	91-09-052
400-12-610	REP-P	91-15-090	415-114-040	AMD	91-13-049	417-01-105	NEW-P	91-15-028
400-12-615	NEW-P	91-15-090	415-114-040	REP-P	91-16-091	417-01-105	NEW	91-20-006
400-12-620	REP-P	91-15-090	415-114-040	REP	91-19-062	417-01-110	NEW-E	91-09-052
400-12-625	NEW-P	91-15-090	415-114-050	NEW-P	91-06-089	417-01-110	NEW-P	91-15-028
400-12-630	REP-P	91-15-090	415-114-050	NEW-C	91-10-108	417-01-110	NEW	91-20-006
400-12-635	NEW-P	91-15-090	415-114-050	NEW	91-11-061	417-01-115	NEW-E	91-09-052
400-12-640	REP-P	91-15-090	415-114-050	RE-AD	91-13-049	417-01-115	NEW-P	91-15-028
400-12-650	REP-P	91-15-090	415-114-050	REP-P	91-16-091	417-01-115	NEW	91-20-006
400-12-660	REP-P	91-15-090	415-114-050	REP	91-19-062	417-01-115	NEW	91-20-006
400-12-700	AMD-P	91-15-090	415-114-055	NEW-P	91-10-108	417-01-120	NEW-E	91-09-052
402-70-010	AMD-W	91-08-059	415-114-055	NEW	91-13-049	417-01-120	NEW-P	91-15-028
402-70-020	AMD-W	91-08-059	415-114-055	REP-P	91-16-091	417-01-120	NEW	91-20-006
402-70-030	AMD-W	91-08-059	415-114-055	REP	91-19-062	417-01-125	NEW-E	91-09-052
402-70-040	NEW-W	91-08-059	415-114-060	NEW-P	91-06-089	417-01-125	NEW-P	91-15-028
402-70-045	NEW-W	91-08-059	415-114-060	NEW-C	91-10-108	417-01-125	NEW	91-20-006
402-70-050	AMD-W	91-08-059	415-114-060	RE-AD	91-11-061	417-01-130	NEW-E	91-09-052
402-70-055	NEW-W	91-08-059	415-114-060	RE-AD	91-13-049	417-01-130	NEW-P	91-15-028
402-70-060	NEW-W	91-08-059	415-114-060	REP-P	91-16-091	417-01-130	NEW	91-20-006
402-70-062	NEW-W	91-08-059	415-114-060	REP	91-19-062	417-01-135	NEW-E	91-09-052
402-70-064	NEW-W	91-08-059	415-114-070	NEW-C	91-10-108	417-01-135	NEW-P	91-15-028
402-70-066	NEW-W	91-08-059	415-114-070	NEW	91-13-049	417-01-135	NEW	91-20-006
402-70-068	NEW-W	91-08-059	415-114-070	REP-P	91-16-091	417-01-140	NEW-E	91-09-052
402-70-070	AMD-W	91-08-059	415-114-070	REP	91-19-062	417-01-140	NEW-P	91-15-028
402-70-077	NEW-W	91-08-059	415-114-100	NEW-P	91-16-091	417-01-140	NEW	91-20-006
402-70-080	AMD-W	91-08-059	415-114-100	NEW	91-19-062	417-01-145	NEW-E	91-09-052
402-70-085	NEW-W	91-08-059	415-114-200	NEW	91-19-062	417-01-145	NEW-P	91-15-028
402-70-090	AMD-W	91-08-059	415-114-200	NEW-P	91-16-091	417-01-145	NEW	91-20-006
415-04-020	AMD-P	91-16-092	415-114-300	NEW	91-19-062	417-01-150	NEW-E	91-09-052
415-04-020	AMD	91-19-064	415-114-300	NEW	91-19-062	417-01-150	NEW-P	91-15-028
415-06-090	AMD-P	91-16-093	415-114-400	NEW-P	91-16-091	417-01-155	NEW	91-20-006
415-06-090	AMD	91-19-061	415-114-400	NEW	91-19-062	417-01-155	NEW-E	91-09-052
415-100-041	NEW	91-03-013	415-114-500	NEW-P	91-16-091	417-01-155	NEW-P	91-15-028
415-100-045	NEW	91-03-013	415-114-500	NEW	91-19-062	417-01-155	NEW	91-20-006
415-100-051	NEW	91-03-013	415-114-550	NEW-P	91-16-091	417-02-100	NEW-E	91-13-020
415-100-055	NEW	91-03-013	415-114-550	NEW	91-19-062	417-02-100	NEW-P	91-15-028
415-104-108	AMD-P	91-16-094	415-114-600	NEW-P	91-16-091	417-02-100	NEW-W	91-20-004
415-104-108	AMD	91-19-063	415-114-600	NEW	91-19-062	417-02-100	NEW-E	91-20-005
415-104-201	NEW	91-03-014	415-114-700	NEW-P	91-16-091	417-02-105	NEW-E	91-13-020
415-104-205	NEW	91-03-014	415-114-700	NEW	91-19-062	417-02-105	NEW-P	91-15-028
415-104-211	NEW	91-03-014	415-115-010	NEW	91-10-109	417-02-105	NEW-W	91-20-004
415-104-215	NEW	91-03-014	415-115-010	NEW	91-13-030	417-02-105	NEW-E	91-20-005
415-108-320	NEW	91-03-015	415-115-020	NEW-P	91-10-109	417-02-110	NEW-E	91-13-020
415-108-322	NEW	91-03-015	415-115-020	NEW	91-13-030	417-02-110	NEW-P	91-15-028
415-108-324	NEW	91-03-015	415-115-030	NEW-P	91-10-109	417-02-110	NEW-W	91-20-004
415-108-326	NEW	91-03-015	415-115-030	NEW	91-13-030	417-02-110	NEW-E	91-20-005
415-108-520	NEW-P	91-18-069	415-115-040	NEW	91-13-030	417-02-115	NEW-E	91-13-020
415-112-040	AMD-P	91-16-095	415-115-040	NEW-P	91-10-109	417-02-115	NEW-P	91-15-028
				NEW	91-13-030	417-02-115	NEW-W	91-20-004

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
417-02-115	NEW-E 91-20-005	434-15-010	REP-P 91-17-054	434-42-915	REP-E 91-07-002
417-02-120	NEW-E 91-13-020	434-15-020	REP-P 91-17-054	434-42-915	NEW-W 91-07-003
417-02-120	NEW-P 91-15-028	434-15-030	REP-P 91-17-054	434-42-920	NEW-P 91-03-125
417-02-120	NEW-W 91-20-004	434-15-040	REP-P 91-17-054	434-42-920	NEW-E 91-03-126
417-02-120	NEW-E 91-20-005	434-15-050	REP-P 91-17-054	434-42-920	REP-E 91-07-002
417-02-125	NEW-E 91-13-020	434-15-060	REP-P 91-17-054	434-42-920	NEW-W 91-07-003
417-02-125	NEW-P 91-15-028	434-15-070	REP-P 91-17-054	434-42-925	NEW-P 91-03-125
417-02-125	NEW-W 91-20-004	434-15-080	REP-P 91-17-054	434-42-925	NEW-E 91-03-126
417-02-125	NEW-E 91-20-005	434-15-090	REP-P 91-17-054	434-42-925	REP-E 91-07-002
417-02-130	NEW-E 91-13-020	434-15-100	REP-P 91-17-054	434-42-925	NEW-W 91-07-003
417-02-130	NEW-P 91-15-028	434-15-110	REP-P 91-17-054	434-42-930	NEW-P 91-03-125
417-02-130	NEW-W 91-20-004	434-15-120	REP-P 91-17-054	434-42-930	NEW-E 91-03-126
417-02-130	NEW-E 91-20-005	434-15-130	REP-P 91-17-054	434-42-930	REP-E 91-07-002
417-02-135	NEW-E 91-13-020	434-15-140	REP-P 91-17-054	434-42-930	NEW-W 91-07-003
417-02-135	NEW-P 91-15-028	434-15-150	REP-P 91-17-054	434-42-935	NEW-P 91-03-125
417-02-135	NEW-W 91-20-004	434-15-990	REP-P 91-17-054	434-42-935	NEW-E 91-03-126
417-02-135	NEW-E 91-20-005	434-15-99001	REP-P 91-17-054	434-42-935	REP-E 91-07-002
417-02-140	NEW-E 91-13-020	434-26-005	NEW-P 91-13-022	434-42-935	NEW-W 91-07-003
417-02-140	NEW-P 91-15-028	434-26-005	NEW 91-18-013	434-42-940	NEW-P 91-03-125
417-02-140	NEW-W 91-20-004	434-26-010	NEW-P 91-13-022	434-42-940	NEW-E 91-03-126
417-02-140	NEW-E 91-20-005	434-26-010	NEW 91-18-013	434-42-940	REP-E 91-07-002
417-02-145	NEW-E 91-13-020	434-26-015	NEW-P 91-13-022	434-42-940	NEW-W 91-07-003
417-02-145	NEW-P 91-15-028	434-26-015	NEW 91-18-013	434-42-945	NEW-P 91-03-125
417-02-145	NEW-W 91-20-004	434-26-020	NEW-P 91-13-022	434-42-945	NEW-E 91-03-126
417-02-145	NEW-E 91-20-005	434-26-020	NEW 91-18-013	434-42-945	REP-E 91-07-002
417-02-150	NEW-E 91-13-020	434-26-025	NEW-P 91-13-022	434-42-945	NEW-W 91-07-003
417-02-150	NEW-P 91-15-028	434-26-025	NEW 91-18-013	434-42-950	NEW-P 91-03-125
417-02-150	NEW-W 91-20-004	434-26-030	NEW-P 91-13-022	434-42-950	NEW-E 91-03-126
417-02-150	NEW-E 91-20-005	434-26-030	NEW 91-18-013	434-42-950	REP-E 91-07-002
417-02-155	NEW-E 91-13-020	434-26-035	NEW-P 91-13-022	434-42-950	NEW-W 91-07-003
417-02-155	NEW-P 91-15-028	434-26-035	NEW 91-18-013	434-42-955	NEW-P 91-03-125
417-02-155	NEW-W 91-20-004	434-26-040	NEW-P 91-13-022	434-42-955	NEW-E 91-03-126
417-02-155	NEW-E 91-20-005	434-26-040	NEW 91-18-013	434-42-955	REP-E 91-07-002
417-06-100	NEW-E 91-13-021	434-26-045	NEW-P 91-13-022	434-42-955	NEW-W 91-07-003
417-06-100	NEW-P 91-15-028	434-26-045	NEW 91-18-013	434-42-960	NEW-P 91-03-125
417-06-100	NEW 91-20-006	434-26-050	NEW-P 91-13-022	434-42-960	NEW-E 91-03-126
417-06-110	NEW-E 91-13-021	434-26-050	NEW 91-18-013	434-42-960	REP-E 91-07-002
417-06-110	NEW-P 91-15-028	434-26-055	NEW-P 91-13-022	434-42-960	NEW-W 91-07-003
417-06-110	NEW 91-20-006	434-26-055	NEW 91-18-013	434-42-965	NEW-P 91-03-125
417-06-120	NEW-E 91-13-021	434-26-060	NEW-P 91-13-022	434-42-965	NEW-E 91-03-126
417-06-120	NEW-P 91-15-028	434-26-060	NEW 91-18-013	434-42-965	REP-E 91-07-002
417-06-120	NEW 91-20-006	434-26-065	NEW-P 91-13-022	434-42-965	NEW-W 91-07-003
417-06-130	NEW-E 91-13-021	434-26-065	NEW 91-18-013	434-42-970	NEW-P 91-03-125
417-06-130	NEW-P 91-15-028	434-26-900	NEW-P 91-13-022	434-42-970	NEW-E 91-03-126
417-06-130	NEW 91-20-006	434-26-900	NEW 91-18-013	434-42-970	REP-E 91-07-002
417-06-140	NEW-E 91-13-021	434-40-010	AMD-E 91-14-080	434-42-970	NEW-W 91-07-003
417-06-140	NEW-P 91-15-028	434-40-010	AMD-P 91-17-046	434-42-975	NEW-P 91-03-125
417-06-140	NEW 91-20-006	434-40-010	AMD 91-20-074	434-42-975	NEW-E 91-03-126
417-06-150	NEW-E 91-13-021	434-40-050	AMD-E 91-14-080	434-42-975	REP-E 91-07-002
417-06-150	NEW-P 91-15-028	434-40-050	AMD-P 91-17-046	434-42-975	NEW-W 91-07-003
417-06-150	NEW 91-20-006	434-40-050	AMD 91-20-074	434-42-980	NEW-P 91-03-125
417-06-160	NEW-E 91-13-021	434-40-060	AMD-E 91-14-080	434-42-980	NEW-E 91-03-126
417-06-160	NEW-P 91-15-028	434-40-060	AMD-P 91-17-046	434-42-980	REP-E 91-07-002
417-06-160	NEW 91-20-006	434-40-060	AMD 91-20-074	434-42-980	NEW-W 91-07-003
417-06-170	NEW-E 91-13-021	434-40-070	AMD-E 91-14-080	434-42-985	NEW-P 91-03-125
417-06-170	NEW-P 91-15-028	434-40-070	AMD-P 91-17-046	434-42-985	NEW-E 91-03-126
417-06-170	NEW 91-20-006	434-40-070	AMD 91-20-074	434-42-985	REP-E 91-07-002
419-14-030	AMD-P 91-03-107	434-40-080	AMD-E 91-14-080	434-42-985	NEW-W 91-07-003
419-14-030	AMD 91-06-063	434-40-080	AMD-P 91-17-046	434-75-010	NEW-P 91-13-016
419-14-040	AMD-P 91-03-107	434-40-080	AMD 91-20-074	434-75-010	NEW 91-18-012
419-14-040	AMD 91-06-063	434-40-180	AMD-E 91-14-080	434-75-020	NEW-P 91-13-016
419-14-090	AMD-P 91-03-107	434-40-180	AMD-P 91-17-046	434-75-020	NEW 91-18-012
419-14-090	AMD 91-06-063	434-40-180	AMD 91-20-074	434-75-030	NEW-P 91-13-016
419-14-100	AMD-P 91-03-107	434-42-900	NEW-P 91-03-125	434-75-030	NEW 91-18-012
419-14-100	AMD 91-06-063	434-42-900	NEW-E 91-03-126	434-75-040	NEW-P 91-13-016
419-14-110	AMD-P 91-03-107	434-42-900	REP-E 91-07-002	434-75-040	NEW 91-18-012
419-14-110	AMD 91-06-063	434-42-900	NEW-W 91-07-003	434-75-050	NEW-P 91-13-016
419-18-030	AMD-P 91-03-106	434-42-905	NEW-P 91-03-125	434-75-050	NEW 91-18-012
419-18-030	AMD 91-06-062	434-42-905	NEW-E 91-03-126	434-75-060	NEW-P 91-13-016
419-18-040	AMD-P 91-03-106	434-42-905	REP-E 91-07-002	434-75-060	NEW 91-18-012
419-18-040	AMD 91-06-062	434-42-905	NEW-W 91-07-003	434-75-070	NEW-P 91-13-016
419-18-050	AMD-P 91-03-106	434-42-910	NEW-P 91-03-125	434-75-070	NEW 91-18-012
419-18-050	AMD 91-06-062	434-42-910	NEW-E 91-03-126	434-75-080	NEW-P 91-13-016
419-18-060	AMD-P 91-03-106	434-42-910	REP-E 91-07-002	434-75-080	NEW 91-18-012
419-18-060	AMD 91-06-062	434-42-910	NEW-W 91-07-003	434-75-090	NEW-P 91-13-016
419-18-070	AMD-P 91-03-106	434-42-915	NEW-P 91-03-125	434-75-090	NEW 91-18-012
419-18-070	AMD 91-06-062	434-42-915	NEW-E 91-03-126	434-75-100	NEW-P 91-13-016

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
434-75-100	NEW	91-18-012	434-840-040	NEW-P	91-17-046	440-44-059	REP-W	91-08-059
434-75-110	NEW-P	91-13-016	434-840-040	NEW	91-20-074	440-44-060	REP-W	91-08-059
434-75-110	NEW	91-18-012	434-840-050	NEW-P	91-17-046	440-44-062	REP-W	91-08-059
434-75-120	NEW-P	91-13-016	434-840-050	NEW	91-20-074	440-44-085	REP-P	91-15-061
434-75-120	NEW	91-18-012	434-840-060	NEW-P	91-17-046	440-44-085	REP-E	91-15-064
434-75-130	NEW-P	91-13-016	434-840-060	NEW	91-20-074	440-44-085	REP	91-19-025
434-75-130	NEW	91-18-012	434-840-070	NEW-P	91-17-046	440-44-090	AMD-P	91-20-096
434-75-140	NEW-P	91-13-016	434-840-070	NEW	91-20-074	440-44-090	AMD-E	91-20-111
434-75-140	NEW	91-18-012	434-840-080	NEW-P	91-17-046	446-16-080	AMD-P	91-16-099
434-75-150	NEW-P	91-13-016	434-840-080	NEW	91-20-074	446-20-020	AMD-P	91-19-012
434-75-150	NEW	91-18-012	434-840-090	NEW-P	91-17-046	446-20-280	AMD-P	91-19-012
434-75-160	NEW-P	91-13-016	434-840-090	NEW	91-20-074	446-20-285	AMD-P	91-19-012
434-75-160	NEW	91-18-012	434-840-100	NEW-P	91-17-046	446-20-290	AMD-P	91-19-012
434-75-170	NEW-P	91-13-016	434-840-100	NEW	91-20-074	446-20-310	AMD-P	91-19-012
434-75-170	NEW	91-18-012	434-840-110	NEW-P	91-17-046	446-20-500	AMD-P	91-15-045
434-75-180	NEW-P	91-13-016	434-840-110	NEW	91-20-074	446-20-500	AMD	91-20-045
434-75-180	NEW	91-18-012	434-840-120	NEW-P	91-17-046	446-20-510	AMD-P	91-15-045
434-75-190	NEW-P	91-13-016	434-840-120	NEW	91-20-074	446-20-510	AMD	91-20-045
434-75-190	NEW	91-18-012	434-840-130	NEW-P	91-17-046	446-20-515	AMD-P	91-15-045
434-75-200	NEW-P	91-13-016	434-840-130	NEW	91-20-074	446-20-515	AMD	91-20-045
434-75-200	NEW	91-18-012	434-840-200	NEW-P	91-17-046	446-20-530	AMD-P	91-19-012
434-75-210	NEW-P	91-13-016	434-840-200	NEW	91-20-074	446-65	AMD-P	91-16-098
434-75-210	NEW	91-18-012	434-840-210	NEW-P	91-17-046	446-65	AMD-W	91-19-107
434-75-220	NEW-P	91-13-016	434-840-210	NEW	91-20-074	446-65-005	NEW-E	91-06-050
434-75-220	NEW	91-18-012	434-840-220	NEW-P	91-17-046	446-65-005	NEW	91-06-066
434-75-230	NEW-P	91-13-016	434-840-220	NEW	91-20-074	446-65-005	AMD-P	91-16-098
434-75-230	NEW	91-18-012	434-840-230	NEW-P	91-17-046	446-65-005	AMD-W	91-19-107
434-75-240	NEW-P	91-13-016	434-840-230	NEW	91-20-074	446-65-010	NEW-E	91-06-050
434-75-240	NEW	91-18-012	434-840-240	NEW-P	91-17-046	446-65-010	NEW	91-06-066
434-75-250	NEW-P	91-13-016	434-840-240	NEW	91-20-074	446-65-010	AMD-P	91-16-098
434-75-250	NEW	91-18-012	434-840-300	NEW-P	91-17-046	446-65-010	AMD-W	91-19-107
434-75-260	NEW-P	91-13-016	434-840-300	NEW	91-20-074	446-75-010	NEW-P	91-07-045
434-75-260	NEW	91-18-012	434-840-310	NEW-P	91-17-046	446-75-010	NEW-E	91-07-046
434-75-270	NEW-P	91-13-016	434-840-310	NEW	91-20-074	446-75-010	NEW	91-11-046
434-75-270	NEW	91-18-012	434-840-320	NEW-P	91-17-046	446-75-020	NEW-P	91-07-045
434-75-280	NEW-P	91-13-016	434-840-320	NEW	91-20-074	446-75-020	NEW-E	91-07-046
434-75-280	NEW	91-18-012	434-840-330	NEW-P	91-17-046	446-75-020	NEW	91-11-046
434-75-290	NEW-P	91-13-016	434-840-330	NEW	91-20-074	446-75-030	NEW-P	91-07-045
434-75-290	NEW	91-18-012	434-840-340	NEW-P	91-17-046	446-75-030	NEW-E	91-07-046
434-75-300	NEW-P	91-13-016	434-840-340	NEW	91-20-074	446-75-030	NEW	91-11-046
434-75-300	NEW	91-18-012	434-840-350	NEW-P	91-17-046	446-75-040	NEW-P	91-07-045
434-75-310	NEW-P	91-13-016	434-840-350	NEW	91-20-074	446-75-040	NEW-E	91-07-046
434-75-310	NEW	91-18-012	434-840-360	NEW-P	91-17-046	446-75-040	NEW	91-11-046
434-75-320	NEW-P	91-13-016	434-840-360	NEW	91-20-074	446-75-050	NEW-P	91-07-045
434-75-320	NEW	91-18-012	434-840-370	NEW-P	91-17-046	446-75-050	NEW-E	91-07-046
434-75-330	NEW-P	91-13-016	434-840-370	NEW	91-20-074	446-75-050	NEW	91-11-046
434-75-330	NEW	91-18-012	434-840-900	NEW-E	91-14-079	446-75-060	NEW-P	91-07-045
434-75-340	NEW-P	91-13-016	434-840-901	NEW-E	91-14-079	446-75-060	NEW-E	91-07-046
434-75-340	NEW	91-18-012	434-840-902	NEW-E	91-14-079	446-75-060	NEW	91-11-046
434-75-350	NEW-P	91-13-016	434-840-903	NEW-E	91-14-079	446-75-070	NEW-P	91-07-045
434-75-350	NEW	91-18-012	434-840-904	NEW-E	91-14-079	446-75-070	NEW-E	91-07-046
434-690-010	NEW-P	91-20-147	434-840-905	NEW-E	91-14-079	446-75-070	NEW	91-11-046
434-690-020	NEW-P	91-20-147	434-840-906	NEW-E	91-14-079	446-75-080	NEW-P	91-07-045
434-690-030	NEW-P	91-20-147	434-840-907	NEW-E	91-14-079	446-75-080	NEW-E	91-07-046
434-690-040	NEW-P	91-20-147	434-840-908	NEW-E	91-14-079	446-75-080	NEW	91-11-046
434-690-050	NEW-P	91-20-147	434-840-909	NEW-E	91-14-079	448-12-010	REP-S	91-03-123
434-690-060	NEW-P	91-20-147	434-840-910	NEW-E	91-14-079	448-12-010	REP	91-06-022
434-690-070	NEW-P	91-20-147	434-840-920	NEW-E	91-14-079	448-12-015	REP-S	91-03-123
434-690-080	NEW-P	91-20-147	434-840-921	NEW-E	91-14-079	448-12-015	REP	91-06-022
434-690-090	NEW-P	91-20-147	434-840-922	NEW-E	91-14-079	448-12-016	REP-S	91-03-123
434-690-100	NEW-P	91-20-147	434-840-923	NEW-E	91-14-079	448-12-016	REP	91-06-022
434-690-110	NEW-P	91-20-147	434-840-930	NEW-E	91-14-079	448-12-020	REP-S	91-03-123
434-690-120	NEW-P	91-20-147	434-840-931	NEW-E	91-14-079	448-12-020	REP	91-06-022
434-690-130	NEW-P	91-20-147	434-840-932	NEW-E	91-14-079	448-12-030	REP-S	91-03-123
434-690-140	NEW-P	91-20-147	434-840-933	NEW-E	91-14-079	448-12-030	REP	91-06-022
434-690-990	NEW-P	91-20-147	434-840-934	NEW-E	91-14-079	448-12-040	REP-S	91-03-123
434-690-99001	NEW-P	91-20-147	434-840-940	NEW-E	91-14-079	448-12-040	REP	91-06-022
434-840-001	NEW-P	91-17-046	434-840-941	NEW-E	91-14-079	448-12-050	REP-S	91-03-123
434-840-001	NEW	91-20-074	434-840-942	NEW-E	91-14-079	448-12-050	REP	91-06-022
434-840-005	NEW-P	91-17-046	434-840-943	NEW-E	91-14-079	448-12-055	REP-S	91-03-123
434-840-005	NEW	91-20-074	434-840-944	NEW-E	91-14-079	448-12-055	REP	91-06-022
434-840-010	NEW-P	91-17-046	434-840-945	NEW-E	91-14-079	448-12-060	REP-S	91-03-123
434-840-010	NEW	91-20-074	434-840-946	NEW-E	91-14-079	448-12-060	REP	91-06-022
434-840-020	NEW-P	91-17-046	434-840-947	NEW-E	91-14-079	448-12-070	REP-S	91-03-123
434-840-020	NEW	91-20-074	440-44-050	REP-W	91-08-059	448-12-070	REP	91-06-022
434-840-030	NEW-P	91-17-046	440-44-057	REP-W	91-08-059	448-12-075	REP-S	91-03-123
434-840-030	NEW	91-20-074	440-44-058	REP-W	91-08-059	448-12-075	REP	91-06-022

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
448-12-080	REP-S	91-03-123	448-13-190	NEW	91-06-022	458-16-020	AMD-E	91-13-074
448-12-080	REP	91-06-022	448-13-200	NEW-S	91-03-123	458-18-010	AMD-E	91-13-075
448-12-090	REP-S	91-03-123	448-13-200	NEW	91-06-022	458-18-020	AMD-E	91-13-075
448-12-090	REP	91-06-022	448-13-210	NEW-S	91-03-123	458-18-220	AMD-P	91-10-070
448-12-100	REP-S	91-03-123	448-13-210	NEW	91-06-022	458-18-220	AMD	91-15-024
448-12-100	REP	91-06-022	448-13-220	NEW-S	91-03-123	458-20-105	AMD-E	91-14-050
448-12-210	REP-S	91-03-123	448-13-220	NEW	91-06-022	458-20-105	PREP	91-17-029
448-12-210	REP	91-06-022	448-14-010	REP-P	91-03-124	458-20-109	PREP	91-03-057
448-12-220	REP-S	91-03-123	448-14-010	REP-W	91-16-077	458-20-109	AMD-P	91-11-005
448-12-220	REP	91-06-022	448-14-020	REP-P	91-03-124	458-20-110	PREP	91-03-058
448-12-230	REP-S	91-03-123	448-14-020	REP-W	91-16-077	458-20-110	AMD-P	91-11-004
448-12-230	REP	91-06-022	448-14-030	REP-P	91-03-124	458-20-126	PREP	91-04-062
448-12-240	REP-S	91-03-123	448-14-030	REP-W	91-16-077	458-20-126	AMD-P	91-11-002
448-12-240	REP	91-06-022	448-15-010	NEW-P	91-03-124	458-20-126	AMD	91-15-022
448-12-250	REP-S	91-03-123	448-15-010	NEW-W	91-16-077	458-20-127	PREP	91-08-044
448-12-250	REP	91-06-022	448-15-020	NEW-P	91-03-124	458-20-151	PREP	91-04-061
448-12-260	REP-S	91-03-123	448-15-020	NEW-W	91-16-077	458-20-151	AMD-P	91-11-003
448-12-260	REP	91-06-022	448-15-030	NEW-P	91-03-124	458-20-151	AMD	91-15-023
448-12-270	REP-S	91-03-123	448-15-030	NEW-W	91-16-077	458-20-163	AMD	91-05-040
448-12-270	REP	91-06-022	448-15-040	NEW-P	91-03-124	458-20-164	AMD-E	91-14-049
448-12-280	REP-S	91-03-123	448-15-040	NEW-W	91-16-077	458-20-164	PREP	91-17-028
448-12-280	REP	91-06-022	448-15-050	NEW-P	91-03-124	458-20-166	PREP	91-08-045
448-12-290	REP-S	91-03-123	448-15-050	NEW-W	91-16-077	458-20-169	PREP	91-12-062
448-12-290	REP	91-06-022	448-15-060	NEW-P	91-03-124	458-20-169	AMD-P	91-17-084
448-12-300	REP-S	91-03-123	448-15-060	NEW-W	91-16-077	458-20-169	AMD-E	91-17-085
448-12-300	REP	91-06-022	448-15-070	NEW-P	91-03-124	458-20-18601	NEW-E	91-14-027
448-12-320	REP-S	91-03-123	448-15-070	NEW-W	91-16-077	458-20-18601	PREP	91-17-030
448-12-320	REP	91-06-022	448-15-080	NEW-P	91-03-124	458-20-18801	PREP	91-12-002
448-12-330	REP-S	91-03-123	448-15-080	NEW-W	91-16-077	458-20-193	NEW-P	91-20-122
448-12-330	REP	91-06-022	456-09-210	AMD-P	91-04-084	458-20-193A	PREP	91-13-073
448-12-340	REP-S	91-03-123	456-09-210	AMD	91-07-038	458-20-193A	REP-P	91-20-122
448-12-340	REP	91-06-022	456-09-325	AMD-P	91-04-084	458-20-193B	PREP	91-13-073
448-13-010	NEW-S	91-03-123	456-09-325	AMD	91-07-038	458-20-193B	REP-P	91-20-122
448-13-010	NEW	91-06-022	456-09-365	AMD-P	91-04-084	458-20-199	PREP	91-08-043
448-13-020	NEW-S	91-03-123	456-09-365	AMD	91-07-038	458-20-227	AMD	91-05-039
448-13-020	NEW	91-06-022	456-10-360	AMD-P	91-04-083	458-20-228	PREP	91-16-008
448-13-020	AMD-E	91-18-033	456-10-360	AMD	91-07-039	458-20-22802	PREP	91-17-026
448-13-020	AMD-P	91-18-034	456-10-547	NEW-P	91-04-083	458-20-229	PREP	91-16-009
448-13-030	NEW-S	91-03-123	456-10-547	NEW	91-07-039	458-20-237	AMD	91-05-038
448-13-030	NEW	91-06-022	458-12-251	PREP	91-18-025	458-20-255	AMD-E	91-12-003
448-13-040	NEW-S	91-03-123	458-14-010	REP	91-07-040	458-20-255	PREP	91-12-063
448-13-040	NEW	91-06-022	458-14-020	REP	91-07-040	458-20-255	AMD-P	91-16-010
448-13-040	AMD-P	91-18-034	458-14-030	REP	91-07-040	458-20-255	AMD	91-20-058
448-13-040	AMD-E	91-18-033	458-14-040	REP	91-07-040	458-20-260	NEW-E	91-20-123
448-13-050	NEW-S	91-03-123	458-14-045	REP	91-07-040	458-20-615	PREP	91-17-027
448-13-050	NEW	91-06-022	458-14-050	REP	91-07-040	458-30-262	AMD	91-04-001
448-13-060	NEW-S	91-03-123	458-14-052	REP	91-07-040	458-40-615	NEW-E	91-16-053
448-13-060	NEW	91-06-022	458-14-055	REP	91-07-040	458-40-660	AMD-P	91-06-052
448-13-070	NEW-S	91-03-123	458-14-060	REP	91-07-040	458-40-660	AMD-E	91-06-053
448-13-070	NEW	91-06-022	458-14-062	REP	91-07-040	458-40-660	AMD	91-09-030
448-13-080	NEW-S	91-03-123	458-14-065	REP	91-07-040	458-40-660	AMD-P	91-10-090
448-13-080	NEW	91-06-022	458-14-070	REP	91-07-040	458-40-660	AMD	91-14-077
448-13-080	AMD-E	91-18-033	458-14-075	REP	91-07-040	458-40-670	AMD-P	91-10-090
448-13-080	AMD-P	91-18-034	458-14-080	REP	91-07-040	458-40-670	AMD	91-14-077
448-13-090	NEW-S	91-03-123	458-14-085	REP	91-07-040	458-50-085	PREP	91-18-025
448-13-090	NEW	91-06-022	458-14-086	REP	91-07-040	460-11A-010	NEW-P	91-14-089
448-13-100	NEW-S	91-03-123	458-14-090	REP	91-07-040	460-11A-010	NEW	91-18-014
448-13-100	NEW	91-06-022	458-14-091	REP	91-07-040	460-11A-020	NEW-P	91-14-089
448-13-110	NEW-S	91-03-123	458-14-092	REP	91-07-040	460-11A-020	NEW	91-18-014
448-13-110	NEW	91-06-022	458-14-094	REP	91-07-040	460-11A-030	NEW-P	91-14-089
448-13-120	NEW-S	91-03-123	458-14-098	REP	91-07-040	460-11A-030	NEW	91-18-014
448-13-120	NEW	91-06-022	458-14-100	REP	91-07-040	460-11A-040	NEW-P	91-14-089
448-13-130	NEW-S	91-03-123	458-14-110	REP	91-07-040	460-11A-040	NEW	91-18-014
448-13-130	NEW	91-06-022	458-14-115	REP	91-07-040	460-16A-102	AMD	91-04-008
448-13-140	NEW-S	91-03-123	458-14-120	REP	91-07-040	460-16A-200	NEW	91-04-008
448-13-140	NEW	91-06-022	458-14-121	REP	91-07-040	460-16A-205	NEW	91-04-008
448-13-150	NEW-S	91-03-123	458-14-122	REP	91-07-040	460-17A-030	AMD	91-04-009
448-13-150	NEW	91-06-022	458-14-125	REP	91-07-040	460-17A-070	AMD	91-04-009
448-13-160	NEW-S	91-03-123	458-14-126	REP	91-07-040	460-31A-410	REP	91-04-012
448-13-160	NEW	91-06-022	458-14-130	REP	91-07-040	460-31A-415	REP	91-04-012
448-13-170	NEW-S	91-03-123	458-14-135	REP	91-07-040	460-31A-420	REP	91-04-012
448-13-170	NEW	91-06-022	458-14-140	REP	91-07-040	460-31A-425	REP	91-04-012
448-13-170	AMD-E	91-18-033	458-14-145	REP	91-07-040	460-31A-430	REP	91-04-012
448-13-170	AMD-P	91-18-034	458-14-150	REP	91-07-040	460-31A-435	REP	91-04-012
448-13-180	NEW-S	91-03-123	458-14-152	REP	91-07-040	460-31A-440	REP	91-04-012
448-13-180	NEW	91-06-022	458-14-155	REP	91-07-040	460-31A-445	REP	91-04-012
448-13-190	NEW-S	91-03-123	458-16-013	AMD-E	91-13-074	460-31A-450	REP	91-04-012

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
460-31A-455	REP	91-04-012	460-34A-110	REP	91-04-012	468-16-020	NEW	91-04-014
460-31A-460	REP	91-04-012	460-34A-112	REP	91-04-012	468-16-030	NEW	91-04-014
460-31A-465	REP	91-04-012	460-34A-115	REP	91-04-012	468-16-040	NEW	91-04-014
460-31A-470	REP	91-04-012	460-34A-120	REP	91-04-012	468-16-050	NEW	91-04-014
460-31A-475	REP	91-04-012	460-34A-125	REP	91-04-012	468-16-060	NEW	91-04-014
460-31A-480	REP	91-04-012	460-34A-130	REP	91-04-012	468-16-070	NEW	91-04-014
460-31A-485	REP	91-04-012	460-34A-135	REP	91-04-012	468-16-080	NEW	91-04-014
460-31A-490	REP	91-04-012	460-34A-200	REP	91-04-012	468-16-090	NEW	91-04-014
460-31A-495	REP	91-04-012	460-36A-100	REP	91-04-012	468-16-100	NEW	91-04-014
460-31A-500	REP	91-04-012	460-36A-105	REP	91-04-012	468-16-110	NEW	91-04-014
460-31A-505	REP	91-04-012	460-36A-110	REP	91-04-012	468-16-120	NEW	91-04-014
460-31A-510	REP	91-04-012	460-36A-115	REP	91-04-012	468-16-130	NEW	91-04-014
460-31A-515	REP	91-04-012	460-36A-120	REP	91-04-012	468-16-140	NEW	91-04-014
460-31A-520	REP	91-04-012	460-36A-125	REP	91-04-012	468-16-150	NEW	91-04-014
460-31A-525	REP	91-04-012	460-36A-130	REP	91-04-012	468-16-160	NEW	91-04-014
460-31A-530	REP	91-04-012	460-36A-135	REP	91-04-012	468-16-170	NEW	91-04-014
460-31A-535	REP	91-04-012	460-36A-140	REP	91-04-012	468-16-180	NEW	91-04-014
460-31A-540	REP	91-04-012	460-36A-145	REP	91-04-012	468-16-190	NEW	91-04-014
460-31A-545	REP	91-04-012	460-36A-150	REP	91-04-012	468-16-200	NEW	91-04-014
460-31A-550	REP	91-04-012	460-36A-155	REP	91-04-012	468-16-210	NEW	91-04-014
460-31A-555	REP	91-04-012	460-36A-160	REP	91-04-012	468-38-035	REP-P	91-06-078
460-31A-560	REP	91-04-012	460-36A-165	REP	91-04-012	468-38-035	REP	91-10-023
460-31A-565	REP	91-04-012	460-36A-170	REP	91-04-012	468-38-050	AMD-P	91-06-078
460-31A-570	REP	91-04-012	460-36A-175	REP	91-04-012	468-38-050	AMD	91-10-023
460-31A-575	REP	91-04-012	460-36A-180	REP	91-04-012	468-38-190	AMD-P	91-06-079
460-31A-580	REP	91-04-012	460-36A-185	REP	91-04-012	468-38-190	AMD	91-10-022
460-31A-585	REP	91-04-012	460-36A-190	REP	91-04-012	468-38-260	AMD-P	91-06-078
460-31A-590	REP	91-04-012	460-36A-195	REP	91-04-012	468-38-260	AMD	91-10-023
460-31A-595	REP	91-04-012	460-42A-081	AMD	91-04-010	468-38-260	AMD	91-10-054
460-31A-600	REP	91-04-012	460-46A-020	AMD	91-04-011	468-38-370	REP-P	91-06-078
460-31A-605	REP	91-04-012	460-46A-040	AMD	91-04-011	468-38-370	REP	91-10-023
460-31A-610	REP	91-04-012	460-46A-050	AMD	91-04-011	468-38-400	REP-P	91-06-078
460-31A-615	REP	91-04-012	460-46A-055	NEW	91-04-011	468-38-400	REP	91-10-023
460-31A-620	REP	91-04-012	460-46A-061	NEW	91-04-011	468-38-410	REP-P	91-06-078
460-31A-625	REP	91-04-012	460-46A-065	NEW	91-04-011	468-38-410	REP	91-10-023
460-31A-630	REP	91-04-012	460-46A-071	NEW	91-04-011	468-54-020	AMD-P	91-12-031
460-31A-635	REP	91-04-012	460-46A-072	NEW	91-04-011	468-54-020	AMD	91-18-023
460-31A-640	REP	91-04-012	460-46A-095	AMD	91-04-011	468-54-040	AMD-P	91-12-031
460-31A-645	REP	91-04-012	460-46A-110	AMD	91-04-011	468-54-040	AMD	91-18-023
460-31A-650	REP	91-04-012	463-06-010	AMD	91-03-090	468-54-050	AMD-P	91-12-031
460-31A-655	REP	91-04-012	463-10-010	AMD	91-03-090	468-54-050	AMD	91-18-023
460-31A-660	REP	91-04-012	463-14-030	AMD	91-03-090	468-54-065	AMD-P	91-12-031
460-31A-665	REP	91-04-012	463-14-080	AMD	91-03-090	468-54-065	AMD	91-18-023
460-31A-670	REP	91-04-012	463-18-020	AMD	91-03-090	468-54-070	AMD-P	91-12-031
460-31A-675	REP	91-04-012	463-26-120	AMD	91-03-090	468-54-070	AMD	91-18-023
460-31A-680	REP	91-04-012	463-26-130	AMD	91-03-090	468-70-030	AMD-P	91-13-024
460-31A-685	REP	91-04-012	463-28-060	AMD	91-03-090	468-70-030	AMD	91-17-012
460-31A-690	REP	91-04-012	463-28-080	AMD	91-03-090	468-70-050	AMD-P	91-13-024
460-31A-695	REP	91-04-012	463-38-041	AMD	91-03-090	468-70-050	AMD	91-17-012
460-31A-700	REP	91-04-012	463-38-042	AMD	91-03-090	468-70-060	AMD-P	91-13-024
460-31A-705	REP	91-04-012	463-38-063	AMD	91-03-090	468-70-060	AMD	91-17-012
460-31A-710	REP	91-04-012	463-39-130	REP	91-03-090	468-70-070	AMD-P	91-13-024
460-31A-715	REP	91-04-012	463-39-150	AMD	91-03-090	468-70-070	AMD	91-17-012
460-31A-720	REP	91-04-012	463-42-680	NEW-P	91-03-132	468-300-010	AMD-P	91-14-031
460-31A-725	REP	91-04-012	463-42-680	NEW	91-09-040	468-300-010	AMD-E	91-14-032
460-31A-730	REP	91-04-012	463-43-060	AMD	91-03-090	468-300-010	AMD	91-18-022
460-34A-010	REP	91-04-012	463-47-060	AMD	91-03-090	468-300-020	AMD-P	91-14-031
460-34A-015	REP	91-04-012	463-50-030	AMD	91-03-090	468-300-020	AMD-E	91-14-032
460-34A-020	REP	91-04-012	463-54-070	AMD	91-03-090	468-300-020	AMD	91-18-022
460-34A-025	REP	91-04-012	463-58-030	AMD	91-03-090	468-300-040	AMD-P	91-14-031
460-34A-030	REP	91-04-012	467-01-010	AMD-P	91-19-066	468-300-040	AMD-E	91-14-032
460-34A-035	REP	91-04-012	467-01-020	NEW-P	91-19-066	468-300-040	AMD	91-18-022
460-34A-037	REP	91-04-012	467-01-030	NEW-P	91-19-066	468-300-070	AMD-P	91-14-031
460-34A-040	REP	91-04-012	467-01-040	NEW-P	91-19-066	468-300-070	AMD-E	91-14-032
460-34A-045	REP	91-04-012	467-01-050	NEW-P	91-19-066	468-300-070	AMD	91-18-022
460-34A-050	REP	91-04-012	467-01-060	NEW-P	91-19-066	478-116-020	AMD-P	91-06-092
460-34A-055	REP	91-04-012	467-02-010	AMD-P	91-19-066	478-116-020	AMD	91-11-029
460-34A-060	REP	91-04-012	467-02-030	AMD-P	91-19-066	478-116-020	AMD	91-12-047
460-34A-065	REP	91-04-012	467-02-040	REP-P	91-19-066	478-116-055	AMD-P	91-06-092
460-34A-070	REP	91-04-012	467-02-050	AMD-P	91-19-066	478-116-055	AMD	91-11-029
460-34A-075	REP	91-04-012	467-02-060	REP-P	91-19-066	478-116-055	AMD	91-12-047
460-34A-080	REP	91-04-012	467-02-070	AMD-P	91-19-066	478-116-080	AMD-P	91-06-092
460-34A-085	REP	91-04-012	467-02-080	AMD-P	91-19-066	478-116-080	AMD	91-11-029
460-34A-090	REP	91-04-012	467-02-100	REP-P	91-19-066	478-116-080	AMD	91-12-047
460-34A-095	REP	91-04-012	467-02-120	AMD-P	91-19-066	478-116-085	REP-P	91-06-092
460-34A-100	REP	91-04-012	467-02-130	AMD-P	91-19-066	478-116-085	REP	91-11-029
460-34A-105	REP	91-04-012	468-16-010	NEW	91-04-014	478-116-085	REP	91-12-047



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478-116-088	NEW	91-11-029	478-160-175	AMD	91-16-001	479-216-050	NEW-P	91-20-055
478-116-090	AMD-P	91-06-092	478-160-180	REP-P	91-11-057	479-216-050	NEW-E	91-20-056
478-116-090	AMD	91-11-029	478-160-180	REP	91-16-001	479-216-100	NEW-P	91-20-055
478-116-090	AMD	91-12-047	478-160-185	REP-P	91-11-057	479-216-100	NEW-E	91-20-056
478-116-110	AMD-P	91-06-092	478-160-185	REP	91-16-001	479-216-150	NEW-P	91-20-055
478-116-110	AMD	91-11-029	478-160-190	AMD-P	91-11-057	479-216-150	NEW-E	91-20-056
478-116-110	AMD	91-12-047	478-160-190	AMD	91-16-001	479-216-200	NEW-P	91-20-055
478-116-130	AMD-P	91-06-092	478-160-195	REP-P	91-11-057	479-216-200	NEW-E	91-20-056
478-116-130	AMD	91-11-029	478-160-195	REP	91-16-001	479-216-250	NEW-P	91-20-055
478-116-130	AMD	91-12-047	478-250-010	NEW-P	91-04-058	479-216-250	NEW-E	91-20-056
478-116-160	AMD-P	91-06-092	478-250-010	NEW	91-10-031	479-216-300	NEW-P	91-20-055
478-116-160	AMD	91-11-029	478-250-020	NEW-P	91-04-058	479-216-300	NEW-E	91-20-056
478-116-160	AMD	91-12-047	478-250-020	NEW-W	91-17-051	479-216-350	NEW-P	91-20-055
478-116-210	AMD-P	91-06-092	478-250-050	NEW-P	91-04-058	479-216-350	NEW-E	91-20-056
478-116-210	AMD	91-11-029	478-250-050	NEW	91-10-031	479-310-010	NEW-P	91-20-055
478-116-210	AMD	91-12-047	478-250-060	NEW-P	91-04-058	479-310-010	NEW-E	91-20-056
478-116-230	AMD-P	91-06-092	478-250-060	NEW	91-10-031	479-310-050	NEW-P	91-20-055
478-116-230	AMD	91-11-029	478-250-070	NEW-P	91-04-058	479-310-050	NEW-E	91-20-056
478-116-230	AMD	91-12-047	478-250-070	NEW	91-10-031	479-310-100	NEW-P	91-20-055
478-116-240	AMD-P	91-06-092	478-276-010	AMD-P	91-04-058	479-310-100	NEW-E	91-20-056
478-116-240	AMD	91-11-029	478-276-010	AMD	91-10-031	479-310-150	NEW-P	91-20-055
478-116-240	AMD	91-12-047	478-276-040	AMD-P	91-04-058	479-310-150	NEW-E	91-20-056
478-116-250	AMD-P	91-06-092	478-276-040	AMD	91-10-031	479-310-200	NEW-P	91-20-055
478-116-250	AMD	91-11-029	478-276-060	AMD-P	91-04-058	479-310-200	NEW-E	91-20-056
478-116-250	AMD	91-12-047	478-276-060	AMD	91-10-031	479-312-010	NEW-P	91-20-055
478-116-260	AMD-P	91-06-092	478-276-080	AMD-P	91-04-058	479-312-010	NEW-E	91-20-056
478-116-260	AMD	91-11-029	478-276-080	AMD	91-10-031	479-312-050	NEW-P	91-20-055
478-116-260	AMD	91-12-047	478-276-100	AMD-P	91-04-058	479-312-050	NEW-E	91-20-056
478-116-300	AMD-P	91-06-092	478-276-100	AMD	91-10-031	479-312-100	NEW-P	91-20-055
478-116-300	AMD	91-11-029	478-276-110	AMD-P	91-04-058	479-312-100	NEW-E	91-20-056
478-116-300	AMD	91-12-047	478-276-110	AMD	91-10-031	479-312-150	NEW-P	91-20-055
478-116-360	AMD-P	91-06-092	478-276-130	REP-P	91-04-058	479-312-150	NEW-E	91-20-056
478-116-360	AMD	91-11-029	478-276-130	REP	91-10-031	479-312-200	NEW-P	91-20-055
478-116-360	AMD	91-12-047	479-02-010	NEW-P	91-10-037	479-312-200	NEW-E	91-20-056
478-116-390	AMD-P	91-06-092	479-02-010	NEW	91-13-056	479-312-250	NEW-P	91-20-055
478-116-390	AMD	91-11-029	479-02-020	NEW-P	91-10-037	479-312-250	NEW-E	91-20-056
478-116-390	AMD	91-12-047	479-02-020	NEW	91-13-056	479-312-300	NEW-P	91-20-055
478-116-450	AMD-P	91-06-092	479-02-030	NEW-P	91-10-037	479-312-300	NEW-E	91-20-056
478-116-450	AMD	91-11-029	479-02-030	NEW	91-13-056	479-316-010	NEW-P	91-20-055
478-116-450	AMD	91-12-047	479-02-050	NEW-P	91-10-037	479-316-010	NEW-E	91-20-056
478-116-455	NEW-P	91-06-092	479-02-050	NEW	91-13-056	479-316-050	NEW-P	91-20-055
478-116-455	NEW-W	91-19-080	479-02-060	NEW-P	91-10-037	479-316-050	NEW-E	91-20-056
478-116-463	NEW-P	91-06-092	479-02-060	NEW	91-13-056	479-316-100	NEW-P	91-20-055
478-116-463	NEW-W	91-19-080	479-02-070	NEW-P	91-10-037	479-316-100	NEW-E	91-20-056
478-116-470	AMD-P	91-06-092	479-02-070	NEW	91-13-056	479-316-200	NEW-P	91-20-055
478-116-470	AMD-W	91-19-080	479-02-080	NEW-P	91-10-037	479-316-200	NEW-E	91-20-056
478-116-520	AMD-P	91-06-092	479-02-080	NEW	91-13-056	479-316-250	NEW-P	91-20-055
478-116-520	AMD	91-11-029	479-02-090	NEW-P	91-10-037	479-316-250	NEW-E	91-20-056
478-116-520	AMD	91-12-047	479-02-090	NEW	91-13-056	479-316-300	NEW-P	91-20-055
478-116-540	AMD-P	91-06-092	479-02-100	NEW-P	91-10-037	479-316-300	NEW-E	91-20-056
478-116-540	AMD-W	91-19-080	479-02-100	NEW	91-13-056	479-320-050	NEW-P	91-20-055
478-116-584	AMD-P	91-06-092	479-02-110	NEW-P	91-10-037	479-320-050	NEW-E	91-20-056
478-116-584	AMD	91-11-029	479-02-110	NEW	91-13-056	479-320-100	NEW-P	91-20-055
478-116-584	AMD	91-12-047	479-02-120	NEW-P	91-10-037	479-320-100	NEW-E	91-20-056
478-116-586	AMD-P	91-06-092	479-02-120	NEW	91-13-056	479-320-150	NEW-P	91-20-055
478-116-586	AMD	91-11-029	479-02-130	NEW-P	91-10-037	479-320-150	NEW-E	91-20-056
478-116-586	AMD	91-12-047	479-02-130	NEW	91-13-056	479-320-200	NEW-P	91-20-055
478-116-588	AMD-P	91-06-092	479-02-140	NEW-P	91-10-037	479-320-200	NEW-E	91-20-056
478-116-588	AMD	91-11-029	479-02-140	NEW	91-13-056	480-04-100	AMD-P	91-03-098
478-116-588	AMD	91-12-047	479-210-010	NEW-P	91-20-055	480-04-100	AMD	91-07-025
478-116-600	REP-P	91-06-092	479-210-010	NEW-E	91-20-056	480-09-015	AMD-P	91-02-105
478-116-600	REP	91-11-029	479-210-100	NEW-P	91-20-055	480-09-015	AMD	91-06-010
478-116-600	REP	91-12-047	479-210-100	NEW-E	91-20-056	480-09-100	AMD-P	91-02-105
478-116-601	AMD-P	91-06-092	479-210-150	NEW-P	91-20-055	480-09-100	AMD	91-06-010
478-116-601	AMD	91-11-029	479-210-150	NEW-E	91-20-056	480-09-115	NEW-P	91-17-092
478-116-601	AMD	91-12-047	479-210-200	NEW-P	91-20-055	480-09-120	AMD-P	91-02-105
478-124	AMD-C	91-09-012	479-210-200	NEW-E	91-20-056	480-09-120	AMD	91-06-010
478-124-020	AMD-P	91-05-069	479-210-250	NEW-P	91-20-055	480-09-120	AMD-P	91-17-092
478-124-020	AMD	91-10-030	479-210-250	NEW-E	91-20-056	480-09-125	NEW-P	91-03-100
478-124-030	AMD-P	91-05-069	479-210-300	NEW-P	91-20-055	480-09-125	NEW	91-07-026
478-124-030	AMD	91-10-030	479-210-300	NEW-E	91-20-056	480-09-230	AMD-P	91-17-092
478-136-030	AMD-P	91-10-086	479-210-350	NEW-P	91-20-055	480-09-425	AMD-P	91-17-092
478-136-030	AMD-W	91-11-025	479-210-350	NEW-E	91-20-056	480-09-440	AMD-P	91-02-105
478-136-030	AMD	91-14-024	479-210-400	NEW-P	91-20-055	480-09-440	AMD	91-06-010
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480-09-510	AMD	91-06-010	480-120-138	AMD	91-13-078	490-100-170	AMD	91-08-029
480-09-520	NEW-P	91-03-097	480-120-141	AMD-S	91-03-122	490-100-180	AMD-E	91-03-037
480-09-520	NEW	91-07-024	480-120-141	AMD	91-13-078	490-100-180	AMD-P	91-05-077
480-09-610	AMD-P	91-02-105	480-120-141	AMD-P	91-17-091	490-100-180	AMD	91-08-029
480-09-610	AMD	91-06-010	480-120-141	AMD	91-20-162	490-100-200	AMD-E	91-03-037
480-09-736	AMD-P	91-02-105	480-120-143	NEW	91-13-078	490-100-200	AMD-P	91-05-077
480-09-736	AMD	91-06-010	480-120-400	NEW	91-03-052	490-100-200	AMD	91-08-029
480-09-820	AMD-P	91-17-092	480-120-405	NEW	91-03-052	490-100-205	AMD-E	91-03-037
480-12-003	AMD-P	91-10-081	480-120-410	NEW	91-03-052	490-100-205	AMD-P	91-05-077
480-12-003	AMD	91-13-077	480-120-415	NEW	91-03-052	490-100-205	AMD	91-08-029
480-12-030	AMD-P	91-06-009	480-120-420	NEW	91-03-052	490-100-208	AMD-E	91-03-037
480-12-030	AMD	91-09-038	480-120-425	NEW	91-03-052	490-100-208	AMD-P	91-05-077
480-12-033	AMD-P	91-06-009	480-120-430	NEW	91-03-052	490-100-208	AMD	91-08-029
480-12-033	AMD	91-09-038	480-120-435	NEW	91-03-052	490-100-210	AMD-E	91-03-037
480-12-130	AMD-P	91-16-090	480-140-020	AMD-P	91-03-099	490-100-210	AMD-P	91-05-077
480-12-130	AMD	91-19-089	480-140-020	AMD	91-08-026	490-100-210	AMD	91-08-029
480-12-315	REP	91-06-071	480-140-040	AMD-P	91-03-099	490-100-220	AMD-E	91-03-037
480-12-322	REP-W	91-08-060	480-140-040	AMD	91-08-026	490-100-220	AMD-P	91-05-077
480-12-500	NEW	91-03-101	490-100-010	AMD-E	91-03-037	490-100-220	AMD	91-08-029
480-12-510	NEW	91-03-101	490-100-010	AMD-P	91-05-077	490-100-250	AMD-E	91-03-037
480-12-520	NEW	91-03-101	490-100-010	AMD	91-08-029	490-100-250	AMD-P	91-05-077
480-30-032	NEW-P	91-17-092	490-100-012	REP-E	91-03-037	490-100-250	AMD	91-08-029
480-50-035	NEW-P	91-17-092	490-100-012	REP-P	91-05-077	516-13-030	AMD-W	91-04-082
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480-70-130	AMD	91-17-093	490-100-035	AMD	91-08-029			
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480-70-280	AMD	91-03-053	490-100-050	AMD-P	91-05-077			
480-70-330	AMD	91-03-053	490-100-050	AMD	91-08-029			
480-70-340	AMD	91-03-053	490-100-060	AMD-E	91-03-037			
480-70-350	AMD	91-03-053	490-100-060	AMD-P	91-05-077			
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480-70-400	AMD	91-03-053	490-100-070	AMD-P	91-05-077			
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480-70-420	AMD	91-03-053	490-100-070	AMD-E	91-03-037			
480-70-440	AMD	91-03-053	490-100-080	AMD-P	91-05-077			
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480-70-710	NEW-W	91-14-013	490-100-100	AMD	91-08-029			
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480-120-106	AMD	91-13-078	490-100-140	AMD	91-08-029			
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