

# Washington State Register

DECEMBER 20, 1995

OLYMPIA, WASHINGTON

ISSUE 95-24



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filed not later than December 6, 1995

## CITATION

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

## PUBLIC INSPECTION OF DOCUMENTS

A copy of each document filed with the code reviser's office, pursuant to chapter 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

(Computed and filed by the State Treasurer under RCW 19.52.025)

The maximum allowable interest rate applicable for the month of December 1995 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.

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# WASHINGTON STATE REGISTER

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

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*Subscription Clerk*

## STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

### 1. ARRANGEMENT OF THE REGISTER

The Register is arranged in the following six sections:

- (a) **PREPROPOSAL**-includes the Preproposal Statement of Inquiry that will be used to solicit public comments on a general area of proposed rule making before the agency files a formal notice.
- (b) **PROPOSED**-includes the full text of formal proposals, continuances, supplemental notices, and withdrawals.
- (c) **PERMANENT**-includes the full text of permanently adopted rules.
- (d) **EMERGENCY**-includes the full text of emergency rules and rescissions.
- (e) **MISCELLANEOUS**-includes notice of public meetings of state agencies, rules coordinator notifications, summaries of attorney general opinions, executive orders and emergency declarations of the governor, rules of the state Supreme Court, and other miscellaneous documents filed with the code reviser's office under RCW 34.08.020 and 42.30.075.
- (f) **TABLE**-includes a cumulative table of the WAC sections that are affected in the current year.
- (g) **INDEX**-includes a combined subject matter and agency index.

Documents are arranged within each section 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 with a section's material.

### 2. 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 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**.

### 3. MISCELLANEOUS MATERIAL NOT FILED UNDER THE ADMINISTRATIVE PROCEDURE ACT

Material contained in the Register other than rule-making actions taken under the APA (chapter 34.05 RCW) 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.

### 4. EFFECTIVE DATE OF RULES

- (a) Permanently adopted agency rules normally take effect thirty-one 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.

### 5. 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].

**1995 - 1996**  
**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		
<i>For Inclusion in--</i>	<i>File no later than 12:00 NOON--</i>			<i>Count 20 days from--</i>	<i>For hearing on or after</i>
95-16	Jul 5	Jul 19	Aug 2	Aug 16	Sep 5
95-17	Jul 26	Aug 9	Aug 23	Sep 6	Sep 26
95-18	Aug 9	Aug 23	Sep 6	Sep 20	Oct 10
95-19	Aug 23	Sep 6	Sep 20	Oct 4	Oct 24
95-20	Sep 6	Sep 20	Oct 4	Oct 18	Nov 7
95-21	Sep 20	Oct 4	Oct 18	Nov 1	Nov 21
95-22	Oct 4	Oct 18	Nov 1	Nov 15	Dec 5
95-23	Oct 25	Nov 8	Nov 22	Dec 6	Dec 26
95-24	Nov 8	Nov 22	Dec 6	Dec 20	Jan 9, 1996
96-01	Nov 22	Dec 6	Dec 20, 1995	Jan 3, 1996	Jan 23
96-02	Dec 6	Dec 20, 1995	Jan 3, 1996	Jan 17	Feb 6
96-03	Dec 27, 1995	Jan 10, 1996	Jan 24	Feb 7	Feb 27
96-04	Jan 10	Jan 24	Feb 7	Feb 21	Mar 12
96-05	Jan 24	Feb 7	Feb 21	Mar 6	Mar 26
96-06	Feb 7	Feb 21	Mar 6	Mar 20	Apr 9
96-07	Feb 21	Mar 6	Mar 20	Apr 3	Apr 23
96-08	Mar 6	Mar 20	Apr 3	Apr 17	May 7
96-09	Mar 20	Apr 3	Apr 17	May 1	May 21
96-10	Apr 3	Apr 17	May 1	May 15	Jun 4
96-11	Apr 24	May 8	May 22	Jun 5	Jun 25
96-12	May 8	May 22	Jun 5	Jun 19	Jul 9
96-13	May 22	Jun 5	Jun 19	Jul 3	Jul 23
96-14	Jun 5	Jun 19	Jul 3	Jul 17	Aug 6
96-15	Jun 26	Jul 10	Jul 24	Aug 7	Aug 27
96-16	Jul 10	Jul 24	Aug 7	Aug 21	Sep 10
96-17	Jul 24	Aug 7	Aug 21	Sep 4	Sep 24
96-18	Aug 7	Aug 21	Sep 4	Sep 18	Oct 8
96-19	Aug 21	Sep 4	Sep 18	Oct 2	Oct 22
96-20	Sep 4	Sep 18	Oct 2	Oct 16	Nov 5
96-21	Sep 25	Oct 9	Oct 23	Nov 6	Nov 26
96-22	Oct 9	Oct 23	Nov 6	Nov 20	Dec 10
96-23	Oct 23	Nov 6	Nov 20	Dec 4	Dec 24
96-24	Nov 6	Nov 20	Dec 4	Dec 18	Jan 7, 1997

<sup>1</sup>All documents are due at the code reviser's office by 12:00 noon 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.

## **REGULATORY FAIRNESS ACT**

The Regulatory Fairness Act, chapter 19.85 RCW, was enacted in 1982 to minimize the impact of state regulations on small business. Amended in 1994, the act requires a small business economic impact analysis of proposed rules that impose more than a minor cost on twenty percent of the businesses in all industries, or ten percent of the businesses in any one industry. The Regulatory Fairness Act defines industry as businesses within a four digit SIC classification, and for the purpose of this act, small business is defined by RCW 19.85.020 as "any business entity, including a sole proprietorship, corporation, partnership, or other legal entity, that is owned and operated independently from all other businesses, that has the purpose of making a profit, and that has fifty or fewer employees."

### **Small Business Economic Impact Statements (SBEIS)**

A small business economic impact statement (SBEIS) must be prepared by state agencies when a proposed rule meets the above criteria. Chapter 19.85 RCW requires the Washington State Business Assistance Center (BAC) to develop guidelines for agencies to use in determining whether the impact of a rule is more than minor and to provide technical assistance to agencies in developing a SBEIS. All permanent rules adopted under the Administrative Procedure Act, chapter 34.05 RCW, must be reviewed to determine if the requirements of the Regulatory Fairness Act apply; if an SBEIS is required it must be completed before permanent rules are filed with the Office of the Code Reviser.

### **Mitigation**

In addition to completing the economic impact analysis for proposed rules, state agencies must take reasonable, legal, and feasible steps to reduce or mitigate the impact of rules on small businesses when there is a disproportionate impact on small versus large business. State agencies are encouraged to reduce the economic impact of rules on small businesses when possible and when such steps are in keeping with the stated intent of the statute(s) being implemented by proposed rules. Since 1994, small business economic impact statements must contain a list of the mitigation steps taken, or reasonable justification for not taking steps to reduce the impact of rules on small businesses.

### **When is an SBEIS Required?**

When:

The proposed rule has more than a minor (as defined by the BAC) economic impact on businesses in more than twenty percent of all industries or more than ten percent of any one industry.

### **When is an SBEIS Not Required?**

When:

The rule is proposed only to comply or conform with a federal law or regulation, and the state has no discretion in how the rule is implemented;

There is less than minor economic impact on business;

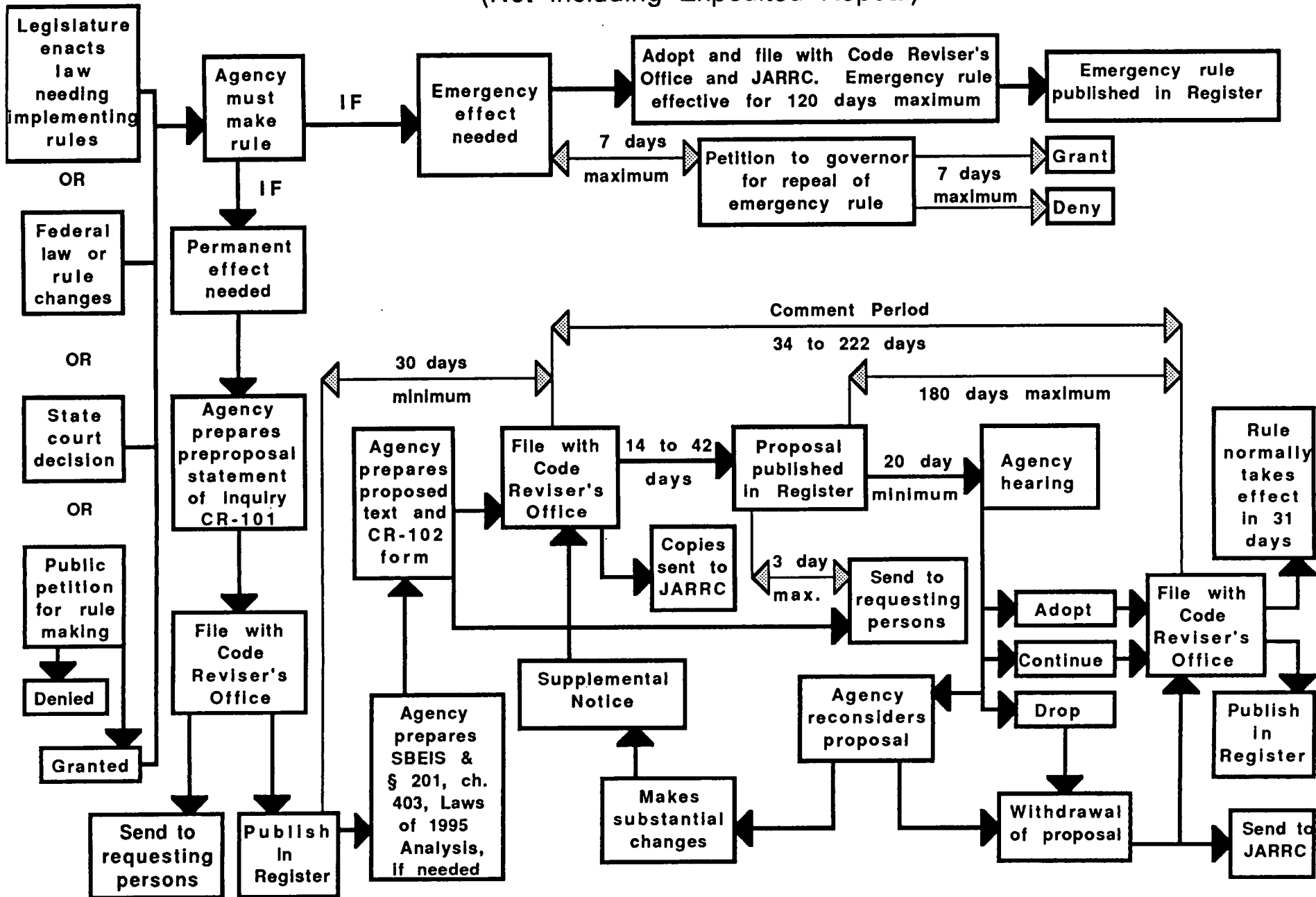
The rule REDUCES costs to business (although an SBEIS may be a useful tool for demonstrating this reduced impact);

The rule is adopted as an emergency rule, although an SBEIS may be required when an emergency rule is proposed for adoption as a permanent rule; or

The rule is pure restatement of state statute.

# RULE-MAKING PROCESS

(Not including Expedited Repeal)



**WSR 95-24-010**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Public Assistance)

[Filed November 22, 1995, 4:30 p.m.]

Subject of Possible Rule Making: WAC 388-49-020 Definitions.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To conform the definition of recent work history to the ACES methodology.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Internal (management) and external (field staff) review process whereby draft material is distributed for review and comment. All comments are taken into consideration before final rule is issued.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Charles Henderson, Program Manager, Food Stamp Program Section, Division of Income Assistance, Mailstop 45400, phone (360) 438-8325, FAX (360) 438-8258.

November 22, 1995

Jeanette Sevedge-App

Acting Chief

Office of Vendor Services

**WSR 95-24-011**  
**PREPROPOSAL STATEMENT OF INTENT**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Public Assistance)

[Filed November 22, 1995, 4:31 p.m.]

Subject of Possible Rule Making: WAC 388-250-1700 Standards of assistance—Supplemental security income.

Specific Statutory Authority for New Rule: In the 1995 budget bill the legislature approved conversion to the "total expenditure method" to compute the amount of the supplemental security income (SSI) state supplement payment.

Reasons Why the New Rule is Needed: Under the "total expenditure method" of computing the SSI state supplement, the Department of Social and Health Services (DSHS) must adjust projected expenditures for 1996 to meet, but not exceed, 1995 expenditures.

Goals of New Rule: Adjust state costs for the SSI state supplement in 1996 to meet 1995 total expenditures by increasing the payment in each category by 5.8 percent. The department will be able to increase state supplement payments in 1996 as we can use the entire twelve months to make adjustments for projected caseload increases. We plan to make no further changes to the SSI state supplement in 1996 unless actual expenditures exceed caseload projections.

Process for Developing New Rule: Agency study, internal (management) and external (field staff) review process whereby draft material is distributed for review and comment. All comments are taken into consideration before

the final rule is issued; and legislative decision in the 1995 budget bill.

How Interested Parties can Participate in Formulation of the New Rule: By contacting Barbara Hargrave, SSI Program Manager, Division of Income Assistance, P.O. Box 45400, Olympia, WA 98504, (360) 438-8317 or FAX (360) 438-8258.

November 22, 1995

Jeanette Sevedge-App

Acting Chief

Office of Vendor Services

**WSR 95-24-012**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Public Assistance)

[Filed November 22, 1995, 4:32 p.m.]

Subject of Possible Rule Making: WAC 388-218-1230 Disregarded income types.

Statutes Authorizing the Agency to Adopt Rules on this Subject: 45 CFR 233.20 (a)(3)(iv)(F).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amendment of the rule clarifies the distinction between cash gifts donated with no specific intent and cash gifts donated for a specific purpose that do not duplicate items contained in the department's need standard.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other agency regulates this subject.

Process for Developing New Rule: Agency study, internal (management) and external (field staff) review process whereby draft material is distributed for review and comment. All comments are taken into consideration before the final rule is issued.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rena Milare, Program Manager, AFDC/Refugee Assistance Section, Division of Income Assistance, P.O. Box 45400, Olympia, WA 98504-5400, phone (360) 438-8311, FAX (360) 438-8258.

November 22, 1995

Jeanette Sevedge-App

Acting Chief

Office of Vendor Services

**WSR 95-24-023**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**STATE BOARD OF EDUCATION**

[Filed November 27, 1995, 3:52 p.m.]

Subject of Possible Rule Making: Chapter 180-79 WAC, Professional certification—Preparation requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.410.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed amendment to this section provides for a transition period for the implementation of changes to endorsement requirements.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other federal or state agency regulates this subject.

Process for Developing New Rule: Early solicitation of public comments and recommendations respecting new, amended or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by sending written comments to Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, FAX (360) 586-2357, TDD (360) 664-3631. For telephone assistance contact Larry Davis, (360) 753-6715.

November 27, 1995  
Larry Davis  
Executive Director

**WSR 95-24-030**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Public Assistance)

[Filed November 28, 1995, 1:25 p.m.]

Subject of Possible Rule Making: WAC 388-215-1600 Assistance units and 388-215-1610 Assistance units—Optional members.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050 Department to administer public assistance programs, section 406(a) and 407(a) of the Social Security Act Definitions.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Department of Social and Health Services had decided to amend its assistance unit rules for the aid to families with dependent children (AFDC) program to be consistent with the State Court of Appeals decision in *Sams v. DSHS*. In addition, the Department of Social and Health Services has decided to settle existing claims filed by families who have been adversely affected by the policy which the *Sams* court found to be inconsistent with federal law. These settlements will include the continuation of assistance for dependent children adversely affected by the current rule as well as forgiving any debts incurred by the families which resulted from the application of the current rule.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other agency regulates this subject.

Process for Developing New Rule: Agency study, internal (management) and external (field staff) review process whereby draft material is distributed for review and comment. All comments are taken into consideration before the final rule is issued.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before

publication by contacting Kevin Sullivan, Program Manager, AFDC/Refugee Assistance Section, Division of Income Assistance, P.O. Box 45400, Olympia, WA 98504-5400, phone (360) 438-8312, FAX (360) 438-8258.

November 28, 1995  
Sydney Doré  
for Jeanette Sevedge-App  
Acting Chief  
Office of Vendor Services

**WSR 95-24-031**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Public Assistance)

[Filed November 28, 1995, 1:26 p.m.]

Subject of Possible Rule Making: WAC 388-290-135(2) is amended to allow recipients of JOBS and income assistance child care programs to receive continued child care benefits pending a fair hearing.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 45 CFR 255.4(f).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 388-47 WAC, JOBS opportunity and basic skills training program, was written and adopted at the same time as chapter 388-290 WAC. Chapter 388-47 WAC provides for continued child care benefits for JOBS and income assistance recipients pending a fair hearing. The discrepancy between the chapters was not noticed until after adoption.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Dan B. Gadman, Division of Employment and Social Services, 1009 College Street S.E., Lacey, WA 98504, phone (360) 438-8442, FAX (360) 438-8379.

November 28, 1995  
Sydney Doré  
for Jeanette Sevedge-App  
Acting Chief  
Office of Vendor Services

**WSR 95-24-032**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF ECOLOGY**

[Order 95-15—Filed November 28, 1995, 2:22 p.m.]

Subject of Possible Rule Making: Review of existing requirements that certain gas stations install and maintain Stage II gasoline vapor recovery systems under chapter 173-491 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.94.331.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This review is being conducted in response to stakeholder concerns with the existing regulation. This review is expected to result in rule revisions which will clarify and may alter which stations will



be required to install and maintain Stage II gasoline vapor recovery systems. Phase-out of the Stage II requirement is likely to be addressed.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The federal government does not require Stage II in Washington state, but does require existing ozone nonattainment areas to have approved maintenance plans. Maintenance plans in the central Puget Sound region and greater Vancouver nonattainment areas are based on continued implementation of Stage II.

Process for Developing New Rule: Agency standard rule development process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. An advisory committee of interested groups has been established for this review. For information, please contact Jim Crawford, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, (360) 407-6862.

November 22, 1995

D. J. Patin  
Assistant Director

**WSR 95-24-035**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Public Assistance)

[Filed November 29, 1995, 3:58 p.m.]

Subject of Possible Rule Making: WAC 388-49-500 Income—Deductions.

Statutes Authorizing the Agency to Adopt Rules on this Subject: United States Department of Agriculture; Administrative Notice 96-03.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agriculture appropriation bill signed October 21, 1995, reduces the standard deduction in the food stamp program from \$138 to \$134.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: This rule will reduce the standard deduction from \$138 to \$134 effective December 1, 1995.

Process for Developing New Rule: Internal (management) and external (field staff) review process whereby draft material is distributed for review and comment. All comments are taken into consideration before final rule is issued.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Charles Henderson, Program Manager, Food Stamp Program Section, Division of Income Assistance, Mailstop 45400, phone (360) 438-8325, FAX (360) 438-8258.

November 29, 1995  
Sydney Doré  
for Jeanette Sevedge-App  
Acting Chief  
Office of Vendor Services

**WSR 95-24-051**

**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF REVENUE**

[Filed December 1, 1995, 9:48 a.m.]

Subject of Possible Rule Making: WAC 485-20-174, 458-20-17401, and 458-20-180. These existing rules will be amended. These rules explain how motor carriers are taxable on purchases of vehicles, equipment, and supplies. WAC 458-20-180 explains the public utility tax which applies to motor carriers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 82.32.300. These rules also implement RCW 82.08.0262, [82.08.]0263, and 82.12.0254 as well as chapter 82.16 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We plan to amend these existing rules. WAC 458-20-174 and 458-20-17401 require revision to incorporate 1995 legislation which removed the requirement for motor carriers to obtain trip permits on the first use of vehicles as a condition for retail sales tax exemption or that the first haul be in interstate commerce. WAC 458-20-180 requires revision to explain in more detail the distinction between urban transportation and motor transportation as well as interstate deductions.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other federal or state agencies specifically impose a retail sales, use tax, or public utility tax. However, the Washington Utilities and Transportation Commission (UTC) regulates motor carriers. We will keep that agency advised as we proceed and, to the extent possible within state law, we will attempt to use common definitions and be consistent with that agency's rules.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Written comments should be submitted by the public meeting date to ensure full consideration, but will be accepted if received prior to two weeks of the date of adoption. Written comments may be submitted by mail, FAX, or at the public meeting. Oral comments will be accepted at the public meeting or later public hearing. A preliminary draft of the proposed changes is available. Written comments on and/or requests for copies of the rule may be directed to Roseanna Hodson, Legislation and Policy, P.O. Box 47467, Olympia, WA 98504-7467, phone (360) 586-4281, FAX (360) 664-0693. Les Jaster will be doing the drafting, (360) 586-7150. Location and Date of Public Meeting: On January 18, 1996, at 10:00 a.m., at the General Administration Building, Revenue Conference Room 402, 210 11th and Columbia Street, Olympia, WA.

December 1, 1995

Les Jaster  
Rules Coordinator

December 1, 1995  
Les Jaster  
Rules Coordinator

**WSR 95-24-052**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF REVENUE**  
[Filed December 1, 1995, 9:50 a.m.]

Subject of Possible Rule Making: WAC 458-20-199 Accounting methods. This will be an amendment to an existing rule which explains the accounting methods that may be used in reporting excise and retail sales taxes to the Department of Revenue.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 82.32.300. This rule also implements RCW 82.04.090 and 82.08.100.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We plan to amend this existing rule. RCW 82.04.090 requires that taxpayers report the business and occupation (B&O) tax under either a cash basis or accrual basis, depending on the method of accounting generally employed by the business. RCW 82.08.100 allows taxpayers to report retail sales tax on a cash basis if the records are generally kept on a cash basis. It can be difficult to determine from the accounting records if the records are generally being kept on a cash basis, particularly for small businesses with less sophisticated records. The rule is being amended to allow a rebuttable presumption that the records are generally being kept on a cash basis if federal income tax returns are prepared on a cash basis.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other federal or state agencies specifically impose a B&O tax or a sales or use tax. However, the Internal Revenue Service has regulations dealing with methods of accounting which may be used by business in reporting federal income taxes. We will review those regulations and, to the extent possible within state law, write this rule to be consistent with federal regulations. This is one of the reasons we are amending the rule at this time. The Washington Utilities and Transportation Commission (UTC) regulates utilities. We will compare the Department of Revenue acceptable methods of accounting for utilities with those used by UTC. We will advise that agency of our proposed changes.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication: Written comments should be submitted by the public meeting date to ensure full consideration, but will be accepted if received prior to two weeks of the date of adoption. Written comments may be submitted by mail, FAX, or at the public meeting. Oral comments will be accepted at the public meeting or later public hearing. A preliminary draft of the proposed changes is available. Written comments on and/or requests for copies of the rule may be directed to Roseanna Hodson, Legislation and Policy, P.O. Box 47467, Olympia, WA 98504-7467, phone (360) 586-4281, FAX (360) 664-0693. Les Jaster will be doing the drafting, (360) 586-7150. Location and date of public meeting: On January 16, 1996, at 10:00 a.m., at the General Administration Building, Revenue Conference Room 402, 210 11th and Columbia Street, Olympia, WA.

**WSR 95-24-053**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Public Assistance)  
[Filed December 1, 1995, 11:08 a.m.]

Subject of Possible Rule Making: WAC 388-49-670 Intentional program violations—Disqualification penalties.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.510.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Recent decision by United States 9th Circuit Court of Appeals impacts food stamp program policy effective December 5, 1995.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: United States Department of Agriculture, Food and Consumer Service advised us of the decision by Administrative Notice.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Dan Ohlson, Program Manager, Food Stamp Program Section, Division of Income Assistance, Mailstop 45400, phone (360) 438-8326, FAX (360) 438-8258.

December 1, 1995  
Sydney Doré  
for Jeanette Sevedge-App  
Acting Chief  
Office of Vendor Services

**WSR 95-24-060**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**STATE BOARD OF HEALTH**  
[Filed December 1, 1995, 4:05 p.m.]

Subject of Possible Rule Making: Laboratory reporting of blood lead levels. Rule which requires all medical laboratories located within the state of Washington, and/or any individual or organization which sends blood specimens to an out-of-state medical laboratory report the results of all blood lead tests on Washington residents to the Department of Health.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.20.050 Powers and duties of State Board of Health.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The current rule which requires all laboratories located within the state of Washington, and/or any individual or organization (including in-state laboratories) which sends blood specimens from Washington residents to an out-of-state medical laboratory to report the results of all blood lead tests to the Department of Health

expires on May 14, 1996. The Department of Health uses these data to maintain a childhood blood lead registry. Test results for adults are forwarded from the Department of Health to the Department of Labor and Industries where an occupational lead exposure registry is maintained by the safety and health assessment research for prevention program. This is a proposal to extend the rule for another thirty-six months. There are two purposes for extending the rule. First, to allow the Department of Health to continue gathering data on blood lead levels in Washington residents. Three more years of data will allow the Department of Health and the Department of Labor and Industries (hereafter referred to as "the agencies") to formulate a lead screening policy based on more complete information. Second, the requirement for blood lead reporting allows the agencies to continue assurance of adequate follow-up activities on individuals with elevated blood lead levels and in communities and occupations where high blood lead levels have been observed. Reporting of test results by the relatively few laboratories which conduct blood lead testing, or send samples to out-of-state labs, is an efficient reporting system, resulting in the transmittal of reports in a timely manner. For individuals with elevated blood lead levels, it is important that follow-up activities occur in a timely fashion to minimize adverse effects of lead poisoning and prevent additional cases.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: There are no other federal or state agencies which regulate the reporting of blood lead levels.

Process for Developing New Rule: A briefing paper will be distributed to the constituent mailing list developed by the agencies. Public meetings will be held in four different regions of the state to allow the public a chance to comment. Meetings will be advertised by constituent mailing list, and possibly through advertising with regional news media. Following the meetings the agencies will brief the State Board of Health.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Victoria DeCillo, M.E.S., Project Manager, Lead Surveillance Program, Washington State Department of Health, Noninfectious Conditions Epidemiology, 1102 S.E. Quince Street, P.O. Box 47812, Olympia, WA 98504, phone (360) 705-6056, FAX (360) 705-6043, Internet: vdc9303@hub.doh.wa.gov. Public meetings will be held during the week of January 16-19 in Spokane, Yakima, Seattle, and Vancouver. Please contact Victoria DeCillo to be included on the mailing list to receive a briefing paper and a list of meeting dates and locations.

November 29, 1995

Sylvia I. Beck

Executive Director

#### WSR 95-24-081

#### PREPROPOSAL STATEMENT OF INQUIRY PUBLIC DISCLOSURE COMMISSION

[Filed December 5, 1995, 8:31 a.m.]

Subject of Possible Rule Making: Definition of contribution, agent, and officer of a political committee.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.17.370(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Initiative 134 instituted limits on the amount contributors may give to candidates for state office as well as legislative caucus and political party committees. In order to implement these limits in a comprehensive manner, the Public Disclosure Commission is obligated to clarify in detail what types of expenditures constitute contributions and, conversely, those that qualify as independent expenditures and are not subject to limit. It is necessary for the commission to amend its current rules defining contribution (WAC 390-05-210), agent (WAC 390-05-190), and adopt a rule defining officer of a candidate's committee or political committee. For the 1995 elections, the commission promulgated emergency rules regarding these issues. Those rules expired in October 1995. After evaluating their effectiveness, the commission will consider permanent adoption of the above referenced rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Clearly distinguish between an independent expenditure and a contribution.

Process for Developing New Rule: Interested individuals are invited to submit written comments by January 12, 1996. A discussion regarding whether to proceed with rule making is scheduled to occur at the commission's meeting on January 23, 1996.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting the Public Disclosure Commission Assistant Director Vicki Rippie at (360) 586-4838 or P.O. Box 40908, Olympia, WA 98504-0908, FAX (360) 753-1112. Attend the meeting referenced above. Written comments submitted on or before the formal public hearing (tentatively expected to occur on February 27, 1996) are also welcome and will be made part of the official record.

December 4, 1995

Melissa Warheit

Executive Director

#### WSR 95-24-082

#### PREPROPOSAL STATEMENT OF INQUIRY PUBLIC DISCLOSURE COMMISSION

[Filed December 5, 1995, 8:34 a.m.]

Subject of Possible Rule Making: Independent expenditures, the reporting of independent expenditures and definition of the term aggregate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.17.370(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In June of 1995, the Public Disclosure Commission adopted emergency rules further defining and applying the term "independent expenditure," thereby clarifying under what circumstances an expenditure that supports or opposes a candidate for state or local office would be considered independent and not subject to any otherwise applicable contribution limit. That emergency rule expired at the end of October 1995. After examining any shortcomings or problems with the rules that were in place

(WAC 390-16-313, 390-16-314 and 390-16-038), the commission will consider adopting permanent rules concerning independent expenditures.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Limits on contributions to state office candidates as well as legislative caucus and political party committees are the foundation of the I-134 reforms approved by voters in 1992. In order to implement these limits in the most meaningful way possible, the commission must clarify and apply the statutory definition of independent expenditures such that candidates and other participants in the campaign process have a clear understanding of when an expenditure is truly independent and not subject to limit. It is necessary to balance every citizen's right to unimpeded free speech with the legal restriction on contributions to candidates, caucus committees and political party committees.

Process for Developing New Rule: Interested persons are invited to submit written comments by January 12, 1996. A discussion regarding whether to proceed with rule making is scheduled to occur at the commission's meeting on January 23, 1996.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting the Public Disclosure Commission Assistant Director Vicki Rippie at (360) 586-4838 or P.O. Box 40908, Olympia, WA 98504-0908, FAX (360) 753-1112. Attend commission meeting referenced above. Written comments submitted on or before the formal public hearing (tentatively expected to occur on February 27, 1996) are also welcome and will be made part of the official record.

December 4, 1995  
Melissa Warheit  
Executive Director

#### WSR 95-24-083

##### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF ECOLOGY

[Order 95-16—Filed December 5, 1995, 9:38 a.m.]

Subject of Possible Rule Making: Amend chapter 197-11 WAC, State Environmental Policy Act rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: ESHB 1724 (Integrating Growth Management Planning and Environmental Review) and chapter 43.21C RCW, State Environmental Policy Act.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: ESHB 1724 directs ecology and the Department of Community, Trade and Economic Development to jointly develop amendments to the SEPA rules. The amendments are intended to provide guidance to local governments in integrating environmental information into comprehensive plans, subarea plans, and development regulations. They are also required to adopt a combined environmental review and permit review process.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Federal agencies: Not applicable. State agencies: Include Departments of Transportation, Fish and Wildlife, and Natural Resources. A subcommittee of state agencies is

meeting and will provide input to the overall advisory committee convened for this rule amendment process.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. For information on receiving periodic updates by mail, or on attending public meetings, contact Neil Aaland, Department of Ecology, Central Programs, P.O. Box 47600, Olympia, WA 98504-7600, (360) 407-7045, e-mail: naal461@ecy.wa.gov.

December 1, 1995  
D. J. Patin  
Assistant Director

#### WSR 95-24-095

##### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Public Assistance)

[Filed December 5, 1995, 4:12 p.m.]

Subject of Possible Rule Making: Establishing rules for the Medicaid pharmacy online claims adjudication system. WAC 388-530-1900 Point-of-sale/perspective drug utilization review.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: A new section is needed to: Explain how the point-of-sale prospective drug utilization review (POS/PRO-DUR) will work to indicate drug problems; list denial messages; adjudicate claims and exempt managed care clients from POS/PRO-DUR.

Process for Developing New Rule: The material will be reviewed by task force and circulated to all interested parties for comment. All comments received before adoption will be considered.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Anne DeJarnette, Administrative Regulations Analyst, Medical Assistance Administration, Mailstop 45530, P.O. Box 45530, Olympia, WA 98504-5530, phone (360) 664-2320, FAX (360) 753-7315, TDD 1-800-848-5429.

December 5, 1995  
Sydney Doré  
for Jeanette Sevedge-App  
Acting Chief  
Office of Vendor Services

#### WSR 95-24-096

##### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Public Assistance)

[Filed December 5, 1995, 4:13 p.m.]

Subject of Possible Rule Making: WAC 388-49-410 Resources—Exempt.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.510.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:

- A new federal rule addresses new exempt resources.
- Two existing rules address the same resource exclusion. One of the duplicative rules is rescinded.
- An agency policy needs to be incorporated into rule since the policy is addressed in federal rule.
- A current rule is rewritten for clarification.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: United States Department of Agriculture, Food and Consumer Service (FCS) Administrative Notices from FCS address policy.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Dan Ohlson, Program Manager, Food Stamp Program Section, Division of Income Assistance, Mailstop 45400, phone (360) 438-8326, FAX (360) 438-8258.

December 5, 1995  
Sydney Doré  
for Jeanette Sevedge-App  
Acting Chief  
Office of Vendor Services

**WSR 95-24-097**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

(Public Assistance)  
[Filed December 5, 1995, 4:14 p.m.]

Subject of Possible Rule Making: WAC 388-507-0740 Special situations and 388-518-1820 LCP-MI resource availability.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This proposed WAC is necessary to correct a cross-reference.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Internal and external review process. Draft material is distributed for review and comment. All comments are taken into consideration before issuance of final rule.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Joanie Scotson, Program Manager, P.O. Box 45530, Olympia, WA 98504-5530, phone (360) 753-7462, FAX (360) 753-7315, TDD 1-800-848-5429.

December 5, 1995  
Sydney Doré  
for Jeanette Sevedge-App  
Acting Chief  
Office of Vendor Services

**WSR 95-24-099**

**PREPROPOSAL STATEMENT OF INQUIRY**  
**INSURANCE COMMISSIONER'S OFFICE**

[Order R 95-18—Filed December 6, 1995, 9:42 a.m.]

Subject of Possible Rule Making: Annual statement instructions and statements to be filed in electronic form.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.05.250, 48.05.400, 48.44.050, 48.44.095, 48.46.080, and 48.46.200.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These amended rules are needed to implement the statutes, enhance intrastate and interstate financial surveillance, and consolidate company reports and annual statement rules for insurers, health care service contractors, and health maintenance organizations. These rules will require paper and electronic filing of statutory financial statements to the commissioner and the National Association of Insurance Commissioners (see RCW 48.02.140). These rules will improve financial statement access, efficiency, and retrieval ability for the commissioner, other state insurance commissioners, and the public.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study; and submission of written comments to Kacy Brandeberry by January 30, 1996. For questions concerning the content of the possible rule(s), call Dennis Julnes at (360) 407-0536.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kacy Brandeberry, P.O. Box 40255, Olympia, WA 98504-0255, phone (360) 664-3790, FAX (360) 586-3535, Internet inscomr@aol.com.

December 5, 1995  
Krishna Fells  
Chief Deputy

**WSR 95-24-100**

**PREPROPOSAL STATEMENT OF INQUIRY**  
**INSURANCE COMMISSIONER'S OFFICE**

[Order R 95-17—Filed December 6, 1995, 8:43 a.m.]

Subject of Possible Rule Making: Minimum standards for documentation of rate filings for forms of health benefit plan policies or contracts submitted by "health carriers," RCW 48.43.005(8).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.44.050, and 48.46.200.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These proposed rules will assist the commissioner to meet her obligation of determining whether or not the benefits provided by a health benefit plan (defined at RCW 48.43.005(9)) are unreasonable in relation to the premium or amount charged therefor (RCW 48.18.110(2), 48.44.020 (2)(d), 48.46.060 (3)(d)). By adopting rules that set forth the commissioner's minimum standards for rate filings, the commissioner hopes to promote more efficient review of filings; and more effective action by

the commissioner will permit carriers to use, solicit, and deliver new forms of health benefit plans, or to amend rates for health benefits or disability insurance to residents of this state, more quickly.

The proposed rules will affect all "health carriers" (defined at RCW 48.43.005(8)) that submit a filing for a proposed rate for a new health benefit plan, or a filing for the amendment of a current policy or contract form or rate for health benefits or disability insurance (that meet the definition of "health benefit plan").

The goal of the proposed rules is to save money and to reduce or eliminate delays caused by submission of incomplete filings. Currently substantial time is lost when incomplete filings are submitted and it is necessary to request additional information or documentation. If carriers uniformly send in the information and documentation specified in these rules when a filing is first submitted, the commissioner's staff can more effectively and efficiently review that filing. Delays and repetitive requests for information and documentation are costly to both the commissioner and the carrier.

The rules will set forth minimum standards for information and documentation necessary for the commissioner to determine that a proposed rate is "reasonable." The establishment of reasonable rates is in the public interest.

The proposed rules will have little impact on a well-run carrier; in fact, most carriers will save time and money if all of the information and documentation set forth in these proposed rules is present when a rate filing is first submitted. The proposed rules will not require most carriers to employ additional personnel, pay higher labor costs, or incur an increased cost of sales; in fact the need for personnel, labor, and related costs could be reduced for many. Some insurers who do not employ or contract with an actuary, may wish to do so as a result of these rules. Consistency of filing practices in the long run should make costs more predictable.

It is anticipated that these rules will be effective on April 15, 1996. The rules will apply to submissions intended to be effective after that date; however, these standards may be implemented by carriers immediately.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study; and by submitting comments in writing to Kacy Brandeberry by January 15, 1996. For questions concerning the content of the possible rule(s), call Patrick Musick at (360) 664-2093.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kacy Brandeberry, P.O. Box 40255, Olympia, WA 98504-0255, phone (360) 664-3790, Internet inscomr@aol.com.

December 5, 1995  
 Krishna Fells  
 Chief Deputy

**WSR 95-24-101**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Filed December 6, 1995, 8:45 a.m.]

Subject of Possible Rule Making: Hunting season and game management unit changes.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Adjustments to seasons and game management units will reduce hunter confusion and address increasing hunting pressure in Region Two.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Dave Brittell, Assistant Director, Wildlife Management Program, 600 North Capitol Way, Olympia, WA 98501, phone (360) 902-2504. Expected rule proposal filing January 24, 1996.

December 6, 1995  
 Evan S. Jacoby  
 Rules Coordinator

**WSR 95-24-102**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Filed December 6, 1995, 8:46 a.m.]

Subject of Possible Rule Making: Coastal bottomfish rules dealing with catch limits and allowable gear.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 75.08.080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Pacific Fisheries Management Council has made recommendations for limiting the coastal groundfish fishery. Concurrent state rules are needed to implement these recommendations. Directed hook and line commercial fishing for rockfish impacts stocks used by recreational fishers. A reduction of commercial effort within state waters is warranted.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: National Marine Fisheries Service for coastal bottomfish limits. These proposals will coordinate federal and state rules.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rich Lincoln, Assistant Director, Fish Management Program, 600 Capitol Way North, Olympia, WA 98501, phone (360) 902-2325. Contact by January 20, 1996. Proposed CR-102 filing January 24, 1996.

December 4, 1995  
 Evan S. Jacoby  
 Rules Coordinator

**WSR 95-24-106**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF HEALTH**  
 (Board of Pharmacy)  
 [Filed December 6, 1995, 9:48 a.m.]

December 1, 1995  
 Donald F. Whiting  
 Assistant Secretary of State

Subject of Possible Rule Making: WAC 246-885-030  
 Over-the-counter drug imprint regulations.

Statutes Authorizing the Agency to Adopt Rules on this  
 Subject: RCW 18.64.005.

Reasons Why Rules on this Subject may be Needed and  
 What They Might Accomplish: This rule is necessary  
 because the federal government recently amended their  
 imprinting regulations. As a result, nonimprinted over-the-  
 counter solid dosage medications could be distributed to the  
 consumers in Washington state posing a threat to public  
 health. These rules will ensure that all over-the-counter  
 drugs are imprinted.

Other Federal and State Agencies that Regulate this  
 Subject and the Process Coordinating the Rule with These  
 Agencies: Federal Drug Administration. Upon final  
 adoption of this rule, the Federal Drug Administration will  
 be notified in writing.

Process for Developing New Rule: Board meetings and  
 written correspondence.

Interested parties can participate in the decision to adopt  
 the new rule and formulation of the proposed rule before  
 publication by contacting Donald H. Williams, Executive  
 Director, P.O. Box 47863, Olympia, WA 98504-7863, (360)  
 753-6834, FAX (360) 586-4359. Board meetings.

November 15, 1995  
 Donald H. Williams  
 Executive Director

**WSR 95-24-107**  
**PREPROPOSAL STATEMENT OF INTENT**  
**OFFICE OF THE**  
**SECRETARY OF STATE**  
 [Filed December 6, 1995, 10:52 a.m.]

Subject of Possible Rule Making: International student  
 exchange registration.

Specific Statutory Authority for New Rule: RCW  
 19.166.030, 19.166.040, and 19.166.060.

Reasons Why the New Rule is Needed: WAC 434-166-  
 260, 434-166-280, and 434-166-290 need to be updated to be  
 consistent with the legislative amendments to chapter 19.166  
 RCW which were made in chapter 60, Laws of 1995.

Goals of New Rule: To provide current registration  
 information on international student exchange agencies to  
 school administrators prior to the beginning of the school  
 year and clarify procedures and deadlines for annual renewal  
 of registrations.

Process for Developing New Rule: Agency study.

Interested Parties can Participate in Formulation of the  
 New Rule by contacting Karen Dick, Operations Manager,  
 Corporations Division, Office of the Secretary of State, 505  
 East Union, Olympia, WA 98504-0234, (360) 586-6782,  
 (360) 664-8781.

**WSR 95-24-109**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
 [Filed December 6, 1995, 11:02 a.m.]

Subject of Possible Rule Making: Revisions to the  
 workers' compensation insurance classification plan chapter  
 296-17 WAC.

Statutes Authorizing the Agency to Adopt Rules on this  
 Subject: RCW 51.16.035.

Reasons Why Rules on this Subject may be Needed and  
 What They Might Accomplish: The department is required  
 by RCW 51.16.035 to establish and maintain a workers'  
 compensation insurance classification that classifies all  
 occupations or industries within the state and set basic rates  
 of premium for these classifications. The department has  
 conducted a review of various classifications and determined  
 that certain classifications are in need of revision. Revisions  
 are intended to distribute the cost of insurance fairly among  
 employers. Other changes include the addition of new  
 emerging industries to the classification plan. The elimina-  
 tion of a clerical office inclusion within certain store  
 classifications requested by the business community and  
 changes to commercial construction classes requested by  
 industry.

Other Federal and State Agencies that Regulate this  
 Subject and the Process Coordinating the Rule with These  
 Agencies: No other state, local or federal agency regulate  
 this subject.

Process for Developing New Rule: Classification  
 definitions are based on business or industry groupings that  
 have common (homogeneous) characteristics. Insurance  
 rates for all classifications are based on historical loss  
 information and projected future costs. The Department of  
 Labor and Industries has scheduled four informal public  
 meetings to all the public an opportunity to participate in the  
 development of changes to the workers' compensation  
 classification plan. Times, dates and locations of the  
 meetings are listed below.

Interested parties can participate in the decision to adopt  
 the new rule and formulation of the proposed rule before  
 publication: Written comments can be directed to Frank  
 Romero, Program Manager, Classification Development,  
 P.O. Box 44148, Olympia, WA 98504-4148, through January  
 31, 1996, or can be FAXED to (360) 902-4721. For  
 additional information the public can contact classification  
 development at (360) 902-4776. Four informal meetings  
 have been scheduled to take public comments as follows:  
 January 16, 1996, Spokane Labor and Industries Office, 901  
 North Monroe; January 17, 1996, Yakima Labor and  
 Industries Office, 1716 South 16th Avenue; January 19,  
 Tukwila Labor and Industries Office, 12806 Gateway Drive;  
 and January 22, 1996, Tumwater Labor and Industries  
 Office, 7273 Linderson Way S.W. Each meeting is sched-  
 uled to begin at 10:00 a.m. and end at 12 noon or when all

testimony from interested members of the public has been received.

December 6, 1995  
Mark O. Brown  
Director

**WSR 95-24-110**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Public Assistance)

[Filed December 6, 1995, 11:43 a.m.]

Subject of Possible Rule Making: WAC 388-201-200 Definitions, 388-201-300 Participation, 388-201-400 Treatment group—Elimination of the one hundred hour rule, 388-201-410 Treatment group—Assessment of past AFDC receipt, 388-201-420 Treatment group—Initial length-of-stay grant reductions, 388-201-430 Treatment group—Additional length-of-stay grant reductions, 388-201-440 Treatment group—Redetermination of length-of-stay grant reductions, 388-201-450 Treatment group—Families exempt from length-of-stay grant reductions, 388-201-460 Treatment group—STEP earned income adjustments, 388-201-470 Treatment group—Advance notice of impending length-of-stay grant reductions, and 388-201-480 Treatment group—Reducing the impact of cumulative length-of-stay grant reductions.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.12.036, 74.12.420, 74.12.425 and 74.12.901. Section 1115 of the Social Security Act.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department needs to revise terminology and dates to reflect new federal waiver requirements for STEP sampling and implementation.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study, internal (management) and external (field staff, legal services, other state and DSHS divisions/administrations) review process whereby draft material is distributed for review and comment. All comments are taken into consideration before the final rule is issued.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sandy Jsames, Program Manager, Welfare Reform Section, Division of Income Assistance, mailstop 45400, phone (360) 438-8313, FAX (360) 438-8258.

December 6, 1995  
Sydney Doré  
for Jeanette Sevedge-App  
Acting Chief  
Office of Vendor Services



**WSR 95-23-099**  
**PROPOSED RULES**  
**ATTORNEY GENERAL**  
 [Filed November 21, 1995, 4:10 p.m.]

**Original Notice.**

Preproposal statement of inquiry was filed as WSR 95-21-004.

**Title of Rule:** Revisions to Lemon Law program procedures, chapter 44-10 WAC.

**Purpose:** Accomplish reasoned and predictable procedures for the administration of: The Lemon Law program; dispute resolution mechanism; compliance with arbitration awards; and enforcement of statutory disclosures upon resale.

**Statutory Authority for Adoption:** RCW 19.118.080 (2) and (7), 19.118.061, section 4, chapter 254, Laws of 1995.

**Statute Being Implemented:** Chapters 19.118 and 34.05 RCW.

**Summary:** See Explanation of Rule below.

**Reasons Supporting Proposal:** Current rules are conformed to 1995 statutory revisions, editorial modifications and minor procedural changes are made in the practices of the Attorney General and arbitration board.

**Name of Agency Personnel Responsible for Drafting:** Lynn Hendrickson and Paul Corning, (206) 464-7744; **Implementation and Enforcement:** Paul Corning, 900 Fourth Avenue, Suite 2000, Seattle, WA 98164-1012.

**Name of Proponent:** Washington Attorney General, governmental.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** The proposal is designed to improve administrative and dispute resolution procedures, making them more efficient and more effective. The rule-making proposal's specific provisions include the following: Comprehensive deletion of phrase "arbitration service" and replacement with either "board" or "arbitrator" as appropriate.

WAC 44-10-010, description of Attorney General (AG) materials that constitute "lemon law resale documents."

WAC 44-10-010, contextual definitions of "intervening transferor," "settlement" and "similar law of another state."

New section, WAC 44-10-020 Designation of a manufacturer contact.

WAC 44-10-030, request for arbitration (RFA) may be submitted at Spokane Attorney General's Office.

New section, WAC 44-10-031 Effect of request for arbitration filing, submission of an RFA temporarily suspends the thirty month time limit.

WAC 44-10-040, clarifies Attorney General's role in screening of RFA. Editorial changes to WAC 44-10-050 reflect proposed changes to WAC 44-10-040.

WAC 44-10-060, expansion of arbitration special master powers and duties consistent with 1995 legislative changes. Establish time frame in which special master operates.

WAC 44-10-070, use of manufacturers statement clarified.

WAC 44-10-080, change WAC title to reflect that manufacturer has option to view vehicle.

WAC 44-10-090, delete obsolete references outlining fee collection.

WAC 44-10-100, timelines for requesting, issuing and responding to subpoenas as well as procedures simplified.

WAC 44-10-110, parties will be promptly notified if arbitration hearing is rescheduled.

WAC 44-10-120, if a consumer withdraws from arbitration the thirty month period resumes.

WAC 44-10-130, clarification of what evidence is to be considered in event of a default.

WAC 44-10-140, change term from "designated representative" to "authorized employee or agent."

WAC 44-10-150, notification of settlements and limitations on use of information.

WAC 44-10-160, modification of technical expert provisions to reflect board practice, notice of actions and availability of written report. Delete WAC 44-10-165, the relevant portions are added to WAC 44-10-160.

WAC 44-10-170, clarify the availability of arbitrators and identify elements of impartiality.

WAC 44-10-180, deleted obsolete requirements for telephonic presentation of evidence.

WAC 44-10-200, clarify who is to receive a copy of the arbitration decision. Clarify acceptance and dispute procedures and eliminate excess verbiage.

WAC 44-10-210, clarify who may make technical corrections.

Three new sections WAC 44-10-221 Resale documents—Attorney general procedures, 44-10-222 Manufacturer duties upon receipt of a returned vehicle and 44-10-223 Manufacturer, transferor and dealer duties prior to resale of a returned vehicle, replace WAC 44-10-220 and 44-10-230. They (1) identify the circumstances and provisions of lemon law resale documents to a manufacturer; and (2) explain manufacturer, intervening transferor obligations upon receipt of lemon vehicle and prior to first subsequent retail purchase.

WAC 44-10-300, restatement of manufacturer compliance obligation.

WAC 44-10-310, clarifies procedure for Attorney General's review of imposition of fine.

Repeal WAC 44-10-320 as being duplicative of statutory language.

**Proposal Changes the Following Existing Rules:** See Explanation of Rule above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Because the changes are designed to increase clarity and efficiencies, the agency expects this rule to have no negative small business impact. For a copy of the complete economic compliance document or a summary, please contact Paul N. Corning, Lemon Law Administrator, 900 Fourth Avenue, Suite 2000, Seattle, WA 98164-1012.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This agency is not required to comply with section 201, chapter 403, Laws of 1995.

**Hearing Location:** Office of the Attorney General, 900 Fourth Avenue, Suite 2000, Seattle, WA 98164-1012, on January 12, 1996 at 9:30 a.m.

**Assistance for Persons with Disabilities:** Contact Paul N. Corning by December 29, 1995, TDD (206) 462-7293, or (206) 464-7744.

**Submit Written Comments to:** Paul N. Corning, Lemon Law Administrator, 900 Fourth Avenue, Suite 2000, Seattle, WA 98164, FAX (206) 464-6451, by December 29, 1995.

**Date of Intended Adoption:** January 12, 1996.

November 21, 1995  
 Kathleen D. Mix  
 Chief Deputy  
 for Christine O. Gregoire  
 Attorney General

AMENDATORY SECTION (Amending WSR 92-11-037, filed 5/18/92)

**WAC 44-10-010 Definitions.** Terms, when used in this chapter, shall have the same meaning as terms used in chapter 19.118 RCW. The following definitions shall supplement or aid in the interpretation of the definitions set forth in chapter 19.118 RCW.

~~((1) The phrase "arbitration service" means the agency, firm, board, organization, individual or other entity selected by the attorney general through a request for proposal to conduct the arbitrations provided under chapter 19.118 RCW.))~~

~~((2))~~ (1) The phrase "arbitration special master" means the individual or group of individuals selected by the ~~((arbitration service))~~ board to hear and decide special issues timely brought before the ~~((arbitration service))~~ board by the parties.

~~((3))~~ (2) The terms "attorney general" or "attorney general's office" means the person duly elected to serve as attorney general of the state of Washington and delegates authorized to act on his or her behalf.

(3) The phrase "intervening transferor" means any person or entity which receives, buys or otherwise transfers the returned new motor vehicle prior to the first retail transfer, sale or lease subsequent to being repurchased or replaced by the manufacturer.

(4) The phrase "Lemon Law resale documents" refers to the following:

(a) "Lemon Law Resale Windshield Display" means a document created and provided by the attorney general which identifies that: (i) the vehicle was reacquired by the manufacturer after a determination or adjudication of a dispute; (ii) the vehicle has one or more nonconformities or serious safety defects, or was out-of-service thirty or more days due to diagnosis or repair of one or more nonconformities; and (iii) the defects or conditions causing the vehicle to be reacquired by the manufacturer.

(b) "Lemon Law Resale Disclosure": means a document created and provided by the attorney general which identifies that: (i) the vehicle was reacquired by the manufacturer after a settlement, determination or adjudication of a dispute; (ii) the vehicle has one or more nonconformities or serious safety defects, or was out-of-service thirty or more days due to diagnosis or repair of one or more nonconformities; and (iii) the defects or conditions causing the vehicle to be reacquired by the manufacturer.

(c) "Notice of Correction and Warranty" means a document created and provided by the attorney general which identifies each nonconformity or serious safety defect which was the basis of the settlement, determination or adjudication of the dispute. The document will provide space for the manufacturer to indicate whether each nonconformity or serious safety defect has been corrected and is warranted by the manufacturer.

(d) "Notice of out-of-state disposition of a reacquired vehicle" refers to a document created and provided by the attorney general which requires the manufacturer, agent or dealer to identify the destination state and the dealer, auction, other person or entity to whom the manufacturer sells or otherwise transfers the reacquired vehicle when the vehicle is taken to another state for any disposition, including: resale, transfer or destruction.

~~((4))~~ (5) The term "person" includes every natural person, firm, partnership, corporation, association, or organization.

(6) "Settlement" means the resolution of a dispute, under chapter 19.118 RCW, between the consumer and manufacturer after the New Motor Vehicle Arbitration Board has accepted the consumer's request for arbitration and which results in the manufacturer reacquiring the new motor vehicle directly or indirectly through an agent or a motor vehicle dealer.

(7) "Similar law of another state" refers to the law of another state which creates remedies for a manufacturer's failure to conform a vehicle to its warranty and under which the vehicle was reacquired by the manufacturer.

~~((5) "Subsequent transferee" means a consumer that acquires a new motor vehicle and any remaining warranty coverage during the applicable manufacturer's written warranty period.))~~

#### NEW SECTION

**WAC 44-10-020 Designation of manufacturer contract.** (1) A new motor vehicle manufacturer shall submit, in writing, to the Attorney General's Office, Lemon Law Administration the name, address and telephone number of an individual designated by the manufacturer to receive notices related to the arbitration program, service of subpoenas, and other correspondence from the attorney general related to the manufacturer's duties and responsibilities set forth in chapter 19.118 RCW.

(2) Where a manufacturer's production or distribution system is accomplished through more than one division or region, the manufacturer may designate an individual for a division or region for the purpose of receiving notices related to the arbitration program, service of subpoenas, and other correspondence from the attorney general related to the manufacturer's duties and responsibilities set forth in chapter 19.118 RCW.

(3) The manufacturer is responsible for providing written notice to the attorney general of its replacement of the designated individual or changes to the related address and telephone number.

(4) If no individual is designated or an insufficient address is provided all notices shall be sent to the corporate headquarters of the manufacturer.

AMENDATORY SECTION (Amending Order 87-4, filed 12/22/87)

**WAC 44-10-030 Arbitration requests.** A consumer must submit a ~~((completed))~~ request for arbitration form with copies of supporting documentation to the Attorney General's Office, Lemon Law Administration in Seattle or in the Attorney General's Office in Spokane, in order to apply for the new motor vehicle arbitration process. The

request for arbitration form will be supplied, upon request, by the attorney general's office.

#### NEW SECTION

**WAC 44-10-031 Effect of request for arbitration filing.** (1) A request for arbitration is deemed to have been received within the thirty month limitation identified in RCW 19.118.090(2), if it: (a) is received by the Office of the Attorney General within thirty months from the date of original delivery of the new motor vehicle to a consumer at retail; and (b) identifies the consumer and the new motor vehicle which is the subject of the requested arbitration.

(2) If the attorney general finds that a request is not complete, the thirty month limitation will resume running three business days after the date the attorney general mails notice of incompleteness to the consumer.

#### AMENDATORY SECTION (Amending Order 89-4, filed 7/24/89)

**WAC 44-10-040 Attorney general screening of arbitration requests.** (1) ~~(A submitted request for arbitration form shall be date stamped upon receipt by the attorney general.)~~ After a request for arbitration has been received, the attorney general shall review the form for completeness.

(2) The attorney general will screen the request for arbitration ~~(form)~~ and supporting documentation to determine ~~(if)~~ whether the request ~~(is)~~ appears timely, complete and ~~(complies)~~ to comply with the jurisdictional requirements of chapter 19.118 RCW. ~~(The date of screening shall be recorded in the request for arbitration file.)~~

~~((a) A request will be considered timely if it is received within thirty months from the date of original delivery of the new motor vehicle to the original consumer at retail.)~~

~~((b))~~ (a) If a request ~~(is not timely)~~ appears to be untimely or ~~(does)~~ not in compliance ~~(empty)~~ with the jurisdictional requirements of chapter 19.118 RCW the attorney general will reject the request for arbitration and ~~(then)~~ notify the consumer of the reason for the rejection.

~~((c))~~ (b) A request will be considered complete if the information required by the request form is provided in full or if the consumer ~~(can)~~ provides a reasonable explanation for the absence of ~~(to the attorney general why)~~ any supporting documentation ~~(may be absent).~~

~~((d))~~ (c) If a request is not complete, the attorney general will notify the consumer of any procedures or information required to complete the request.

~~((3) If the attorney general finds that a request is not complete, the statute of limitations, for purposes of chapter 19.118 RCW, will resume running two business days after the date the attorney general mails notice of incompleteness to the consumer.)~~

~~((4))~~ (3) A consumer request that is based on a problem which does not manifest itself, is intermittent or unconfirmed shall not preclude an attorney general ~~(find)~~ determination of the appearance of jurisdiction for purposes of initial screening. However, this section shall not preclude a party from raising jurisdictional issues at the arbitration hearing or subsequent court proceedings.

#### AMENDATORY SECTION (Amending Order 89-4, filed 7/24/89)

**WAC 44-10-050 Assignment to ~~(arbitration service)~~ board.** (1) After initial screening by the attorney general, all ~~(timely and complete)~~ requests for arbitration which appear to be timely, complete and to have met the jurisdictional requirements of chapter 19.118 RCW shall be assigned ~~(by the attorney general)~~ to the ~~(arbitration service)~~ board which will record the date it receives the assignment ~~(of receipt)~~ in the request for arbitration file.

(2) The ~~(arbitration service)~~ board must determine if it will accept the request for arbitration or reject the request for arbitration, for the reasons set forth in RCW 19.118.090, within three business days after the attorney general has forwarded the request for arbitration to the ~~(arbitration service)~~ board.

(3) The ~~(arbitration service)~~ board shall record the date of acceptance or rejection of the request for arbitration. The acceptance of the request shall commence the running of the forty-five calendar day period in which a hearing must be conducted.

(4) Upon acceptance of a request, the ~~(arbitration service)~~ board shall immediately send a notice of acceptance for arbitration to the consumer and manufacturer ~~(of its acceptance)~~ by certified mail/return receipt requested and shall inform the parties that a hearing shall be held within forty-five calendar days. The parties shall be sent formal notice of the actual hearing date by certified mail/return receipt requested, at least ten calendar days before the hearing. The designated manufacturer contact shall be sent a copy of the consumer's request and a manufacturer's statement form with the notice of ~~(arbitration)~~ acceptance.

#### AMENDATORY SECTION (Amending WSR 92-11-037, filed 5/18/92)

**WAC 44-10-060 Powers and duties of arbitration special master.** (1) An arbitration special master may be appointed by the arbitration board to hear and decide preliminary and post-hearing issues which are within the arbitration board's authority. Requests for an arbitration special master may be made to the board by either party ~~(jointly or by the arbitration service)~~. ~~(However, no arbitration special master may be appointed after the arbitration decision unless requested within twenty (20) days after the date of mailing of the arbitration decision or by the date the manufacturer receives the notice of acceptance from the arbitration service, whichever occurs first.)~~ Post-hearing arbitration special masters shall not resolve matters previously presented in the arbitration hearing and addressed in the arbitration decision, or extend the time for compliance beyond the time necessary to hear and notify the parties of a decision about the issues in dispute or requiring clarification.

(2) Issues which may be decided by the arbitration special master include but are not limited to: Motions to quash subpoenas, ~~(motions for telephone conference hearings, requests for continuances)~~ disputes related to requests to view the vehicle, requests to set aside default determinations, ~~(resolution of factual)~~ disputes relating to ~~(effecting)~~ an arbitration award including specification of the award amounts which could not have been or were not

resolved at the arbitration hearing or matters necessary for compliance with the arbitration decision such as: time and place for compliance, condition of the vehicle to be returned, clarification or recalculation of refund amounts or a determination that an offered vehicle is reasonably equivalent to the vehicle being replaced. The arbitration special master may conduct telephonic conferences with a party or parties, as appropriate, and may request additional written information in order to rule on issues.

(3) An arbitration special master shall not extend the forty day period during which the manufacturer must comply with the arbitration decision except where the arbitration special master makes a finding that:

(a) the dispute could not have been brought to the board allowing sufficient time to conclude compliance within the forty day compliance period; and

(b) the manufacturer's position in the dispute is supported by the special master's decision.

~~((3))~~ (4) Arbitration special masters shall sign a written oath prior to their appointment as arbitration special master attesting to their impartiality. There shall be no ex parte communication initiated by a party with an arbitration special master.

**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 88-2, filed 2/3/88)

**WAC 44-10-070 Manufacturer's statement.** (1) The manufacturer shall ~~((be required, on a form prescribed by the attorney general, to))~~ provide information relevant to the resolution of the dispute to the consumer and ~~((arbitration service))~~ board on a form created by the attorney general. ((The manufacturer shall ensure that the completed manufacturer's statement form is received by the arbitration service and consumer within ten calendar days from the date of receipt of the notice of arbitration.)) The manufacturer's statement form shall be completely answered and shall include, but not be limited to, the following information:

(a) A statement of any affirmative defenses, and any legal or factual issues to be raised at the hearing. Any issues or affirmative defenses not raised in documents filed prior to the hearing may ~~((not be raised))~~ be excluded or limited by the arbitrator at the hearing; except as provided in WAC 44-10-080(6).

(b) The name, title, and business address of any person(s) the manufacturer plans to call as witnesses or from whom affidavits or written testimony will be presented;

(c) A statement identifying the year, make, model, options, color and any other significant information pertaining to the vehicle or vehicles it intends to offer as a reasonably equivalent replacement vehicle if the consumer prevails and requests replacement. If the manufacturer believes in good faith that replacement is impossible or unreasonable, the manufacturer must raise such issue in its statement.

(2) The manufacturer must exercise its ~~((right))~~ option to request a viewing of the consumer's motor vehicle by including a request to view the vehicle in the manufacturer's statement.

AMENDATORY SECTION (Amending Order 88-2, filed 2/3/88)

**WAC 44-10-080 Manufacturer's ((right)) option to request a viewing of motor vehicle.** (1) A manufacturer may request a viewing of the vehicle to aid in preparation of its defense. ~~((Such))~~ The request for a viewing of the vehicle must be indicated in the manufacturer's statement.

(2) The manufacturer and the consumer shall attempt to arrange a mutually agreeable time and location for such viewing. If after reasonable good faith attempts to arrange a viewing, a mutually agreeable time and location is not established, the manufacturer may request from the ~~((arbitration service))~~ board that an arbitration special master set a time and location for viewing.

(3) The arbitration special master, upon such request, shall establish a time and location for viewing that is reasonably convenient for the parties. The location may be the consumer's residence if other locations are not reasonably convenient for the parties. The consumer must be present during the viewing, unless the consumer expressly waives in writing the right to be present.

(4) The viewing is not meant to be another attempt to repair the vehicle and no repair procedures shall be conducted.

(5) The manufacturer may perform limited nonrepair diagnostic examinations and inspection procedures, such as test driving the vehicle or attaching a testing device to the vehicle. The results of any diagnostic procedures or data gathered as a result of such procedures shall be supplied to the consumer as soon as it is available.

(6) If the viewing of the vehicle reveals any affirmative defenses or legal or factual issues not previously raised in the manufacturer's statement or consumer's request for arbitration, either party may file amendments ~~((to their pleadings))~~ within three business days of the viewing, or, no later than three business days prior to the hearing date, whichever is earlier.

**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 WSR 90-19-024, filed 9/11/90)

**WAC 44-10-090 Arbitration fee.** (1) A ~~((five))~~ three dollar arbitration fee shall be collected by the new motor vehicle dealer or lease company from the consumer at completion of the sale or lease ~~((agreement))~~ of a new motor vehicle. ((, except that such)) No fee shall ((not)) be collected where the purchase, lease or transfer is made to a party other than a consumer. ((in the following instances:

~~((a) Where the consumer is a business purchasing the new motor vehicle as part of a fleet of ten or more vehicles from the same new motor vehicle dealer at the same time for the direct use by the consumer in the consumer's business;~~

~~((b) Where the new motor vehicle is a moped, motorcycle which has an engine displacement of less than 750 cubic centimeters or a truck with nineteen thousand pounds or more gross vehicle weight rating;~~

~~((c) Where the sale is between a new motor vehicle dealer and another new motor vehicle dealer both of which~~

have valid written agreements for the sale and service of vehicles with the same manufacturer.

~~(2) Upon collection of the arbitration fee by the new motor vehicle dealer, the arbitration fee shall be forwarded to the department of licensing with the assigned certificate of ownership and application for title.~~

~~(3) For purposes of this rule:~~

~~(a) "Consumer" shall include any person, association, company, corporation or business entity.~~

~~(b) "Fleet" shall not include ten or more vehicles purchased by a consumer who has executed a lease agreement as lessor or intends to solicit a lease agreement as lessor of any such vehicles.~~

~~(c) "Lease agreement" shall not include a rental agreement executed in the normal course of the consumer's business.)~~

**AMENDATORY SECTION** (Amending Order 89-4, filed 7/24/89)

**WAC 44-10-100 Subpoenas.** (1) A party's request for a subpoena must be received by the arbitration board no later than fourteen calendar days prior to the arbitration hearing date. The board shall make a determination of whether the documents and records sought by the party are reasonably related to the dispute and notify the attorney general of the request within two (2) business days of receiving the request.

~~((1))~~ (2) A subpoena issued by the attorney general (pursuant to chapter 19.118 RCW) shall identify the party causing the issuance of the subpoena, designate that the subpoena is issued by the attorney general pursuant to RCW 19.118.080, state the purpose of the proceeding, and ((shall)) command the person to whom it is directed to produce at the time and place set in the subpoena the designated documents or records under his or her control.

~~((2))~~ (3) ((A subpoena may be served by any suitable person over 18 years of age, by exhibiting and reading it to the person, or by giving a copy of the subpoena, or by leaving such copy at the place of his or her abode. When service is made by any other person than an office authorized to serve process, proof of service shall be made by affidavit.)) Service of the subpoena may be made by certified mail, return receipt requested or by overnight express delivery.

~~((3))~~ (4) A person to whom a subpoena is directed may ((move to quash the subpoena)) submit a request to suspend or limit the terms of the subpoena to the board before the time specified in the subpoena for compliance. The ((motion to quash)) request must be accompanied by a short ((memorandum or)) statement setting forth the ((foundation)) basis for the ((motion)) request. Upon ((motion)) requests made to the board, the board shall notify the party who requested the subpoena. The board shall immediately assign the request to be heard at the arbitration hearing or before an arbitration special master who may suspend or modify the subpoena. ((promptly, and in any event at or before the time specified in the subpoena for compliance, by the person to whom the subpoena is directed and upon notice to the party who requested the subpoena, the arbitration special master may quash or modify the subpoena if it is unreasonable or requires evidence not relevant to any matter at issue)).

~~((4) Any objection to the production of evidence shall be treated as a motion to quash to be decided by the arbitration special master.)~~

~~((5) If a nonparty fails to comply with a subpoena and upon an arbitrator finding that without such compliance there is insufficient evidence to render a decision in the dispute, the attorney general shall enforce such subpoena in superior court and the arbitrator shall continue the arbitration hearing until such time as the nonparty complies with the subpoena or the subpoena is quashed. The attorney general shall petition the superior court of the county where the hearing is being conducted for enforcement of the subpoena. The petition shall be accompanied by a copy of the subpoena and proof of service, and shall set forth in what specific manner the subpoena has not been complied with, and shall ask for an order of the court to compel the production of relevant evidence for the arbitration hearing. The court upon such petition shall enter an order directing the person to appear before the court at a time and place to be fixed in such order and then and there to show cause why the person has not responded to the subpoena or has refused to comply. A copy of the order shall be served upon the person. If it appears to the court that the subpoena was properly issued, the court shall enter an order that the person appear at the time and place fixed in the order and produce the required evidence, and on failing to obey said order the person shall be dealt with as for contempt of court.)~~

~~((6) If a party fails to comply with the subpoena, the arbitrator may, at the outset of the arbitration hearing, impose any of the following sanctions:~~

~~(a) Find that the matters which were the subject of the subpoena, or any other designated facts, shall be taken to be established for purposes of the hearing in accordance with the claim of the party which requested the subpoena;~~

~~(b) Refuse to allow the disobedient party to support or oppose the designated claims or defenses, or prohibit that party from introducing designated matters into evidence;~~

~~(c) Strike claims or defenses, or parts thereof; or~~

~~(d) Render a decision by default against the disobedient party.)~~

~~((7)) ((The arbitration service shall have three business days from the receipt of the manufacturer's statement to determine whether to submit a request from itself or the parties, to the attorney general to issue a subpoena for the production of evidence.))~~

(5) A party or nonparty subject to the subpoena must comply or submit a ((motion to quash before the arbitration special master)) request to suspend or limit the subpoena within five business days of receipt of the subpoena. The request shall be heard within ((The arbitration special master shall have)) five business days to hear and rule on the request ((a motion to quash)). ((If the arbitration special master upholds a subpoena the party or nonparty shall have five business days to comply with the subpoena.))

(6) Where the arbitration special master upholds or modifies the subpoena, the responding person or party shall comply with the date set in the subpoena or within five business days, whichever is greater.

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 89-4, filed 7/24/89)

**WAC 44-10-110 Scheduling of arbitration hearings.** The ~~((arbitration service))~~ board has the authority to schedule the arbitration hearing at its discretion and shall notify the parties of the date, time and place by certified letter mailed at least ten calendar days prior to the hearing. Hearings may be scheduled during business hours, Monday through Thursday evenings, or Saturdays. If for any reason an arbitration hearing must be rescheduled, the board shall promptly notify the parties by mail or telephone.

AMENDATORY SECTION (Amending Order 87-4 [89-2], filed 12/22/87 [2/24/89])

**WAC 44-10-120 Withdrawal.** A consumer may withdraw a request for arbitration at any time.

A withdrawal shall be granted without prejudice, although upon notice to the board of withdrawal, the thirty month ~~((statute of limitations))~~ period in which the consumer must submit a request for arbitration shall resume running. A consumer who has withdrawn may resubmit the claim for arbitration. However, if the consumer withdraws the second request, the withdrawal shall be considered a withdrawal with prejudice and the consumer shall not be allowed to resubmit the claim for arbitration.

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

AMENDATORY SECTION (Amending Order 89-4, filed 7/24/89)

**WAC 44-10-130 Defaults.** (1) A party who fails to appear at the arbitration hearing will be considered in default.

(2) If a manufacturer defaults the arbitrator shall hold the hearing. The arbitrator shall make a decision based on the evidence presented by the consumer, and any files or documentation contained in the record including the manufacturer's statement and other evidence or documentation submitted by the manufacturer.

(3) If the consumer defaults it shall be considered a withdrawal with prejudice of the ~~((claim))~~ request for arbitration. The hearing shall be canceled if the consumer defaults.

(4) The default shall be final unless within twenty-four hours of the hearing time, the manufacturer or consumer contacts the ~~((arbitration service))~~ board to request that the default be set aside. The request shall include evidence of an unforeseeable circumstance that resulted in the failure of the party to appear. Such request shall be considered by the arbitration special master who will hear arguments from both parties on the request to set aside the default which may be conducted via telephone conference call. If the arbitration special master sets aside the default, a new hearing shall be scheduled within ten calendar days of the original hearing date, and the parties shall be informed of the new date and time at least five business days prior to the hearing date.

(5) If both parties default, the disposition of the case shall be handled as if only the consumer defaulted pursuant to WAC 44-10-130(3).

AMENDATORY SECTION (Amending Order 89-4, filed 7/24/89)

**WAC 44-10-140 Representation ((by counsel)) of parties.** (1) Any party to the arbitration hearing may be represented by counsel. If either party opts to be so represented, said party shall immediately notify the ~~((arbitration service))~~ board and the other party of the name and address of the attorney.

(2) The consumer may be represented by himself or herself or by legal counsel, but may not be represented by a nonattorney. However, a person, acting as an interpreter, may assist a party in the presentation of the case if such assistance is necessary because of a mental or physical handicap or language barrier which would preclude the party from adequately representing himself or herself.

(3) A manufacturer may be represented by legal counsel, authorized employee ~~((or designated representative))~~ or agent.

AMENDATORY SECTION (Amending Order 89-4, filed 7/24/89)

**WAC 44-10-150 ((Predecision)) ((s)) Settlement of dispute.** (1) Both parties shall notify the board ~~((arbitration service and attorney general if the dispute is settled))~~ of a resolution or settlement of the dispute after the request for arbitration has been accepted by the arbitration board. The attorney general shall verify the terms of the settlement or resolution. ~~((to which the parties have agreed.))~~ The disclosure of terms is for statutorily required record keeping only. The settlement or agreement to otherwise resolve the dispute is not subject to approval by the ~~((arbitration service))~~ board or the attorney general.

(2) Notice of settlement or agreement to resolve the dispute shall be treated procedurally as if the consumer had withdrawn from the arbitration process, as set forth in WAC 44-10-120.

AMENDATORY SECTION (Amending WSR 90-19-024, filed 9/11/90)

**WAC 44-10-160 Use of technical expert.** (1) An adequate pool of automotive and motorcycle technical experts shall be maintained by the ~~((arbitration service))~~ board. A technical expert is assigned by the board to advise and consult with an ((for assignment as advisors and consultants to each)) arbitrator ((if such services are deemed necessary)). Technical experts shall not be directly involved in the manufacture, distribution, sale, or warranty service of any motor vehicle.

(2) Either party may request that a technical expert be assigned to a dispute. Such assignment, however, shall be at the discretion of ~~((the arbitrator or))~~ the ~~((arbitration service))~~ board. The ~~((arbitrator or the arbitration service))~~ board may upon their own volition assign a technical expert to a dispute. ~~((Any request for a technical expert must be made within a time frame that will allow for reasonable inspection by the expert.))~~

(3) If a technical expert is assigned to a dispute, and ~~((intends))~~ is requested by the arbitrator to perform an inspection of the vehicle, other than as part of the arbitration hearing ~~((prior to the hearing))~~, a notice of the time, date and

location of the technical expert's inspection of the vehicle will be provided to both parties. This section does not confer a right, for either party, to be present during the inspection of the vehicle, however, either party may be present. Any written report or results of the expert's inspection shall be supplied to the parties as soon as it is available. The technical expert shall be present at the hearing or shall be available by telephone at the time of hearing, and may be examined by either party or the arbitrator.

~~((4) Said expert may be present as advisor and consultant at the arbitration hearing, if he or she has been requested to be present by the arbitrator or arbitration service.))~~

~~((5))~~ (4) The expert shall sign a written oath attesting to his or her impartiality prior to the commencement of each arbitration hearing to which he or she has been assigned.

#### REPEALER

WAC 44-10-165 Technical expert prehearing inspection report.

AMENDATORY SECTION (Amending Order 89-4, filed 7/24/89)

#### WAC 44-10-170 Powers and duties of arbitrators.

(1) Arbitrators shall have the duty to conduct fair and impartial hearings, to take all necessary actions to avoid delay in the disposition of proceedings, to maintain order, and to meet the sixty day time frame required by RCW 19.118.090 for the rendering of a decision. They shall have all powers necessary to meet these ends including, but not limited to, the power:

(a) To consider any and all evidence offered by the parties which the arbitrator deems necessary to an understanding and determination of the dispute;

(b) To regulate the course of the hearings and the conduct of the parties, their representatives and witnesses;

(c) To schedule vehicle inspection by the technical experts, if deemed necessary, at such time and place as the arbitrator determines;

(d) To continue the arbitration hearing to a subsequent date if, at the initial hearing, the arbitrator determines that additional information is necessary in order ~~((for said arbitrator))~~ to render a fair and accurate decision. Such continuance shall be held within ten calendar days of the initial hearing;

(e) To impose sanctions ~~((or to continue a hearing))~~ for failure of a party ~~((or nonparty))~~ to comply with a subpoena pursuant to ~~((WAC 44-10-100))~~ RCW 19.118.080 (2)(b).

(2) The board shall maintain an adequate pool of trained arbitrators and is responsible for the assignment of arbitrators to arbitration hearings. The selection and assignment of arbitrators is not subject to the approval of either party.

~~((2))~~ (3) Arbitrators must not have a personal interest in the outcome of any hearing, nor be acquainted with any of the participants except as such acquaintance may occur in the hearing process, nor hold any prejudice toward any party. Arbitrators shall not be directly involved in the manufacture, distribution, sale, or warranty service of any motor vehicle. Arbitrators shall maintain their impartiality throughout the course of the arbitration proceedings.

(a) An arbitrator shall sign a written oath prior to the commencement of each arbitration hearing to which he or she has been assigned, attesting to his or her impartiality in that case.

(b) There shall be no direct communication between the parties and the arbitrators other than at the arbitration hearing. Any other oral or written communications between the parties and the arbitrators shall be channeled through the ~~((arbitration service))~~ board. Any prohibited contact shall be reported by the arbitrators to the ~~((arbitration service))~~ board and noted in the case record.

AMENDATORY SECTION (Amending Order 89-4, filed 7/24/89)

**WAC 44-10-180 The arbitration hearing.** (1) The conduct of the hearing shall encourage a full and complete disclosure of the facts.

(2) Arbitrators may admit and give probative effect to evidence which possesses probative value commonly accepted by reasonably prudent people in the conduct of their affairs. They shall give effect to the rules of privilege recognized by law. They may exclude incompetent, irrelevant, immaterial, and unduly repetitious evidence. ~~((A party, at the hearing or any time prior, may request that the arbitrator examine or ride in the vehicle. The arbitrator shall comply with such requests unless the arbitrator determines that such examination or ride is not reasonably practical, not reasonably safe, or not relevant to the issues to be considered at the hearing.))~~

(3) The consumer shall present his or her evidence and witnesses, then the manufacturer shall present its evidence and witnesses.

(4) Each party may question the other after each presentation, and may question each witness after testimony. The arbitrator may question any party or witness at any time.

(5) The arbitrator shall ensure that a tape recording record of the hearing is maintained.

(6) The arbitrator shall administer an oath or affirmation to each individual who testifies.

(7) The hearing procedure contemplates that both parties will be present. However, either party may offer written testimony only, as long as the ~~((arbitration service))~~ board and the other party are informed of such and are in receipt of that evidence prior to the day of the hearing.

(8) A party may request presentation of its case by telephone. ~~((Such request must demonstrate that it is unreasonable to require the requesting party to attend the hearing in person. The request shall be directed to the arbitration service and will be decided by the arbitration special master. If such request is granted the arbitration service shall immediately notify the other party. In such cases, the party requesting the telephonic hearing shall pay all costs associated therewith, including but not limited to, costs for long distance calls, conference calls, and rental of telephone amplification equipment.))~~

~~((9))~~ The arbitration service shall assign arbitrators to the pending cases. The choice of arbitrators is not subject to the approval of either party.

~~((10))~~ Arbitrators must not have a personal interest in the outcome of any hearing, nor be acquainted with any of the participants except as such acquaintance may occur in the

hearing process, nor hold any prejudice toward any party. Arbitrators shall not be directly involved in the manufacture, distribution, sale, or warranty service of any motor vehicle.)

AMENDATORY SECTION (Amending WSR 90-19-024, filed 9/11/90)

**WAC 44-10-200 The arbitration decision.** (1) The arbitration board shall send the decision to the parties in each case within sixty calendar days of acceptance of the request for arbitration:

(a) All decisions shall be written, in a form to be provided by the attorney general, dated and signed by the arbitrator, and sent by certified mail to ~~((both))~~ the parties ~~((and the attorney general));~~

(b) The date of mailing of the arbitration decision shall determine compliance with the sixty day requirement to issue an arbitration decision;

(c) The written decision shall contain findings of fact and conclusions of law as to whether the motor vehicle meets the statutory standards for refund or replacement;

(i) If the consumer prevails and has elected repurchase of the vehicle, the decision shall include the statutory calculations used to determine the monetary award ~~((as set forth in RCW 19.118.090, 19.118.041 and 19.118.021));~~

(ii) If the consumer prevails and has elected replacement of the vehicle, the decision shall ~~((include the information used to))~~ identify or describe a reasonably equivalent replacement vehicle and ~~((the))~~ any refundable incidental costs ~~((associated with such vehicle and a description of the vehicle as set forth in RCW 19.118.090, 19.118.041 and 19.118.021));~~

~~((iii))~~ If the consumer prevails, the decision shall include provisions for the return of the vehicle upon compliance by the manufacturer at a reasonable time and place;

~~((iv))~~ (iii) If the consumer prevails and the manufacturer is represented by counsel, the decision shall include a description of the awarded reasonable costs and attorneys' fees incurred by the consumer in connection with board proceedings.

Reasonable costs and attorneys' fees shall be determined by the arbitrator based on an affidavit of costs and fees prepared by the consumer's attorney and submitted no later than the conclusion of the arbitration hearing. The affidavit may be amended for post-hearing costs and fees ~~((by the consumer's attorney within thirty days of the consumer's acceptance of the decision but in no case after a manufacturer's compliance with a decision)).~~ The amended affidavit of costs and fees must be delivered to the manufacturer's designated representative by certified mail or personal service and a copy submitted to the arbitration board by the consumer's attorney within thirty days of the consumer's acceptance of the decision but in no case after a manufacturer's compliance with a decision.

(2) Included with the copy of the arbitration decision sent to the consumer shall be a form to be completed by ~~((said))~~ the consumer, indicating acceptance or rejection of the decision. The board shall forward general information to the consumer explaining the consumer's right to appeal the decision to superior court. The consumer must return ~~((said))~~ the form to the ((arbitration service)) board within sixty calendar days from the date of the consumer's receipt

of the decision. ~~((If the consumer has not responded within thirty days, the attorney general's office shall send a notice requesting a response and informing the consumer that failure to respond shall be deemed a rejection of the arbitration decision.))~~

~~((3))~~ ~~((If the consumer rejects the decision, the arbitration service shall forward general information to the consumer explaining the consumer's right to appeal the decision to superior court.))~~ The consumer shall have one hundred twenty calendar days from the date of the rejection of the decision to file a petition of appeal in superior court. At the time of filing an appeal, the consumer shall deliver by certified mail or by personal service a conformed copy of the petition to the attorney general.

(4) If the consumer accepts ~~((the))~~ a decision which awards repurchase or replacement, the ~~((arbitration service))~~ board shall send a copy of the form completed by the consumer indicating acceptance ~~((notice of acceptance))~~ by certified mail to the manufacturer and shall include a manufacturer's intent form. ~~((The intent form shall be returned to the attorney general by the manufacturer within thirty calendar days, of the manufacturer's receipt of notice of consumer's acceptance and shall indicate whether the manufacturer intends to comply with the decision or appeal the decision to superior court.))~~

~~((5))~~ A verification of compliance form shall be sent to the consumer by the attorney general's office. The verification of compliance form shall be completed and returned to the attorney general by the consumer upon the manufacturer's compliance with the decision.

~~((6))~~ ~~After forty calendar days from the date of the notice of acceptance to the manufacturer, the attorney general shall determine whether the manufacturer has complied with the arbitration decision or appealed to superior court. If the manufacturer has not complied or appealed, the attorney general may impose fines authorized by RCW 19.118.090.)~~

AMENDATORY SECTION (Amending Order 88-2, filed 2/3/88)

**WAC 44-10-210 Technical corrections.** (1) The ~~((arbitration service or the attorney general))~~ board may make "technical corrections" to an ~~((arbitrator's))~~ arbitration decision. "Technical corrections" shall generally be defined as computational corrections, typographical corrections, or other minor corrections.

(2) A party may submit to the ~~((arbitration service))~~ board a written request for technical corrections ~~((in writing))~~ setting forth the requested correction(s) and reason(s). Such request must be received by the ~~((arbitration service))~~ board within ten calendar days of the mailing of the arbitrator's written decision.

#### NEW SECTION

**WAC 44-10-221 Resale documents—Attorney general procedures.** (1) When a vehicle has been determined by the New Motor Vehicle Arbitration Board, or has been adjudicated in a superior or appellate court of this state, as having one or more nonconformities or serious safety defects that have been subject to a reasonable number of



attempts by the manufacturer to conform the vehicle to the warranty:

(a) The attorney general will provide the manufacturer with the "Lemon Law resale documents" necessary to resell or otherwise transfer the vehicle together with instructions regarding compliance with RCW 19.118.061 and applicable rules;

(b) The attorney general will provide the manufacturer with the required documents by certified mail at the conclusion of the period pursuant to RCW 19.118.090(9) for a manufacturer to file an appeal or upon notice from the manufacturer of receipt of the vehicle, whichever occurs first.

(2) When a vehicle is the subject of a "settlement" under chapter 19.118 RCW:

(a) the attorney general will provide the manufacturer with the "Lemon Law resale documents" necessary to resell or otherwise transfer the vehicle together with instructions regarding compliance with the RCW 19.118.061 and applicable rules;

(b) The attorney general will provide the manufacturer with the required documents by certified mail upon notice of the settlement by the parties.

(3) When a vehicle is the subject of final determination, adjudication or settlement under a "similar law of another state":

(a) The attorney general will provide the manufacturer, agent, motor vehicle dealer or other transferor with the resale documents necessary to resell or otherwise transfer the vehicle together with instructions regarding compliance with this section;

(b) The attorney general will provide the manufacturer, agent, motor vehicle dealer or other transferor with the resale documents by certified mail upon receiving a written request for Lemon Law resale documents, which includes a description of the defects or conditions causing the vehicle to be reacquired by the manufacturer.

NEW SECTION

**WAC 44-10-222 Manufacturer duties upon receipt of a returned vehicle.** The manufacturer must:

(1) Notify the attorney general's office and the department of licensing upon receipt of the vehicle from the consumer due to a determination, adjudication or settlement pursuant to chapter 19.118 RCW and chapter 44-10 WAC.

(2) Attach the "Lemon Law Resale Windshield Display", as provided by the attorney general, to the lower center of the front windshield of the vehicle in a manner so as to be readily visible from the exterior of the vehicle.

(3) Correct and warrant a serious safety defect.

(4) Notify the attorney general's office and the department of licensing of correction of a nonconformity or serious safety defect and execute a "Notice of Correction and Warranty" as provided by the attorney general.

NEW SECTION

**WAC 44-10-223 Manufacturer, transferor and dealer duties prior to resale of a returned vehicle.** After the manufacturer's receipt of a vehicle and prior to first subsequent retail transfer, sale or lease of a vehicle subject to the requirements of RCW 19.118.061:

(1) The manufacturer, agent or new motor vehicle dealer with actual knowledge of a determination, adjudication or settlement must deliver the Lemon Law resale documents with the vehicle to a wholesale or retail buyer, or transferor.

(2) The buyer or transferor should sign and date the acknowledgement of receipt of the Lemon Law resale documents on the "Lemon Law Resale Disclosure" in each wholesale transaction.

(3) An intervening transferor who receives the "Lemon Law Resale Disclosure" or "Notice of Correction and Warranty" is prohibited from transferring, selling, or leasing the vehicle without delivery of the "Lemon Law Resale Disclosure" and any "Notice of Correction and Warranty" with the vehicle to the next transferor, purchaser or lessee.

(4) The "Lemon Law Resale Windshield Display" can only be removed by the first subsequent retail purchaser or lessee of the motor vehicle who has signed the Lemon Law Resale Disclosure form.

REPEALER

WAC 44-10-220 Resale of motor vehicle determined or adjudicated as having a serious safety defect.

WAC 44-10-230 Resale of motor vehicle determined or adjudicated as having a nonconformity.

AMENDATORY SECTION (Amending WSR 91-02-080, filed 12/31/90)

**WAC 44-10-300 Imposition of fine for manufacturer noncompliance with an arbitration decision.** (1) Pursuant to RCW 19.118.090, the attorney general may impose a fine against a manufacturer if, after forty calendar days from the manufacturer's receipt of notice of consumer's acceptance of an arbitration decision, the manufacturer has not complied with the decision, notwithstanding any arbitration special master hearing or findings. Notice of the imposition of fine shall be to the manufacturer by certified mail or personal service.

(2) The attorney general may impose a fine against the manufacturer for noncompliance according to the following schedule for each day after the forty day calendar period:

DAYS 1 THROUGH 10	.....	\$ 300.00 PER DAY
DAYS 11 THROUGH 20	.....	\$ 500.00 PER DAY
DAYS 21 THROUGH 30	.....	\$ 700.00 PER DAY
DAYS 31 AND ON	.....	\$1000.00 PER DAY

The foregoing fines shall accrue until the manufacturer complies or until one hundred thousand dollars has accrued, whichever occurs first.

**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.

PROPOSED

AMENDATORY SECTION (Amending WSR 91-02-080, filed 12/31/90)

**WAC 44-10-310 Request for review of imposition of fine.** (1) The manufacturer shall have ten days from the date of receipt of notice of imposition of fine to request a review of imposition of fine by the attorney general. The manufacturer's request for review of imposition of fine shall be in writing and shall state the reasons for the manufacturer's noncompliance with the arbitrator's decision within the forty calendar day period.

(2) Upon receipt of a request for review of imposition of fine, the attorney general shall have ten days to conduct a review or request additional information from the parties or other persons regarding manufacturer noncompliance.

(3) The review shall be limited to determining whether the manufacturer has shown by clear and convincing evidence that any delay or failure of the manufacturer to comply within forty calendar days following the manufacturer's receipt of notice of consumer's acceptance was beyond the manufacturer's control or was acceptable to the consumer as evidenced by a written statement signed by the consumer. No other issues shall be considered in the review.

(4) The attorney general shall issue a written review determination which shall be delivered to the manufacturer by certified mail or personal service.

(5) If the attorney general determines that the manufacturer's noncompliance was beyond the manufacturer's control or was acceptable to the consumer as evidenced by a written statement from the consumer, the imposition of fine shall be rescinded. The imposition of fine shall be affirmed by the attorney general where the manufacturer has failed to show clear and convincing evidence as required by WAC 44-10-310(3). If the imposition of fine is affirmed, the manufacturer shall be liable for a fine according to the schedule specified in WAC 44-10-300(2) including all days during the pendency of review under this section and until compliance with the arbitrator's decision or until one hundred thousand dollars has accrued, whichever comes first.

(6) If a fine is rescinded under WAC 44-10-310(5) the attorney general ~~((shall))~~ may impose a fine against ~~((a))~~ the manufacturer where ~~((a))~~ the manufacturer fails to comply with the agreement between the manufacturer and the consumer, or when the manufacturer fails to comply immediately after the circumstances no longer exist which made compliance beyond the control of the manufacturer. Notice of such fine shall be by certified mail or personnel service to the manufacturer and shall be imposed according to the schedule in WAC 44-10-300(2), and imposition of such fine ~~((may be appealed by))~~ is subject to review by the attorney general upon request of the manufacturer under WAC 44-10-310.

#### REPEALER

WAC 44-10-320 Failure by the manufacturer to pay a fine.

**WSR 95-23-117**

**PROPOSED RULES**

**SECRETARY OF STATE**

[Filed November 22, 1995, 11:55 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-13-079.

Title of Rule: Administrative procedures for presidential primary.

Purpose: To implement the changes in the presidential primary process which were made in chapter 20, Laws of 1995 1st sp. sess.

Other Identifying Information: Amends chapter 434-75 WAC.

Statutory Authority for Adoption: RCW 29.19.070.

Statute Being Implemented: Chapter 20, Laws of 1995 1st sp. sess.

Summary: Implements changes in ballot format, date selection procedures, party declarations by voters, absentee ballot requests and related election procedures.

Reasons Supporting Proposal: Administrative regulations must be amended so that they are consistent with statutory changes made by the legislature in chapter 20, Laws of 1995 1st sp. sess.

Name of Agency Personnel Responsible for Drafting: Donald F. Whiting, Legislative Building, Olympia, 753-7123; Implementation and Enforcement: Gary McIntosh, Legislative Building, Olympia, 753-2336.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule amends the administrative procedures for the conduct of presidential primaries to conform with the statutory changes in chapter 20, Laws of 1995 1st sp. sess.

Proposal Changes the Following Existing Rules: Eliminates provisions of chapter 434-75 WAC that conflict with the provisions of chapter 20, Laws of 1995 1st sp. sess.; incorporates new provisions regarding the selection of an alternate date for the primary; adds the texts of the oaths required by each major political party from voters who choose to participate in the nominating process of those parties; changes the format for absentee ballot requests, ballot formats and styles, precinct poll books, and canvassing procedures to reflect the statutory addition of a ballot for voters who do not choose to make the declarations required by major political parties; and requires that copies of the lists of voters who choose to subscribe to political party oaths be provided to the county committees of the respective political parties.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The amendments in these proposed rules do not impose significant costs on businesses in any industry.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The amendments in these proposed rules relate only to internal governmental operations and are not subject to violation by a nongovernment party.

Hearing Location: Office of the Secretary of State, 2nd Floor, Legislative Building, Olympia, Washington 98504, on January 9, 1996, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Gary McIntosh by January 8, 1996, TDD (800) 422-8683.

Submit Written Comments to: FAX (360) 586-5629, by January 8, 1996.

Date of Intended Adoption: January 11, 1996.

November 22, 1995

Donald F. Whiting

Assistant Secretary of State

Proposed Amendments to Regulations on the  
PRESIDENTIAL PRIMARY  
(November 20, 1995)

**AMENDATORY SECTION** (Amending WSR 91-18-012, filed 8/26/91, effective 9/26/91)

**WAC 434-75-010 Authority and purpose.** These rules are adopted under ~~((the authority of))~~ RCW 29.19.070 ~~((for the purposes of assuring))~~ to provide uniformity in the conduct of ~~((a))~~ the presidential ~~((preference))~~ primary and to facilitate the ~~((operation of the procedures mandated by that))~~ amendments to chapter 29.19 RCW in Chapter 20, Laws of 1995, 1st. Special Session and the national and state rules of the major political parties.

**AMENDATORY SECTION** (Amending WSR 91-18-012, filed 8/26/91, effective 9/26/91)

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

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

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

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

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

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

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

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

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

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

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

~~((7))~~ (5) "Paper ballot" means a piece of paper on which the ballot for a presidential primary has been printed, on which a voter may record his or her choices for any candidate or for or against any measure, and that is to be tabulated manually;

~~((8))~~ (6) "Ballot card" means any type of card or piece of paper of any size on which a voter may record his or her choices for any candidate and for or against any measure, and that is to be tabulated on a ~~((vote tallying))~~ vote tallying system;

~~((9))~~ (7) "Voting system" means a voting device, vote tallying system, or combination of these together with ballots and other supplies or equipment used to conduct a presidential preference primary or to canvass votes cast in a presidential preference primary;

~~((10))~~ (8) "Voting device" means a piece of equipment used for the purpose of marking, or to facilitate the marking, of a ballot to be tabulated by a vote tallying system, or a piece of mechanical or electronic equipment used to directly record votes and to accumulate results for a number of issues or offices from a series of voters; and

~~((11))~~ (9) "Vote tallying system" means a piece of mechanical or electronic equipment and associated data processing software used to tabulate votes cast on ballot cards or otherwise recorded on a voting device or to prepare that system to tabulate ballot cards or count votes;

(10) "Ad-hoc committee" means the committee created under RCW 29.19.020 that has the authority change the date of the presidential primary.

**AMENDATORY SECTION** (Amending WSR 91-18-012, filed 8/26/91, effective 9/26/91)

**WAC 434-75-030 Presidential preference primary—When held.** ~~((Washington's))~~ A presidential ~~((preference))~~ primary shall be held on the fourth Tuesday in May of each year in which a president of the United States is to be elected, or on ~~((a))~~ the alternate date selected by the ~~((secretary of state pursuant to the provisions of))~~ ad-hoc committee under RCW 29.19.020((;)) and WAC 434-75-040((, and 434-75-050)).

**AMENDATORY SECTION** (Amending WSR 91-18-012, filed 8/26/91, effective 9/26/91)

**WAC 434-75-040 Presidential preference primary—Changing the date.** (1) The ~~((secretary of state))~~ ad-hoc committee may, ~~((pursuant to the provisions of))~~ under RCW 29.19.020 ~~((and in the manner provided by WAC 434-75-050;))~~ change the date of the presidential ~~((preference))~~ primary ~~((in order to advance the cause of a regional primary))~~ from the date specified in RCW 29.19.020 to any other date recommended under that statute.

(2) The secretary of state shall convene the ad-hoc committee when either:

(a) The secretary of state proposes an alternate date on which to hold the presidential primary; or

(b) The state committee of a major political party delivers to the secretary of state a written proposal change the date of the presidential primary.

(3) The secretary of state shall notify all of the members of the ad-hoc committee in writing, at least seven days in

advance of the meeting, of the time and place of the meeting to consider changes in the date of the presidential primary.

Reviser's note: The typographical errors in 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.

AMENDATORY SECTION (Amending WSR 91-18-012, filed 8/26/91, effective 9/26/91)

**WAC 434-75-050 Procedures to be followed when changing primary date.** ~~((In the event the secretary of state chooses to change))~~ If the date of the presidential primary is changed under RCW 29.19.020 and WAC 434-75-040 from the fourth Tuesday in May to another date, ((he or she)) the secretary of state shall ((not later than June 1 of the odd-numbered year immediately preceding the year in which a president is to be elected,)) promptly notify the ((following persons or organizations)) the county auditors and the chairperson of the national committee of each major political party, in writing, of ((his or her intent to change the)) that date(=

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

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

AMENDATORY SECTION (Amending WSR 91-18-012, filed 8/26/91, effective 9/26/91)

**WAC 434-75-060 Designation of candidates by secretary of state.** Not less than ~~((ninety))~~ sixty days prior to the date set for the presidential primary, the secretary of state shall compile a list of persons whose candidacy for the office of President of the United States is generally advocated or whose candidacy is generally recognized in the national news media. He or she shall promptly notify, in writing, ~~((all persons and organizations listed in WAC 434-75-050 and all))~~ the county auditors, the chairperson of each major political party, and each of the candidates ((se designated)) which names will be placed on the ballot at the presidential primary unless the candidate withdraws under WAC 434-75-070.

AMENDATORY SECTION (Amending WSR 91-18-012, filed 8/26/91, effective 9/26/91)

**WAC 434-75-070 Removal from list of designees.** Each candidate designated by the secretary of state shall appear on the primary ballot unless, not later than thirty-five days prior to the primary, the candidate files with the

secretary of state a signed, notarized statement that he or she is not now and will not become a candidate for president. The secretary of state shall promptly notify ~~((all persons and organizations notified under the provisions of WAC 434-75-050))~~ the county auditors, the chairperson of the national political party of that candidate, and all remaining candidates((=)) of any names removed from the list of candidates for the presidential primary under this section.

AMENDATORY SECTION (Amending WSR 91-18-102, filed 8/26/91, effective 9/26/91)

**WAC 434-75-080 Petition process for ballot access.** Members of a major political party may petition the secretary of state to include on the presidential primary ballot the name of any candidate of that party not designated by the secretary of state under WAC 434-75-060. Petitions may be circulated for signatures not earlier than the first day following the designation of candidates by the secretary of state ~~((pursuant to the provisions of))~~ under WAC 434-75-060. Such petitions must be filed with the secretary of state not later than the thirty-ninth day preceding the primary, shall be accompanied by a signed, notarized statement by the candidate concerned giving his or her consent to the nomination, and must bear the signatures of at least one thousand persons registered to vote in the state of Washington at the time the petition signatures are verified.

AMENDATORY SECTION (Amending WSR 91-18-012, filed 8/26/91, effective 9/26/91)

**WAC 434-75-090 Form of the nominating petition.** Nominating petitions shall be addressed to the secretary of state, be uniform in size, and shall contain the following:

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

AMENDATORY SECTION (Amending WSR 91-18-012, filed 8/26/91, effective 9/26/91)

**WAC 434-75-100 Verification of signatures by secretary of state.** Upon receipt of any nominating petition filed pursuant to WAC 434-75-080, the secretary of state shall promptly canvass and verify the signatures in order to determine the validity of the petition. The secretary may reject, without verification of signatures, any petition that clearly bears insufficient signatures, any petition that is not accompanied by a consent to the nomination by the candidate, or any petition that is in a form inconsistent with the provisions of WAC 434-75-090. To the extent that it is not

inconsistent with other provisions of these rules, the canvass and verification process may be observed in the same manner as that specified in RCW 29.79.200 for the observation of the canvass and verification of initiative signatures. The secretary of state shall reject the signature of any person not registered to vote in Washington, and any multiple signatures from the same voter. No signature may be rejected solely on the basis that it is not accompanied by the address or precinct name or number of the signer.

AMENDATORY SECTION (Amending WSR 91-18-012, filed 8/26/91, effective 9/26/91)

**WAC 434-75-110 Determination of insufficient signatures.** In the event the secretary of state determines that the petition contains insufficient valid signatures he or she shall notify the person filing the petition and the candidate on whose behalf the petition was filed. Persons so notified may submit additional signatures in support of the nomination as long as those signatures are submitted prior to the deadline established by RCW 29.19.030. ~~((The secretary's final determination of the sufficiency or insufficiency of any petition filed pursuant to the provisions of WAC 434-75-080 may be appealed to the superior court of Thurston County. The court shall promptly hear such challenges and the superior court decision shall be final.))~~

AMENDATORY SECTION (Amending WSR 91-18-012, filed 8/26/91, effective 9/26/91)

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

AMENDATORY SECTION (Amending WSR 91-18-012, filed 8/26/91, effective 9/26/91)

**WAC 434-75-130 Conduct of the presidential preference primary.** All procedures relevant to the conduct of a presidential ~~((preference))~~ primary ~~((pursuant to))~~ under chapter 29.19 RCW, including the form of the ballot, the arrangement of candidate names, and the processing of absentee ballots and vote-by-mail ballots shall be the same as the procedures for the conduct of any partisan primary within the state except as may be modified by the rules of the national or state party of a major political party, chapter 29.19 RCW, or the rules ~~((contained))~~ in this chapter.

AMENDATORY SECTION (Amending WSR 91-18-012, filed 8/26/91, effective 9/26/91)

**WAC 434-75-140 Party declaration by voter.** (1) Each registered voter desiring to participate in the presidential ~~((preference))~~ primary shall, prior to being issued either an absentee or a regular ballot, ~~((sign a statement in substantially the following form:~~

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

Signature of voter

Address if different from registration address))

be given the opportunity to subscribe to any declaration provided under the national or state political party rules of a major political party for participation in the presidential nominating process of that party.

(2) For the 1996 presidential nominating process, the democratic state committee has adopted the following declaration:

"I declare that I consider myself a democrat and I have not participated in the 1996 precinct caucus system of any other party".

(3) For the 1996 presidential nominating process, the republican state committee has adopted the following declaration:

"I declare that I consider myself a republican and I have not participated in the 1996 precinct caucus system of any other party".

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

AMENDATORY SECTION (Amending WSR 91-18-012, filed 8/26/91, effective 9/26/91)

**WAC 434-75-150 Ballot request form used at the polling place.** (1) The ~~((ballot request statement required by RCW 29.19.050 and))~~ political party declaration provided under WAC 434-75-140, when provided to a voter desiring to vote at a polling place, may appear on either:

(a) A paper form of uniform size for each voter. The form shall identify the presidential primary, the major political party, and the date, and shall have space for the voter to sign his or her name and address ~~((and shall also provide a method whereby the voter can indicate party preference)).~~ The voter's precinct shall be clearly indicated on the form. Multiple-part reproducible forms may be used for this purpose. The signed ballot request forms shall be collected by the precinct election officers and transmitted to the county auditor at the end of the voting day; or

(b) A ~~((special))~~ format printed in the poll book which would permit the voter to sign his or her name and address and to indicate his or her political party preference, if any; or

(c) Separate poll books for each major political party distinct from the poll books for voters who do not subscribe to the declaration of any major political party.

(2) The county auditor shall provide appropriate instructions for the precinct election officers regarding the handling, maintaining, and transportation of the ~~((ballot request forms or statements))~~ political party declarations.

**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 WSR 91-18-012, filed 8/26/91, effective 9/26/91)

**WAC 434-75-160 Ballot—Separation of political parties.** Separate ballots for each major political party shall be ~~((maintained))~~ provided as follows:

(1) Where a paper ballot is used, a separate ballot shall be prepared for each major political party containing the names of the candidates of that party certified by the secretary of state ~~((pursuant to the provisions of))~~ under WAC 434-75-120;

(2) Where a ballot card is used, separate ballot cards shall be provided for each major political party ~~((and for any alternate ballot issued pursuant to the provisions of WAC 434-75-200. Additionally, counties using voting systems which have ballot pages shall use a separate page or pages for each party)).~~ Counties ~~((may also))~~ shall employ separate voting devices ~~((to distinguish the types of ballots used))~~ within a precinct for each major political party. Ballot cards must contain a machine readable pre-punch or a machine readable ballot code to distinguish, within each precinct, each ballot type used~~(;~~

~~(3) Where a voting device is used that directly records the vote on mechanical equipment or on direct recording electronic equipment, separate voting labels shall be prepared for each major political party. The labels with the slate of candidates for each major political party shall be easily discernible on the voting panel. The mechanical voting device or direct recording electronic voting device shall be programmed so that the individual voter shall be able to vote only for candidates listed on the slate of the major political party indicated on the ballot request form)).~~

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 WSR 91-18-012, filed 8/26/91, effective 9/26/91)

**WAC 434-75-180 Ballots—Arrangement of names—Instructions.** (1) Voters who do not make a political party declaration under WAC 434-75-140 shall be issued a ballot containing the names of all of the candidates certified by the secretary of state under WAC 434-75-120 listed alphabetically under the designation of the office (president of the United States) together with any other issues being submitted to the voters at special elections held in conjunction with the presidential primary.

(2) Voters who make a political party declaration under WAC 434-75-140 shall be issued a ballot containing the names of all of the candidates certified by the secretary of state under WAC 434-75-120 for ((a)) that party's nomination ((for the office of president shall be listed alphabetically in a column on the ballot)) listed alphabetically under the designation of the office (president of the United States) together with any other issues being submitted to the voters at special elections held in conjunction with the presidential primary.

(3) On paper ballots, a printed box shall be placed adjacent to each candidate's name. Provision for the voter to write-in the name of another candidate shall be provided

on each ballot. ~~((Unless the voter indicates otherwise, or unless the write-in vote is made for a person whose name appears on the ballot of another major political party, the political party of the person whose name is written in shall be presumed to be the same as that indicated on the ballot request form.))~~ The names of candidates on the presidential preference primary ballot shall not be rotated.

(4) The ballot shall contain instructions to the voters in substantially the following form:

"VOTE FOR ONE. If you vote for more than one candidate ~~((or if you vote for the candidate of a party other than the party indicated on your ballot request form))~~ for this office, your vote in the presidential ~~((preference))~~ primary will not be counted."

The instructions shall be printed large enough to be easily read by the voter.

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 WSR 91-18-012, filed 8/26/91, effective 9/26/91)

**WAC 434-75-190 Special election held in conjunction with the presidential preference primary.** If a special election is scheduled concurrently with the presidential ~~((preference))~~ primary ~~((pursuant to))~~ under RCW 29.13.010 or 29.13.020, all measures or candidates for office for which the voters are eligible to vote at that special election shall be listed on the ballot in such a manner that each voter can identify and vote on those candidates or measures ~~((in addition to))~~ separately from the presidential preference primary candidates. ~~((However, nothing in this section shall prevent the use of an alternate ballot for special elections as provided by WAC 434-75-200.))~~

AMENDATORY SECTION (Amending WSR 91-18-012, filed 8/26/91, effective 9/26/91)

**WAC 434-75-210 Provisions regarding ballots applicable to absentees.** Wherever applicable, the provisions regarding the arrangement and form of the presidential ~~((preference))~~ primary ballot shall apply to both absentee ballots and to those ballots used at the polling place.

AMENDATORY SECTION (Amending WSR 91-18-012, filed 8/26/91, effective 9/26/91)

**WAC 434-75-220 Absentee ballot request form.** Any absentee ballot request form produced for use in the presidential primary must include ~~((a space))~~ an option for the voter to ~~((indicate in which))~~ subscribe to the declaration of a major political party under WAC 434-75-140 and participate only in the presidential primary ~~((he or she desires to participate, as provided by RCW 29.19.050 and WAC 434-75-140))~~ of that party. The absentee request shall also contain a statement in substantially the following form:

"~~((Unlike the regular state primary,))~~ Under Washington's presidential ~~((preference))~~ primary law, you may ~~((only request the))~~ subscribe to a declaration required

by the rules of a major political party and receive a ballot containing only the candidates of ~~((one))~~ that political party. ~~((Please indicate below which party ballot you are requesting. You will be sent))~~ The rules of that major political party may provide that votes cast by persons subscribing to this declaration at the presidential primary be used to determine the allocation of delegates and alternates from this state to the national nominating convention of that party. If you wish to receive a ballot containing only the names of presidential candidates for one political party, be sure to sign the declaration of that party."

Absentee ballot requests for the presidential primary shall in all other respects contain the information required, and be in the form specified, by chapter 29.36 RCW and chapter 434-40 WAC. The secretary of state shall design an absentee ballot application form for the presidential ~~((preference))~~ primary and shall provide this form to each county auditor, and to any other person or organization, upon request ~~((, a sample of that request form))~~.

**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.

**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.

**AMENDATORY SECTION** (Amending WSR 91-18-012, filed 8/26/91, effective 9/26/91)

**WAC 434-75-230 Incomplete absentee ballot requests.** ~~((Except as otherwise provided by these rules.))~~ Incomplete absentee ballot applications for the presidential primary shall be handled in the manner provided by WAC 434-40-130 through 434-40-160.

**AMENDATORY SECTION** (Amending WSR 91-18-012 [92-08-032], filed 8/26/91 [3/24/92], effective 9/26/91 [4/1/92])

**WAC 434-75-240 Lack of party designation.** In the event the auditor receives a request for an absentee ballot that does not include ~~((party designation))~~ any signed political party declaration, he or she shall ~~((either attempt to obtain a signed party designation in the manner provided by WAC 434-40-130(2), or he or she shall))~~ send ~~((the ballots of each major political party to the voter, together with instructions in substantially the following form:~~

Dear Voter:

We are in receipt of your Presidential Preference Primary absentee ballot application. However, your application is incomplete in that you did not indicate which political party's ballot you are requesting. Under Washington's Presidential Primary law, this information must be provided prior to your ballot being counted. We have, therefore, enclosed the ballots of each political party. You are entitled to vote the ballot of only one political party, and that must

be the party indicated on the party designation/request form. Please complete the enclosed information and return it together with, but separate from, the appropriate party ballot. do not place the party request form in the ballot security envelope.

I hereby request a ballot for the following major political party: ~~((check one))~~

..... DEMOCRATIC ..... REPUBLICAN

\* .....  
(Signature of Voter)

~~Each county auditor shall devise a method of ensuring that the ballot returned by the voter is of the party indicated on the request form without compromising the secrecy of the ballot))~~ that voter a ballot containing the names of all of the candidates certified by the secretary of state under WAC 434-75-120.

**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.

**AMENDATORY SECTION** (Amending WSR 91-18-012 [92-08-032], filed 8/26/91 [3/24/92], effective 9/26/91 [4/1/92])

**WAC 434-75-250 Ongoing absentee voters.** Each county auditor shall, prior to ~~((each))~~ presidential ~~((preference))~~ primary, ~~((either:~~

~~(1) Send to each ongoing absentee voter the ballots of each major political party, together with instructions and a ballot request form similar to those specified in WAC 434-75-240; or~~

~~(2))~~ send a ballot request form similar to the one provided under WAC 434-75-220 to each ongoing absentee voter in advance of the presidential preference primary, ~~((requesting))~~ giving that ~~((the))~~ voter ~~((indicate on that form which party))~~ the opportunity to request a ballot ~~((he or she desires. The form may also have a space for the voter to indicate that he or she does not desire to participate in the presidential preference primary. If such an indication is received from the voter, no presidential preference primary ballot shall be sent))~~ containing only the presidential candidates of one major political party. In the event ~~((a))~~ an ongoing absentee voter does not return a ballot request form ~~((or a statement declining to participate in the presidential preference primary))~~ in advance of the date for mailing ongoing absentee ballots, ~~((no ongoing absentee ballot))~~ that voter shall be sent ~~((Such voters who subsequently express a desire to vote in the presidential preference primary may request a regular absentee ballot as provided by state law and these rules))~~ a ballot containing all of the candidates certified by the secretary of state under WAC 434-75-120.

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

PROPOSED

AMENDATORY SECTION (Amending WSR 91-18-012, filed 8/26/91, effective 9/26/91)

**WAC 434-75-260 Canvassing and tabulation of presidential primary absentee ballots.** Unless otherwise provided by law, by the rules of the national or state party of a major political party, or by these rules, absentee ballots for the presidential ~~((preference))~~ primary shall be processed, canvassed, and tabulated, by legislative and congressional district, in the same manner as absentee ballots for other elections.

AMENDATORY SECTION (Amending WSR 91-18-012, filed 8/26/91, effective 9/26/91.)

**WAC 434-75-270 Vote-by-mail precincts.** Wherever applicable, presidential ~~((preference))~~ primary ballots for voters in vote-by-mail precincts shall be issued and processed in the same manner as ballots issued to ongoing absentee voters, as provided by statute, by the rules of the national or state committee of a major political party, and by these rules.

AMENDATORY SECTION (Amending WSR 91-18-012, filed 8/26/91, effective 9/26/91)

**WAC 434-75-280 Ballots not tabulated.** The county auditor shall not count votes cast for the office of president of the United States in the presidential primary ~~((ballots))~~ in the following cases:

(1) ~~((Where the voter has no request on file indicating which political party ballot he or she requested;~~

~~((2) Where the voter has voted the ballot of a party other than the one he or she requested;~~

~~((3))~~ Where the voter has attempted to vote more than once for that office;

~~((4))~~ (2) Where the voter has voted for candidates of more than one political party, in which case all such votes shall be rejected;

~~((5))~~ (3) Where a write-in vote is made for a person who has declined the nomination as provided by WAC 434-75-070;

~~((6) Where a write-in vote is made with the incorrect party designation;~~

~~((7))~~ (4) Where the person issued a questioned or challenged ballot does not otherwise satisfy the constitutional or statutory requirements for voting.

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

AMENDATORY SECTION (Amending WSR 91-18-012, filed 8/26/91, effective 9/26/91)

**WAC 434-75-290 Canvassing and certification of presidential preference primary.** County canvassing boards shall certify the results of the presidential primary, by congressional district, not later than the ~~((seventh))~~ tenth day following the primary. The county auditor shall send one original copy of the returns by mail ~~((and one copy by electronic facsimile transmission or by messenger))~~ to the

secretary of state on the same day the returns are certified. Wherever applicable, the other procedures established by chapter 29.62 RCW for the canvassing of state primaries shall apply to the canvassing of a presidential preference primary. Not later than the ~~((tenth))~~ twentieth day following the presidential ~~((preference))~~ primary, the secretary of state shall notify the ~~((persons and organizations listed in WAC 434-75-050))~~ candidates and the chairperson of the national and state committees of each major political party of the votes cast for each candidate listed on the ballot ~~((of each major political party))~~, of write-in votes cast for any candidate receiving at least ~~((five))~~ one percent of the votes cast for candidates of that party, and the aggregate total of votes cast for all write-in candidates receiving less than five percent of the total votes cast.

AMENDATORY SECTION (Amending WSR 91-18-012, filed 8/26/91, effective 9/26/91)

**WAC 434-75-310 Mandatory recount provisions do not apply.** The provisions of ~~((chapter 29.64))~~ RCW 29.64.015 regarding mandatory recounts do not apply to ~~((the conduct of))~~ a presidential ~~((preference))~~ primary. However, recounts may be requested ~~((pursuant to))~~ under the other provisions of that chapter

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 WSR 91-18-012, filed 8/26/91, effective 9/26/91)

**WAC 434-75-320 Political party preference data—Transmittal to the major political parties.** No later than thirty days following the certification of the returns of the presidential ~~((preference))~~ primary by the secretary of state, the county auditor shall provide to the county and state ~~((central))~~ committee of each major political party, at actual reproduction cost, the names and addresses of those voters participating in the presidential primary ~~((for))~~ of that major political party. This may be accomplished by either:

(1) Integrating the ballot request and party preference data with the ~~((regular))~~ county voter registration file and producing a registered voter report containing the consolidated data in either machine-readable or printed format, which is provided to each major political party; or

(2) Providing to each major political party copies of the ~~((ballot request forms))~~ political party declarations that indicate the primary in which the voter participated ~~((segregated by precinct))~~; or

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

Reviser's note: The typographical errors in 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.



AMENDATORY SECTION (Amending WSR 91-18-012, filed 8/26/91, effective 9/26/91)

**WAC 434-75-330 Retention of election material.**

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

AMENDATORY SECTION (Amending WSR 91-18-012, filed 8/26/91, effective 9/26/91)

**WAC 434-75-340 Claims for reimbursement.**

Following the presidential preference primary, each county auditor shall provide to the secretary of state a completed claim for reimbursement of expenses incurred by the county in conducting the primary. This cost shall be prorated with any other jurisdictions holding special elections in conjunction with the primary under RCW 29.13.045. The procedures for allocating such costs shall be the same as those prescribed by the office of the state auditor for election cost allocations to the state, cities, towns, and special purpose districts.

AMENDATORY SECTION (Amending WSR 91-18-012, filed 8/26/91, effective 9/26/91)

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

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- WAC 434-75-170 Secretary of state to designate color of ballots and election materials;
- WAC 434-75-200 Questioned ballots/alternate ballots—Use by poll workers when voter declines to identify party; and
- WAC 434-75-300 Canvassing and tabulation of other special elections.

**WSR 95-24-001A  
WITHDRAWAL OF PROPOSED RULES  
UTILITIES AND TRANSPORTATION  
COMMISSION**

[Filed November 22, 1995, 12:35 p.m.]

Please withdraw proposed WAC 480-14-030, 480-14-270, 480-14-280, 480-14-330, and 480-14-410 from consideration for adoption in WSR 95-17-125, Commission Docket No. TV-941290. The commission has determined not to adopt those sections.

Gloria Papiez  
for Steve McLellan  
Secretary

**WSR 95-24-039  
PROPOSED RULES  
LIQUOR CONTROL BOARD**

[Filed November 29, 1996, 4:43 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-16-105.

Title of Rule: New rules applying to alcohol server training program.

Purpose: To set forth curricula requirements for mandatory alcohol server training, the specifications for providers of training and related requirements of the program.

Statutory Authority for Adoption: RCW 66.08.030.

Statute Being Implemented: RCW 66.20.300 - 66.20.350.

Summary: The proposed rules explain the specific requirements for mandatory server training, certification of providers of training, illegal possession of Class 12 or 13 permits, and prohibited conduct of provider or trainer.

Reasons Supporting Proposal: Provide trainers, permittees and liquor licensees with complete understanding of what is expected to prevent confusion.

Name of Agency Personnel Responsible for Drafting: Jan Britt, 1025 East Union, (360) 586-6701; Implementation: Phil Davis, 1025 East Union, (360) 664-8553; and Enforcement: Gary Gilbert, 1025 East Union, (360) 586-3052.

Name of Proponent: Washington State Liquor Control Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The new sections will explain the criteria for trainers and providers of training, curricula which must be taught and the sanctions which may be believed against provider and trainers who violate the rules pertaining to alcohol server training programs.

Proposal Changes the Following Existing Rules: Emergency rules for certification of providers were adopted on August 1, 1995. the rules currently under consideration would set forth permanent requirements in order to implement chapter 51, Laws of 1995.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rules set forth criteria required by the adoption of RCW 66.20.330 by

PROPOSED

the 1995 legislature. The rules do not place any additional requirements upon licensees from those adopted by RCW 66.20.300 - 66.20.350.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The Washington State Liquor Control Board not included in list of agencies in section 201, chapter 403 laws of 1995.

Hearing Location: Washington State Liquor Control Board, Fifth Floor Conference Room, 1025 East Union, Olympia, WA, on January 10, 1996, at 9:30 a.m.

Assistance for Persons with Disabilities: Contact ATT TTY/TDD Relay by January 9, 1996, 1995, TDD (800) 833-6388.

Submit Written Comments to: Washington State Liquor Control board, Attn Public Information Office, P.O. Box 43080, Olympia, WA 98504-3080, FAX (360) 664-9689, by January 9, 1996.

Date of Intended Adoption: January 17, 1996.

November 29, 1995

Mike Murphy  
Chairman

#### NEW SECTION

**WAC 314-14-010 Class 12 permit - Mixologist.** (1) "Mixologist Permit" refers to the Class 12 permit. Mixologist are liquor licensees or their employees who:

- a) manage a premises licensed to sell alcoholic beverages for on site consumption, or
- b) act as a bartender for selling or mixing alcoholic drinks which may include spirits, beer and/or wine for consumption on premises, or
- c) draw beer and/or wine from taps and/or spirits from dispensing devices at an establishment licensed to sell liquor for on premises consumption.

(2) A mixologist must be 21 years of age or older.

(3) A mixologist permit includes the authority to act as a server, under the class 13 permit.

(4) A mixologist permit is valid for five years from the completion of a Board certified alcohol server class.

(5) The holder of a class 12 mixologist permit must have available on premises for inspection by board employees or other peace officers the class 12 permit together with one piece of identification as specified in RCW 66.16.050 whenever they are employed in the sale of alcohol.

(6) The refusal or failure of any mixologist or server to make their permit available on the premises for immediate inspection by authorized board employees or peace officers is prima facie evidence of a violation of this section.

#### NEW SECTION

**WAC 314-14-020 Class 13 permit - Server.** (1) "Server's Permit" refers to the Class 13 permit. Servers are people who:

- a) take orders for alcoholic beverages to be consumed on premise, and/or
- b) deliver such beverages to customers for consumption on premise, and/or
- c) may open and/or pour beer or wine into a customer's glass at the customer's table.

(2) A server must be 18 years of age or older. Any server who is 18, 19 or 20 years of age who successfully

completes a class 12 mixologist class will be issued a Class 13 Server's Permit. Upon turning 21, the server may apply for an upgraded Class 12 mixologist permit as allowed in WAC 314-14-025. The expiration date of the permit will remain 5 years from the date of the class.

(3) Holders of a Class 13 Server's Permit who are 21 years of age or older may, upon the temporary absence of the Class 12 mixologist, perform the functions of a class 12 permit holder on a retail licensed premises until such time as a Class 12 mixologist can arrive to fulfill those duties, but in no event for more than 2 consecutive work days.

(4) A server's permit is valid for five years from the completion of a board certified alcohol server class.

(5) The holder of a class 13 servers permit must have available on premises for inspection by board employees or other peace officers the class 13 permit together with one piece of identification as specified in RCW 66.16.040 whenever they are employed in the service of alcohol.

(6) The refusal or failure of any mixologist or server to make their permit available on the premises for immediate inspection by authorized board employees or peace officers is prima facie evidence of a violation of this section.

#### NEW SECTION

**WAC 314-14-030 Permit expiration—Lost, replacement and upgraded permits** (1) Every Class 12 and Class 13 permit shall expire on the first day of the month, five years following the month the mixologist or server successfully completed their alcohol server education course.

(2) To be eligible for renewal of any Class 12 or Class 13 permit, the mixologist or server must attend an alcohol server's education course given by a board authorized provider within sixty days of the expiration of their current permit.

(3) Lost permits will be cancelled and a replacement permit issued by the Liquor Control Board upon the mixologist or server submitting an affidavit of lost permit to the Board together with a fee to be set by the Board.

(4) Permit holders who have successfully completed a class 12 mixologist course, but were under 21 years of age at the time of the course and were issued a Class 13 Servers permit may request their trainer upgrade their permit to a Class 12 Mixologist Permit upon reaching 21 years of age.

#### NEW SECTION

**WAC 314-14-040 Temporary certification as a provider.** (1) Nationally recognized alcohol server training programs may submit their materials to the Board for temporary certification. Temporary certification may be issued by the Board for a period not to exceed six months.

(2) If permanent certification is not obtained during the six month temporary certification period, at the end of the temporary certification period, the provider will return to the board the original letter of Board certification and any Class 12 and/or Class 13 permit forms together with records of all permits issued during the temporary certification period.

(3) To obtain temporary certification, a provider applicant must submit a letter indicating a) in which states and/or countries their program is currently used, b) a copy of the lesson plan for the program, c) a copy of any audio/visual/printed materials used with the program, d) a copy

of the examination and explanation of the examination procedure used.

(4) The Board or their designee will evaluate the program to see if it meets the minimum standards set by RCW 66.20.300 through 66.20.350. If the program meets the minimum statutory requirements and curriculum guidelines as set by the Board, the Board or their designee will send to the provider applicant a letter of temporary certification to be valid for a period not to exceed six months together with the appropriate permit forms.

(5) The Board or their designee may review and attend any provider classes at no charge to determine compliance with the program approved. If, in the opinion of the Board or their designee the provider does not comply with the lesson plan submitted and approved or any of the requirements of WAC 314-14, the temporary certification may be immediately revoked.

#### NEW SECTION

**WAC 314-14-050 Illegal possession of a permit.** Any person who falsifies, keeps or possesses a Class 12 Mixologist Permit or a Class 13 Servers Permit contrary to the provisions of this section and contrary to the intent of RCW 6.20.300 through 66.20.350 shall be guilty of a violation of this section.

#### NEW SECTION

**WAC 314-14-060 Training entity - Provider - Trainers.** (1) "Providers" refers to an individual, partnership, corporation, college, educational institute or other bona fide legal entity that the Board certifies to provide a Board approved alcohol server education course. The provider is a training entity.

(a) The provider will only contract with trainers which meet the standards set below.

(2) "Trainer" is an individual employed or authorized by a provider to conduct an alcohol server education course wherein the successful completion of the course by the student will result in the issuance of a class 12 or class 13 permit.

(a) Each trainer must have a minimum of two years of post-secondary education in the field of either training, or education, or law, or law enforcement, or substance abuse rehabilitation, or the hospitality industry or a combination of any of the above fields or equivalent years of experience.

(b) Each trainer must teach an alcohol server education program that has been approved by the Board.

(c) Authorized trainers of certified provider programs may order from the Board or their designee Class 12 and Class 13 Alcohol Server Training Permits to issue to students who successfully complete training. EXCEPT, Students between 18 through 20 years of age that successfully complete a mixologist course of instruction will be issued a Class 13 Servers Permit until such time as the student turns 21 years of age.

#### NEW SECTION

**WAC 314-14-070 Provider certification.** (1) A person or business entity that decides to become a certified provider for Alcohol Server Education must submit to the Board or their designee:

(a) a completed application form provided by the Board that specifies how the applicant will meet the definition of "provider" in WAC 314-14-060, and

(b) a copy of the lesson plan(s), audio and visual and printed materials provided as part of the alcohol server education course(s), and

(c) a copy of the examination(s) and explanation of the examination procedure necessary to pass the course, and

(d) identification of all trainers to be used in teaching the course. Identification should include whenever possible the name, date of birth, social security number, address and phone number and educational and employment background of trainers used for the course, and

(e) will inform the Board of any changes within 30 days of hiring, contracting with or termination of use of any trainers.

(2) If the applicant provider has a program or trainers who are not acceptable for certification, the Board or designee will notify the applicant provider of any deficiencies.

(3) If the provider, its program and its trainers meet Board standards and curriculum guidelines designated by the Board, the provider will receive a letter of certification of their program which will be valid for a period of 5 years, together with an order form for the applicable Class 12 and Class 13 permit forms.

(4) Upon notification of who the authorized trainers are for a provider's course, and when sufficient information is given to contact the trainer, the Board or their designee will issue a letter of authorization to the trainer to teach the relevant provider's course.

(5) The Board or their designee may attend any class provided by certified providers and their trainers at no charge to evaluate conformance with the program certified by the Board.

(6) No change(s) will be made to the basic program content or method of presentation which has been certified by the Board without the provider notifying the Board or their designee of such changes and obtaining prior approval of such changes.

#### NEW SECTION

**WAC 314-14-080 Provider and trainer records—Rights of inspection.** (1) The provider's authorized trainers will submit to the Board within 30 calendar days of any training class a readable copy of the Class 12 and/or Class 13 permit application form issued.

(2) Copies of the Class 12 and/or Class 13 permits issued by the provider's authorized trainers shall be kept at the trainers place of business and be available for inspection and copying by Board employee(s) for a period of five (5) years.

(3) The trainer will keep at their place of business, available for inspection and copying by Board employee(s) course presentation information which shall include the location, date and time of every class given together with the

name of the trainer and the number and name of students that attended each class. These records will be kept for a period of five (5) years.

(4) Upon request by the Board, the provider and/or provider's authorized trainers will give advance notice of any classes scheduled.

#### NEW SECTION

**WAC 314-14-090 Alcohol server education provider course standards—Class 12 mixologist permit.** To be certified to issue a class 12 mixologist permit, the provider's course of instruction must include:

(1) a course of instruction of not less than three hours in length;

(2) a standard workbook that covers the specifics of Washington liquor laws as they relate to (a) recognizing and dealing with intoxicated persons, (b) how to check identification, (c) required signs in liquor licensed establishments and (d) meets the requirements of RCW 66.20.300 through 66.20.350;

(3) a written examination completed by the student attending which demonstrates the student is familiar with the liquor laws of Washington applicable to the mixing, serving, and liability associated with the alcohol beverage industry.

(4) The consumption of alcoholic beverages by any student or trainer during any alcohol server education course or break during the course is prohibited.

(5) At the beginning of each class, the trainer will give each student:

(a) An enrollment agreement that clearly states the obligations of the trainer and student, refund policies and procedures to terminate enrollment.

(b) A statement that says, "If you have questions, comments or complaints about the program, please call the Liquor Control Board" and includes the appropriate Board telephone numbers.

(c) A notice that a student must complete the course in order to take the exam.

#### NEW SECTION

**WAC 314-14-100 Alcohol server education provider course standards—Class 13 server permit.** To be certified to issue a class 13 server permit, the provider's course of instruction must include:

(1) a minimum one hour course of instruction that may include not less than 30 minutes of a video or audio visual presentation together with facilitation by the provider's authorized trainers or a sixty minute self teaching video;

(2) a standard workbook that covers the specifics of Washington liquor laws as they relate to (a) recognizing and dealing with intoxicated persons, (b) how to check identification, and (c) meets the requirements of RCW 66.20.300 through 66.20.350;

(3) a written examination completed by the student attending which demonstrates the student is familiar with the liquor laws of Washington applicable to the delivery and service of alcohol beverages.

(4) The consumption of alcoholic beverages by any student or trainer during any alcohol server education course or break during the course is prohibited.

(5) At the beginning of each class, the authorized trainer will give each student:

(a) An enrollment agreement that clearly states the obligations of the trainer and student, refund policies and procedures to terminate enrollment.

(b) A statement that says, "If you have questions, comments or complaints about the program, please call the Liquor Control Board" and includes the appropriate Board telephone numbers.

(c) A notice that a student must complete the course in order to take the exam.

#### NEW SECTION

**WAC 314-14-110 Sanctions against providers and trainers.** Except for providers with temporary certification, any provider or trainer that violates any of the provisions of RCW 66.20.300 through 66.20.350 or any of the requirements of WAC 314-14 will, (1) upon a first offense receive a notice of intended suspension/revocation of the Board's certification or authorization. The notice of intended suspension/revocation will give the provider and/or trainer thirty-days to correct any violations. If the problem is rectified no further action will be taken.

(2) If the problem is not rectified and/or a second violation by a provider or their trainer occurs, the Board will suspend its approval and certification of the provider and/or trainer for a period not to exceed six months. A monetary penalty of up to five hundred dollars (\$500) may be imposed in lieu of suspension. Prior to lifting the suspension or accepting a monetary penalty, the provider and/or trainer must correct the problem(s) which caused the suspension.

(3) The Board may increase sanctions based on successive violations within a two-year period. Numerous violations within the two-year period may indicate such a disregard for the law or failure to provide an acceptable Alcohol Server Education Program so as to warrant cancellation of the certification of either the provider and/or their authorized trainer.

(4) If the provider and/or trainer is charged with a violation of any of the provisions of RCW 66.20.300 through 66.20.350 or any of the requirements of WAC 314-14, the Board may cancel or suspend the approval and certification of the provider and/or trainer for a period of up to 5 years.

#### NEW SECTION

**WAC 314-14-120 Provider responsible for acts of trainers** The Board may hold a provider responsible for any act or omission of the provider's program personnel, authorized trainers or representatives that violates any law or administrative rule affecting provider privileges.

#### NEW SECTION

**WAC 314-14-130 Prohibited conduct** No provider or authorized trainer of a provider will: (1) Make any material false or misleading statement to induce or prevent Board actions.

(2) Falsify, alter or otherwise tamper with Alcohol Server Training permits or records.

(3) Permit a student to refer to any written material or have a discussion with another person during the exam

unless the instructor authorizes the student to use an interpreter.

(4) Permit any student to drink alcoholic beverages or to be under the influence of intoxicants during the course presentation or exam, including breaks and meals.

(5) Drink alcoholic beverages or be under the influence of intoxicants during the course presentation and exam, including breaks and meals.

(6) Prohibit or interfere with on-site observations by the Board or this staff, or fail to assist the Board or this staff in scheduling these observations.

#### NEW SECTION

**WAC 314-14-140 Provider and trainer advertising and promotion standards.** (1) Provider and trainer advertising related to the alcohol server education courses which result in the issuance of a class 12 or class 13 permit, must include:

(a) The provider's and/or trainer's telephone number and cancellation policy.

(b) The total amount of class time which includes instruction, exam and breaks.

(c) A statement that students must attend the entire class before taking the exam.

(2) Advertising will not suggest that the State of Washington, the Board, or any state agency endorses or recommends the provider's program to the exclusion of any other program.

(3) The provider or trainer will give the Board or its staff copies of program publications, brochures, pamphlets, scripts, etc. or any other representation of advertising materials related to the program upon request.

(4) A provider or trainer must have records available to support all claims or that representations the provider or trainer makes in his/her advertising.

#### NEW SECTION

**WAC 314-14-150 On premise liquor licensees must check identification of employees and verify their possession of an alcohol servers permit** (1) Except as noted in section (2) below, all liquor licensees who hold a license to sell liquor for on premise consumption must, within sixty days of employment of any person in the sale or service of liquor, verify that the employee has either a valid, not expired Class 12 Mixologist permit or a valid, not expired Class 13 Servers permit as required by RCW 66.20.300 through 66.20.350 in the same name and with the same identifying characteristics as indicated on the employee's identification as specified in RCW 66.16.040.

(2) Employees of retail licensed businesses licensed under RCW 66.24.320 and 66.24.340 are exempt from alcohol service training requirements when the establishments PRIMARY business is the sale of grocery products and the sale of beer and wine for on premises consumption is incidental to the primary business and constitutes 45 per cent or less of the business activity.

#### NEW SECTION

**WAC 314-14-160 Board may suspend permits** Notwithstanding any criminal actions taken, the Board may issue administrative violation notices to any holder of a class 12 or class 13 permit for violation of Title 66, RCW or WAC 314. Class 12 or class 13 permits may be suspended or revoked following the operating procedures set forth in WAC 10-08. As allowed by the Board, a monetary penalty may be imposed in lieu of a suspension.

#### NEW SECTION

**WAC 314-14-170 Location of classes.** Alcohol server training classes may be held on the premises of a retail liquor licensee, unlicensed premises or educational facility. Classes shall not be held on the premise of a nonretail liquor licensee, as defined in WAC 314-22-010. Alcohol server training classes do not qualify as a "course of instruction" allowed by RCW 66.28.150.

**WSR 95-24-059  
PROPOSED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)**

[Filed December 1, 1995, 3:41 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-21-014.

Title of Rule: WAC 388-218-1510 Time-loss compensation—Lien.

Purpose: The rule allows for the recoupment from time-loss compensation of AFDC benefits paid on behalf of an injured worker and that worker's legal dependents.

Statutory Authority for Adoption: RCW 43.20B.720 Recipient receiving industrial insurance compensation—Subrogation rights of department—Lien—Withhold and deliver notice.

Statute Being Implemented: Same.

Summary: Amendment of the rule requires the department to recoup from time-loss compensation only the portion of AFDC received by the injured worker and his/her natural, adoptive or step-child(ren).

Reasons Supporting Proposal: To comply with state statute.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Rena Milare, Division of Income Assistance, Office of Assistance Programs, (360) 438-8311.

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: See Purpose and Summary above.

Proposal Changes the Following Existing Rules: See Summary above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Amendment of the rule

affects only recipients of AFDC who are also injured workers eligible for time-loss compensation.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Amendment of the rule affects only recipients of AFDC who are also injured workers eligible for time-loss compensation.

Hearing Location: OB-2 Auditorium, 1115 Washington Street South, Olympia, WA 98504, on January 9, 1996, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Jeanette Sevedge-App, Acting Chief, by December 26, 1995, TDD (360) 753-4542, or SCAN 753-4542 [234-4542].

Submit Written Comments to: Jeanette Sevedge-App, Acting Chief, Vendor Services, P.O. Box 45811, Olympia, WA 98504, Identify WAC Numbers, FAX (360) 586-8487, by January 2, 1996.

Date of Intended Adoption: January 10, 1996.

December 1, 1995  
Sydney Doré  
for Jeanette Sevedge-App  
Acting Chief  
Office of Vendor Services

AMENDATORY SECTION (Amending Order 3861, filed 6/28/95, effective 7/29/95)

**WAC 388-218-1510 Time-loss compensation—Lien.**

(1) The department shall file a lien and notice to withhold and deliver, with labor and industries or the self-insurer, to recover time-loss compensation payable to a public assistance client, for injury or illness.

(2) The department shall mail a copy of the notice to the client no later than the following work day.

(3) By accepting public assistance, adult and minor clients shall subrogate to the department the clients' right to recover time-loss compensation.

(4) When an assistance unit consists of unmarried parents, the department shall:

(a) Recover time-loss benefits as though the injured worker and the injured worker's dependents comprise a separate assistance unit; and

(b) Consider any common children to be part of the injured worker's assistance unit; and

(c) Recover from time-loss compensation only the portion of AFDC received by the injured worker and the injured worker's natural, adoptive or stepchildren.

(5) The department shall compute payments for time-loss compensation and public assistance paid for less than a full month on the actual number of days paid.

~~((5))~~ (6) The department shall not make a further claim under this lien when:

(a) Duplicated benefits terminate; or

(b) Continued assistance is required to supplement time-loss compensation to bring the assistance unit up to the grant standard.

~~((6))~~ (7) When the client or client's attorney claims allowable attorney fees and costs, incidental to an increased award, the office of financial recovery, department of social and health services shall:

(a) Request an itemized billing from the attorney;

(b) Determine what portion of the award, if any, resulted directly from the attorney's involvement;

(c) Determine the department's proportionate share of attorney fees and costs applicable to the duplicate coverage period; and

(d) Deduct the department's share of cost in (c) of this subsection from the lien for duplicated assistance; or

(e) Issue the proportionate share refund to the attorney with a copy of the account summary to the client.

~~((7))~~ (8) The department shall advise a client of the provisions in this section when the client may be eligible for time-loss compensation.

~~((8))~~ (9) The department shall advise a client of the client's right to a fair hearing as provided in chapter 388-08 WAC.

**WSR 95-24-063  
PROPOSED RULES  
OFFICE OF  
FINANCIAL MANAGEMENT**  
[Filed December 4, 1995, 9:40 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-21-102.

Title of Rule: Petition process for adoption, repeal, or amendment of an agency rule.

Purpose: To prescribe, by rule, the format and process for such petitions.

Statutory Authority for Adoption: RCW 34.05.330.

Statute Being Implemented: Section 703, chapter 403, Laws of 1995.

Summary: The rule specifies the information required in petitions to agencies to adopt, repeal, or amend rules, indicates how petitions are submitted, and indicates what happens after a petition is submitted.

Reasons Supporting Proposal: Chapter 403, Laws of 1995 requires that this rule be created.

Name of Agency Personnel Responsible for Drafting: Cameron Dightman, Rules Coordinator, Insurance Building, (360) 753-4257; Implementation and Enforcement: Mary McKnew, Executive Legal/Political Analyst, Insurance Building, (360) 753-1084.

Name of Proponent: Office of Financial Management, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule describes the requirements and process for petitioning an agency to adopt, repeal, or amend a rule under RCW 34.05.330. The rule is anticipated to improve communication between petitioners and the agencies that receive petitions that request agencies to adopt, repeal, or amend rules.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The Office of Financial Management has determined that this rule is not subject to the Regulatory Fairness Act because the rule, pursuant to section 703, chapter 403, Laws of 1995, provides clarification that should facilitate preparation of petitions requesting agencies to adopt, amend, or repeal any rule. As a result,

any fiscal impact of the rule should be to reduce costs associated with such petitions.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This content of this rule is explicitly and specifically required by the amendatory language in section 703, chapter 403, Laws of 1995.

Hearing Location: 3rd Floor Conference Room, Insurance Building, on January 9, 1995 [1996], at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Cameron Dightman by January 3, 1996, TDD (360) 586-4803, or (360) 753-4257.

Submit Written Comments to: Mary E. McKnew, Office of Financial Management, Mailstop 43113, Olympia, Washington 98504-3113, FAX (360) 586-8380, by January 5, 1996.

Date of Intended Adoption: January 12, 1996.

December 4, 1995

Cameron R. Dightman  
Rules Coordinator

Chapter 82-05 WAC  
PETITION PROCESS FOR ADOPTION, REPEAL  
OR AMENDMENT OF AN AGENCY RULE

NEW SECTION

**WAC 82-05-010 Purpose.** This chapter describes the requirements and process for petitioning an agency to adopt, repeal, or amend a rule under RCW 34.05.330.

(2)

When you are:	Petition should include:
Proposing a new rule	Text of proposed rule or description of its provisions
Requesting amendment of existing agency rule	Name, title, number of rule, and text or description of amendment
Requesting repeal of existing agency rule	Name, title, number of rule, and description of effects of repeal

The petition should contain sufficient information so that the agency and public can understand the proposal.

(3) You, the petitioner, can obtain a standard petition form from the office of financial management or any state agency involved in rule making. Agencies must accept petitions submitted using the standard form or in any other format that provides the information described in (1) or (2) of this section.

NEW SECTION

**WAC 82-05-030 How do I submit a petition?** (1) Petitions for adoption, repeal, or amendment of a rule must be sent to the rules coordinator of the agency responsible for administration of the rule.

(2) Submission of a petition is defined as receipt of the petition by the administering agency.

NEW SECTION

**WAC 82-05-020 What information must I include in a petition?** (1) Every petition for adoption, repeal, or amendment of a rule must include the following:

- (a) The name of the agency responsible for administering the rule, and
- (b) The rationale for adoption of a new rule or amendment or repeal of an existing rule.
- (c) In addition to any other concerns, you, the petitioner, are encouraged to address whether:
  - (i) the rule is authorized
  - (ii) the rule is needed
  - (iii) the rule conflicts with or duplicates other federal, state, or local laws
  - (iv) alternatives to the rule exist that will serve the same purpose at less cost
  - (v) the rule applies differently to public and private entities
  - (vi) the rule serves the purposes for which it was adopted
  - (vii) the rule imposes unreasonable costs
  - (viii) the rule is clearly and simply stated, and
  - (ix) the rule differs, without adequate justification, from a federal law which applies to the same activity or subject matter.

PROPOSED

NEW SECTION

**WAC 82-05-040 What happens after a petition is submitted?** (1) Within a reasonable time, the administering agency will send you, the petitioner, acknowledgement of receipt of the petition, including the name and telephone number of a contact person.

(2) No later than sixty days after receipt of a petition, the agency must either

- (a) initiate rule-making proceedings in accordance with chapter 34.05 RCW, or
- (b) deny the petition in writing, stating its reasons for the denial and specifically addressing the concerns stated in the petition. Where appropriate, the agency must indicate alternative means by which the agency will address the concerns raised in the petition.

NEW SECTION

**WAC 82-05-050 How can I appeal agency denial of a petition?** (1) Within thirty days of the denial, you, the petitioner, may appeal the denial to the governor.

(2) The governor will process the appeal according to RCW 34.05.330(2).

**WSR 95-24-072  
PROPOSED RULES  
DEPARTMENT OF TRANSPORTATION**

[Filed December 4, 1995, 11:13 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-21-019.

Title of Rule: Chapter 468-66 WAC, Highway Advertising Control Act.

Purpose: Repeals subsection (6) of WAC 468-66-080.

Statutory Authority for Adoption: Chapter 47.42 RCW.

Summary: Allows billboards to be placed in any commercial or industrial area, providing that spacing criteria and local sign restrictions are met.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: David K. Peach, Olympia, Washington, (360) 705-7280.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: Repeals language which was incorrectly added in 1994 addressing the 1959 zoning date which applied to advertising along interstate highways.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Does not apply. Amendment fully supported by the billboard industry.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not applicable.

Hearing Location: Department of Transportation, Transportation Building, Room 1D2, Olympia, Washington 98504, on January 9, 1996, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact TDD (360) 705-6980.

Submit Written Comments to: David K. Peach, 505 East Union, Olympia, WA 98504-7344, FAX (360) 705-6826, by January 3, 1996.

Date of Intended Adoption: January 9, 1996.

December 1, 1995

S. A. Moon

Deputy Secretary  
for Operations

AMENDATORY SECTION (Amending Order 144, filed 5/27/94, effective 6/27/94)

**WAC 468-66-080 Number of signs and spacing requirements along interstate system.** No Type 4 or Type 5 signs which are visible from the main-traveled way of the

interstate system shall be erected or maintained in any manner inconsistent with the following:

(1) In advance of an intersection of the main-traveled way of the interstate highway and an exit roadway, such signs visible to interstate system traffic approaching such intersection may not be permitted to exceed the following number:

Distance from . . . . .	Number
intersection . . . . .	of signs
0-2 miles . . . . .	0
2-5 miles . . . . .	6
More than . . . . .	Average of one
5 miles . . . . .	sign per mile

The specified distances shall be measured to the nearest point of the intersection of the traveled way of the exit roadway and the main-traveled way of the interstate highway.

(2) Subject to the other provisions of this section, not more than two such signs may be permitted within any mile distance measured from any point, and no such signs may be permitted to be less than one thousand feet apart.

(3) Such signs may not be permitted adjacent to any interstate highway right of way upon any part of the width of which is constructed an entrance or exit roadway.

(4) Such signs visible to interstate highway traffic which is approaching or has passed an entrance roadway may not be permitted for one thousand feet beyond the furthest point of the intersection between the traveled way of such entrance roadway and the main-traveled way of the interstate highway.

(5) Not more than one such sign advertising activities being conducted as a single enterprise or giving information about a single place may be permitted to be erected or maintained in such manner as to be visible to traffic moving in any one direction on any one interstate highway.

~~((6) Subject to the other provisions of this section, such signs are allowed only in commercial or industrial zones within the boundaries of incorporated municipalities, as those boundaries existed on September 21, 1959, and all other commercial or industrial areas established on or before September 21, 1959.))~~

**WSR 95-24-077  
PROPOSED RULES  
UNIVERSITY OF WASHINGTON**

[Filed December 4, 1995, 11:20 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-20-033.

Title of Rule: Amending chapter 478-120 WAC, Student conduct code for the University of Washington, and chapter 478-124 WAC, General conduct code for the University of Washington.

Purpose: The proposed revisions to the student conduct code and the general conduct code are necessary to ensure that University of Washington policies and practices are in compliance with changes in state and federal statutes. In response to requests by students, moreover, the section in the

PROPOSED



student conduct code for the University of Washington on standards of conduct on campus has been expanded to be more specific in identifying prohibited actions.

Statutory Authority for Adoption: RCW 28B.20.130.

Statute Being Implemented: RCW 28B.10.900 through 28B.10.903.

Summary: The state hazing law (SSB 5075) requires the University of Washington to adopt rules for students and others that provide sanctions for conduct defined as hazing. The proposed rules will be included in the student conduct code for the University of Washington and the general conduct code for the University of Washington because the hazing law applies to all elements of the university community. The federal Campus Security Act (20 USC 1092) requires the inclusion of a clear statement in campus disciplinary procedures regarding rights afforded to the accuser and accused in cases involving allegations of sexual offenses. Finally, students have requested more specificity in the identification of prohibited conduct.

Name of Agency Personnel Responsible for Drafting and Implementation: Vice-President for Student Affairs, 476 Schmitz Hall, University of Washington, 543-4972; and Enforcement: Vice-President for Student Affairs/Deans, 476 Schmitz Hall, University of Washington, 543-4972.

Name of Proponent: University of Washington, governmental.

Rule is necessary because of federal law, 20 USC 1092.

Explanation of Rule, its Purpose, and Anticipated Effects: The revisions would not modify substantially the manner in which disciplinary issues are managed. With the exception of some amended procedural guidelines, the current disciplinary process is retained, although the circumstances under which disciplinary matters must be referred to the Faculty Appeal Board for formal hearings are now stated clearly as required by the Administrative Procedure Act. Also, students are accorded longer periods of time to submit appeals of recommended sanctions.

Proposal Changes the Following Existing Rules: The following sections of the Washington Administrative Code are amended: WAC 478-120-010, 478-120-020, 478-120-030, 478-120-040, 478-120-050, and 478-120-100. The following sections of the Washington Administrative Code are repealed: WAC 478-120-060, 478-120-070, 478-120-080, 478-120-090, 478-120-110, 478-120-120, and 478-120-130. The following sections of the Washington Administrative Code are new: WAC 478-120-065, 478-120-075, 478-120-085, 478-120-095, 478-120-105, 478-120-115, 478-120-125, 478-120-135, 478-120-145, and 478-124-037.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The University of Washington has determined that the amendments to chapters 478-120 and 478-124 WAC are not subject to the Regulatory Fairness Act (chapter 19.85 RCW).

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This rule does not qualify as a "significant legislative rule."

Hearing Location: Husky Union Building (HUB), Room 106B, University of Washington, Seattle, Washington, on January 26, 1996, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact UW Disability Services by January 12, 1996, TDD (206) 543-6452, or (206) 543-6450.

Submit Written Comments to: Rebecca Goodwin Deardorff, Administrative Procedures Officer, Reference Stations Management Office, Box 355509, University of Washington, 4014 University Way N.E., Seattle, WA 98105-6203, FAX (206) 543-0786, by January 25, 1996.

Date of Intended Adoption: February 16, 1996.

December 1, 1995

Rebecca Goodwin Deardorff  
Administrative Procedures Officer

AMENDATORY SECTION (Amending Order 72-9, filed 11/30/72)

**WAC 478-120-010 Student conduct code—**  
**Authority.** Pursuant to chapter 34.05 RCW and the authority granted by RCW 28B.20.130, the board of regents of the University of Washington has established the following regulations on student conduct and student discipline on the university campus.

AMENDATORY SECTION (Amending Order 72-9, filed 11/30/72)

**WAC 478-120-020 Standards of conduct.** (1) The university is a public institution having special responsibility for providing instruction in higher education, for advancing knowledge through scholarship and research, and for providing related services to the community. As a center of learning, the university also has the obligation to maintain conditions ~~((which are))~~ conducive to freedom of inquiry and expression ~~((to))~~ to the maximum degree compatible with the orderly conduct of its functions. For these purposes, the university is governed by the rules, regulations ((and)), procedures ((which)), policies, and standards of conduct that safeguard its functions and ((which, at the same time,)) protect the rights and freedoms of all members of the academic community.

(2) Admission to the university carries with it the presumption that ~~((the))~~ students will conduct ~~((himself))~~ themselves as ~~((a))~~ responsible members of the academic community. ~~((Thus, when he enrolls in the university, the student likewise assumes the obligation))~~ As a condition of enrollment, all students assume responsibility to observe standards of conduct ((which are appropriate)) that will contribute to the pursuit of academic goals and to the welfare of the academic community. ((Stated in general terms, the student has the obligation to)) That responsibility includes, but is not limited to:

(a) ~~((Maintain))~~ Practicing high standards of academic and professional honesty and integrity;

(b) ~~((Respect))~~ Respecting the rights, privileges, and property of other members of the academic community and visitors to the campus, and refraining from ((actions which)) any conduct that would interfere with ((the)) university functions or endanger the health, welfare, or safety ((or welfare)) of other persons;

(c) ~~((Comply))~~ Complying with the rules ~~((and)), regulations, procedures, policies, standards of conduct, and orders of the university and its schools, colleges, and departments.~~

(3) Specific ~~((regulations on student activities shall be in accord with these general standards--))~~ instances of misconduct include, but are not limited to:

(a) Conduct that intentionally and substantially obstructs or disrupts teaching or freedom of movement or other lawful activities on the university campus;

(b) Physical abuse of any person, or conduct intended to threaten imminent bodily harm or to endanger the health or safety of any person on the university campus;

(c) Conduct on the university campus constituting a sexual offense, whether forcible or nonforcible, such as rape, sexual assault, or sexual harassment;

(d) Malicious damage to or malicious misuse of university property, or the property of any person where such property is located on the university campus;

(e) Refusal to comply with any lawful order to leave the university campus or any portion thereof;

(f) Possession or use of firearms, explosives, dangerous chemicals or other dangerous weapons or instrumentalities on the university campus, except for authorized university purposes, unless prior written approval has been obtained from the vice-president for student affairs, or any other person designated by the president of the university (see WAC 478-124-020 (2)(e)) (legal defense sprays are not covered by this section);

(g) Unlawful possession, use, distribution, or manufacturer of alcohol or controlled substances (as defined in chapter 69.50 RCW) on the university campus or during university-sponsored activities;

(h) Intentionally inciting others to engage immediately in any of the conduct prohibited herein, which incitement leads directly to such conduct on the university campus;

(i) Hazing, or conspiracy to engage in hazing, which includes:

(i) Any method of initiation into a student organization or living group, or any pastime or amusement engaged in with respect to such an organization or living group, that causes, or is likely to cause, bodily danger or physical harm, or serious mental or emotional harm, to any student or other person attending the university; and

(ii) Conduct associated with initiation into a student organization or living group, or any pastime or amusement engaged in with respect to an organization or living group not amounting to a violation of (i)(i) of this subsection, but including such conduct as humiliation by ritual act and sleep deprivation. Consent is no defense to hazing. Hazing does not include customary athletic events or other similar contests or competitions;

(i) Falsely reporting a violation of the student conduct code.

(4) Disciplinary action may be taken in accord with this chapter regardless of whether that conduct also involves an alleged or proven violation of law.

(5) An instructor has the authority to exclude a student from any class session in which the student is disorderly or disruptive. If the student persists in the disorderly or disruptive conduct, the instructor should report the matter to the dean of the school or college in which the student is enrolled. (See WAC 478-120-030(3).)

AMENDATORY SECTION (Amending Order 72-9, filed 11/30/72)

WAC 478-120-030 General procedures for disciplinary ~~(actions)~~ sanctions. (1) ~~(Most disciplinary proceedings will be conducted informally between the student and his academic dean in matters relating to the student's academic work and between the student and the office of student affairs in other matters. (See WAC 478-120-050 for jurisdiction.) More formal procedures are provided, however, including an impartial hearing before the university disciplinary committee; these procedures may be invoked either by the officer dealing with the case or by the student involved.)~~ This section describes the general process under the student conduct code for enforcing the university's rules, regulations, procedures, policies, standards of conduct, and orders. The specific procedures to be used at each step of the process are described in the following sections of this chapter. In all situations, whether handled formally or informally, basic standards of fairness will be observed in the determination of:

(a) The truth or falsity of the charges against the student;

(b) Whether the alleged misconduct ~~((is, in fact, a violation of university standards of conduct))~~ violates this code; and ~~((:))~~ if so,

(c) ~~((What))~~ The sanctions ~~((should))~~ to be imposed, if any.

The criteria for judging student misconduct shall ~~((be the general))~~ include, but not be limited to, the standards of conduct as stated in WAC 478-120-020 ~~((or as modified and interpreted in accordance with the procedures specified in WAC 478-120-110))~~. Informal hearings shall use the procedures in chapter 34.05 RCW governing brief adjudicative proceedings. Formal hearings conducted by the faculty appeal board shall follow the procedures required by chapter 34.05 RCW for formal adjudicative proceedings. Informal settlements may be conducted under the authority of RCW 34.05.060.

(2) Persons who believe that a violation of the student conduct code has been committed should contact the vice-president for student affairs.

(3) Only the dean of the school or college in which a student is enrolled or the vice-president for student affairs may initiate disciplinary proceedings against a student under this code of conduct. (See WAC 478-120-050.) The deans and the vice-president for student affairs may delegate the authority to initiate disciplinary proceedings consistent with this chapter to members of their staffs and to students. They may also establish student or student-faculty hearing bodies to advise or to act for them in disciplinary matters. The person initiating a disciplinary proceeding shall be referred to as the initiating officer.

(4) The initiating officer will begin a disciplinary proceeding by holding, or directing a member of his or her staff to hold, an informal hearing with the student charged with misconduct. Based on this informal disciplinary hearing, the initiating officer may choose to exonerate the student, dismiss the action, impose an appropriate sanction, and/or refer the matter to the university disciplinary committee. (See WAC 478-120-065.) If the initiating officer

identifies a potential or existing exceptional circumstance, as defined in WAC 478-120-100 (3)(b)(i),

"Exceptional circumstances exist when:

(A) The sanction of dismissal has been recommended;

or

(B) The student has been charged with hazing; or

(C) The sanction of restitution (in excess of three hundred dollars) has been recommended; or

(D) Suspension has been recommended," the matter shall be referred directly to the faculty appeal board. (See WAC 478-120-100.)

(5) Students have the right to appeal any sanction imposed at an informal hearing to the university disciplinary committee, except that when such sanction identifies an existing or potential exceptional circumstance as defined in WAC 478-120-100 (3)(b)(i), the matter shall be referred directly to the faculty appeal board.

(6) Any decision of the university disciplinary committee may be appealed to the faculty appeal board. All decisions of the university disciplinary committee identifying existing or potential exceptional circumstances as defined in WAC 478-120-100 (3)(b)(i) shall be referred directly to the faculty appeal board. In addition, the university disciplinary committee may, at any time, in its discretion, refer a matter directly to the faculty appeal board. The faculty appeal board performs distinct functions. In most cases, the faculty appeal board conducts an administrative review. In certain cases (defined in WAC 478-120-100(3)), the faculty appeal board conducts a formal hearing.

(7) Any decision based on a formal hearing conducted by the faculty appeal board may be appealed to the president of the university or the president's delegate for a final review. All orders of dismissal shall be reviewed by the president or the president's delegate. Orders entered by the president or the president's delegate are final. (See WAC 478-120-125.)

(8) The president or his or her delegate may take emergency disciplinary action when a student's conduct threatens the health, welfare, or safety of the university community or members thereof. (See WAC 478-120-140.)

(9) When questions of mental or physical health are raised in conduct cases, the dean, the ~~((office of))~~ vice-president for student affairs, ~~((or))~~ their delegates, the university disciplinary committee, or the faculty appeal board may request the student to appear for examination before two physician-consultants designated by the dean of the school of medicine. If the student agrees, the physician-consultants may call upon the student health center for any other professional assistance they deem necessary. After examining the student and/or consulting with the student's personal physician, the physician-consultants shall make a recommendation to the ~~((referring agency))~~ dean, the vice-president for student affairs, their delegates, the university disciplinary committee, or the faculty appeal board as to whether the case should be handled as a disciplinary matter or as a case for medical or other treatment. Any decision ~~((s))~~ made based upon ~~((these))~~ the recommendation ~~((s are the responsibility of the referring agency. Such decisions may be appealed in accordance with the provisions of WAC 478-120-070 and 478-120-090(1)))~~ of the physician-consultants may be appealed in accordance with the provisions of this chapter.

~~((3) In the case of student conduct which involves an alleged or proven violation of law, the disciplinary authority of the university will not be used to duplicate the function of civil authorities. Disciplinary action may be taken if the conduct also involves a violation of university standards and the interests of the university community are distinct from those of the civil authorities.~~

~~(4) A student who has been judged to have violated university standards of conduct will be subject to disciplinary sanctions up to and including dismissal from the university for the most serious offenses. In the case of students who are unmarried minors, such sanctions may be reported to parents or legal guardians at the discretion of the officer or agency taking the action except that dismissal of a minor will always be reported to his parents or legal guardians.))~~

(10) The following persons conducting proceedings under this chapter shall have the authority to issue protective orders and subpoenas: Deans, the vice-president for student affairs, the chair of the university disciplinary committee, the chair of the faculty appeal board, and the president or his or her delegate.

(11) In a case involving an alleged sexual offense, the accuser and the accused are entitled to the same opportunities to have others present during a disciplinary hearing and they shall both be informed of the outcome of such disciplinary proceeding.

(12) Any final order resulting from a disciplinary proceeding shall become a part of the student's disciplinary record, unless the student is exonerated. (See WAC 478-120-145.)

(13) In accord with the Family Educational Rights and Privacy Act and pursuant to RCW 34.05.250, all hearings conducted under this chapter generally will be held in closed session out of respect for the privacy of all the students involved. However, the students involved may waive in writing this requirement and request a hearing in open session, and the initiating or presiding officer shall conduct the hearing in a room that will accommodate a reasonable number of observers. The initiating or presiding officer may exclude from the hearing room any persons who are disruptive of the proceedings and may limit the number who may attend the hearing in order to afford safety and comfort to the participants and orderliness to the proceedings.

AMENDATORY SECTION (Amending Order 72-9, filed 11/30/72)

WAC 478-120-040 Disciplinary sanctions. The following ~~((definitions of))~~ disciplinary ~~((terms have been established to provide consistency in the application of))~~ sanctions may be imposed for violations of the student conduct code:

(1) Disciplinary warnings and reprimands - ~~((notice to a student, either verbally or in writing, that he has been in violation of university rules or regulations or has otherwise failed to meet the university's standards of conduct. Such warnings will))~~ action may be taken to warn or to reprimand a student for violation of university rules, regulations, procedures, policies, standards of conduct, or orders. Warnings and reprimands must always be made in writing and shall include ~~((the))~~ a statement that continuation or repetition of the specific conduct ~~((involved))~~ or other

misconduct will normally result in one or more of the more serious disciplinary ~~((actions described in WAC 478-120-040 (2), (3), (4) and (5)))~~ sanctions: Restitution, disciplinary probation, suspension, or dismissal.

~~(2) ((Reprimand—formal action censuring a student for violation of university rules or regulations or for failure to meet the university's standards of conduct. Reprimands are always made in writing to the student by the officer or agency taking action, with copies to the office of student affairs. A reprimand will include the statement that continuation or repetition of the specific conduct involved or other misconduct will normally result in one of the more serious disciplinary actions described in WAC 478-120-040 (3), (4) and (5).))~~

~~(3))~~ Restitution - an individual student may be required to make restitution for damage ~~((or loss to university))~~ or other loss of property and for injury to persons. Failure to pay, or to make in writing university-approved arrangements to pay, will result in cancellation of the student's registration and will prevent the student from ((reregistration)) registering with the university.

~~((4))~~ (3) Disciplinary probation - ((formal action placing conditions upon the)) a student may be placed on disciplinary probation (meaning formal conditions are imposed on a student's continued attendance) for violation of university rules ((or)), regulations ((or other failure to meet the university's standards of conduct. The office placing the student on disciplinary probation will specify in writing the period of probation and the conditions, such as limiting the student's participation in extra-curricular activities)), procedures, policies, standards of conduct, or orders. The time period and conditions, if any, for the disciplinary probation shall be specified. Disciplinary probation ((warns the)) serves as a warning to a student that ((any)) further misconduct will ((automatically)) raise the question of suspension or dismissal from the university. ((Disciplinary probation may be for a specified term or for an indefinite period which may extend to graduation or other termination of the student's enrollment in the university.))

(4) Suspension - a student may be suspended from the university for violation of university rules, regulations, procedures, policies, standards of conduct, or orders. The time period and conditions, if any, for the suspension shall be specified. Suspension serves as a warning to a student that further misconduct will raise the question of dismissal from the university.

(5) Dismissal - ((termination of student status for violation of university rules or regulations or for failure to meet the university's standards of conduct. Students may be dismissed only with the approval of the president of the university and on the recommendation of the dean of a college or school, the office of student affairs, or the university disciplinary committee. Dismissal may be for a stated or for an indefinite period. The notification dismissing a student will indicate in writing the term of the dismissal and any special conditions which must be met before readmission. In the case of an unmarried student under twenty one years of age, a copy of the notification of dismissal will be sent to the parents or the guardian of the student. There is no refund of fees for the quarter in which the action is taken but fees paid in advance for a subsequent quarter are to be refunded)) a student's enrollment in the

university may be terminated for violation of university rules, regulations, procedures, policies, standards of conduct, or orders.

(6) Forfeiture - in addition to other sanctions, a student who participates in hazing of another shall forfeit any entitlement to state funded grants, scholarships, or awards for a specified period of time.

AMENDATORY SECTION (Amending Order 72-9, filed 11/30/72)

WAC 478-120-050 Jurisdiction. (1) The vice-president for student affairs, or his or her delegate, may initiate any disciplinary action related to violations of any of the university's rules, regulations, procedures, policies, standards of conduct, or orders. Jurisdiction in such cases may be transferred to the dean of the school or college in which the student is enrolled if the alleged misconduct bears upon the student's fitness to continue in the school or college.

(2) Additionally, the dean of each college or school, including the graduate school, ((is responsible for initiating disciplinary proceedings for infractions of the rules and regulations of that college or school or for misconduct in academic work (cheating, plagiarism, etc.)). When a case involving academic misconduct is brought before the university disciplinary committee, that committee may consult the initiating dean on rules or standards of academic discipline within that school or college.

(2) The initiation of proceedings for violation of university wide regulations or for misconduct unrelated to the student's academic work is the responsibility of the office of student affairs, except that jurisdiction may be transferred to the dean of the college or school in which the student is enrolled when the office of student affairs and the dean of that college or school agree that the alleged misconduct bears upon the student's fitness to continue in the college or school.

(3) Misconduct in academic work by a student enrolled in another college or school shall be reported to the dean of the college in which the student is enrolled through the dean of the college offering the course. The dean of the college in which the student is enrolled shall be responsible for taking or initiating appropriate disciplinary action. In the case of a nonmatriculated student, the dean of the college offering the course shall be responsible for taking or initiating appropriate disciplinary action.

(4) The provisions of these sections do not apply to the evaluation of a student's academic performance, including the assignment of grades by instructors. Each college and school provides orderly procedures for the review of grades if such review is requested by the student. An instructor need not give credit for work which is the product of cheating, plagiarism or other academic misconduct.

However, the lowering of a course grade is not appropriate as a disciplinary sanction; if disciplinary action is warranted by academic misconduct, it will be initiated by the provisions of this section.

(5) An instructor has the authority to exclude a student from any class session in which the student is disorderly or disruptive. Should such disorderly or disruptive conduct persist, the instructor should report the matter to the dean of the school or college in which the student is enrolled. The

~~dean may initiate disciplinary action as provided in WAC 478-120-060.~~

~~(6) Special and more detailed rules and regulations regarding conduct in the residence halls may be promulgated by the director of student residences subject to review and approval by the office of student affairs. Authority to impose disciplinary sanctions for the violation of such rules and regulations is delegated to the director of student residences by the vice president for student affairs. Appeals from these actions of the director will be addressed in the first instance to the vice president for student affairs or his designated representatives. The office of student affairs reserves the right to remove students from the residence halls for disciplinary reasons. These actions may be further appealed to the university disciplinary committee.~~

~~(7)) or the dean's delegate, may initiate any disciplinary action:~~

~~(a) Related to violations of university rules, regulations, procedures, policies, standards of conduct, and orders which pertain to that particular college or school; and~~

~~(b) Related to violations of rules, procedures, policies, and standards of conduct of that particular college or school. The student academic grievance procedure is a separate procedure and is set forth in the *University Handbook* (graduate school students should also refer to Graduate School Memorandum No. 33). Violations involving academic misconduct should be reported to the dean of the appropriate school or college.~~

~~(3) Other departments of the university have proceedings separate and distinct from the student conduct code. For example:~~

~~(a) Campus traffic regulations are under the general jurisdiction of the police department of the university. The ((university traffic court)) citation hearing office has jurisdiction to hear and decide all cases involving alleged violations of ((such)) traffic regulations. (See chapter ((478-16-478-116)) 478-116 WAC.)~~

~~((8) Library borrowing and use regulations, including fines for late return of library materials and repair and replacement costs for damaged or lost materials are under the jurisdiction of the university library.) (b) The library ((advisory)) fines appeals committee has ((jurisdiction to hear)) the authority to consider appeals ((from decisions of the director of libraries and to decide cases involving alleged violations of rules relating to borrowing and use of library materials, including fines for late returns and costs of repair or replacement)) of library charges. (See chapter 478-168 WAC.)~~

## NEW SECTION

### **WAC 478-120-065 Informal disciplinary hearings.**

(1) A dean or the vice-president for student affairs or his or her delegate may initiate a disciplinary proceeding by conducting, or directing a member of his or her staff to conduct, an informal hearing with the student accused of misconduct. This informal disciplinary hearing may be nothing more than a face-to-face meeting between the initiating officer or staff person and the student, and no special notice of the meeting is required. The purpose of this informal disciplinary hearing is to provide an opportunity for the student to respond to allegations of misconduct

before disciplinary action is taken, and the student waives any rights to an informal hearing by his or her failure to attend.

(2) During an informal disciplinary hearing, the student must be provided with the following information:

(a) The alleged misconduct and the reasons for the university's belief that the student engaged in the misconduct;

(b) The specific section(s) of the student conduct code allegedly violated; and

(c) The possible sanctions that may be imposed.

(3) Based on the findings of an informal hearing, the initiating officer shall enter in writing one of the following orders:

(a) An order exonerating the student or dismissing the disciplinary proceeding if it appears that there has been no misconduct;

(b) An initial order imposing a disciplinary sanction;

(c) An order referring the matter to the university disciplinary committee; or

(d) An order referring the matter directly to the faculty appeal board because exceptional circumstances as defined in WAC 478-120-100 (3)(b)(i) may exist.

(4)(a) If the order imposes a sanction and exceptional circumstances as defined in WAC 478-120-100 (3)(b)(i) exist, the matter shall be referred directly to the faculty appeal board and the student shall be informed that he or she has the right to request a formal hearing according to the procedures set forth in WAC 478-120-075(3).

(b) If the order imposes a sanction but exceptional circumstances do not exist, then the student must be informed that he or she has twenty-one calendar days from the date of the order (or twenty-five calendar days from the date of the mailing of the initial order) to request a hearing before the university disciplinary committee. If the student chooses not to appeal, the order becomes the final order.

(5) Within ten days of the conclusion of the hearing and any associated investigations, the student shall be provided with a written order which shall include a statement of the decision, the reasons for the decision, and information about appealing the decision. No unfavorable action may be taken against the student until the student has been given such notice and information. In a case involving an alleged sexual offense, both the accuser and the accused shall be informed of the outcome of that hearing. In a case where the student is a minor, the disciplinary sanctions imposed may be reported to the student's parents or legal guardian at the discretion of the initiating officer.

(6) A student may request a hearing by the university disciplinary committee at any time during these informal proceedings. If such a request is made, the matter shall be referred to the university disciplinary committee.

(7) The official record of this informal hearing shall consist of all documents prepared or considered by the dean or the vice-president for student affairs with regard to the dispute at hand.

NEW SECTION

**WAC 478-120-075 Appeals.** Any initial order may be appealed by timely submission of a written petition to the appropriate body. An order only referring a matter from one hearing body to another, not determining the matter on its merits, is not an initial order.

(1) If a student does not appeal to the appropriate body within twenty-one days of the initial order (or within twenty-five calendar days of the date when the university mailed the initial order to the student), the right to appeal is waived and the order becomes final.

(a) All initial orders shall be hand delivered or delivered by mail.

(b) Any student involved in a disciplinary hearing is required to provide his or her current and accurate address to the office of the vice-president for student affairs.

(2) All petitions for appeal must be made in writing to the appropriate authority (the chair of the university disciplinary committee, the chair of the faculty appeal board, or the president). The petition must state the reasons for the appeal and indicate points of disagreement with the initial order.

(3) If a student wishes to request a formal hearing before the faculty appeal board, the student's written petition for appeal must also state that a formal hearing is being requested and must identify the specific exceptional circumstances (as defined in WAC 478-120-100 (3)(b)(i)) warranting such a hearing. When conducting administrative reviews of informal hearings, the faculty appeal board shall make any inquiries necessary to ascertain whether the proceeding must be converted to a formal disciplinary hearing.

(4) After conducting the appropriate review, the appeal body or the president may sustain, reduce, or vacate the sanction imposed by the initial order, except if that review is in the form of a formal hearing before the faculty appeal board, that board may increase any sanction.

(5) Only the president or the president's delegate may issue a final order of dismissal.

(6) Sanctions, if any, will be imposed only after an order becomes final, except for actions taken under WAC 478-120-140.

NEW SECTION

**WAC 478-120-085 The university disciplinary committee.** The university disciplinary committee shall consist of a nonvoting chair, three voting faculty members, and three voting student members. The committee shall be maintained for the purpose of providing hearings for disciplinary actions that have been initiated by the deans or the vice-president for student affairs or their delegates.

(1) The president of the university shall designate a member of the faculty or administration to serve as chair of the university disciplinary committee for a term of one year. The chair may be reappointed for consecutive terms.

(a) The chair shall ensure that all procedural safeguards and guidelines are followed. Accordingly, the chair shall decide all procedural questions that arise in relation to hearings, including rulings on evidence (as defined in WAC 478-120-095(3)) and challenges to the impartiality of committee members. The chair shall have the discretion to regulate all aspects of the proceedings.

(b) The chair shall take whatever steps are necessary to ensure that hearings are conducted in a safe and orderly manner.

(2) The three voting faculty members of the university disciplinary committee shall be selected at random to serve one-year terms. Voting faculty members may not be reappointed to consecutive terms.

(a) Panels of eligible faculty members shall be randomly selected to serve on the committee in the order in which they were selected, except that each faculty member of the committee must represent a different faculty senate group.

(b) Faculty members must have been members of the faculty for at least one year and hold the position of assistant professor or higher in order to be eligible to serve as voting members of the university disciplinary committee.

(3) The three voting student members of the university disciplinary committee shall be selected at random from the student body to serve one-year terms. Student members of the committee may not be reappointed.

(a) Panels of eligible students shall be selected randomly from the entire full-time student body to serve as committee members or alternates in the order in which they were selected, except that one member must be a professional or graduate student and the other two members must represent different undergraduate classes.

(b) To be eligible to serve on the university disciplinary committee, students must be full-time and in good standing with the university.

(4) In addition to the chair, a quorum shall be two faculty members and two student members. The chair shall select alternates from the panels of eligible faculty or students as needed to produce a quorum.

(5) A committee member may be disqualified from a particular hearing for bias, prejudice, conflict of interest, or any other reason which may prevent him or her from serving as an impartial judge of the matter before the committee.

(a) A committee member may excuse himself or herself for any of the causes set forth in this section by submitting a written statement to the committee chair stating facts and reasons for the disqualification.

(b) A student before the university disciplinary committee may challenge the impartiality of a committee member by written petition. The chair shall determine whether to grant the petition and excuse the committee member from the case, and shall state the facts and reasons for that determination in writing.

(c) Any person who has been delegated the authority to initiate disciplinary proceedings is disqualified from serving as a member of the university disciplinary committee.

(6) The chair may relieve a member of the university disciplinary committee from serving on that committee for a particular case, for a specific period of time, or for the rest of the year after the member submits a written request to the chair.

(7) Members of the university disciplinary committee shall begin their terms on the first day of classes of winter quarter. Those terms shall expire on the first day of classes of the next winter quarter, except that cases in process shall be continued until a decision is reached. The new panels of committee members shall be identified by the outgoing chair, or by the person designated by the chair, through random procedures established by the chair.

**NEW SECTION**

**WAC 478-120-095 Hearings before the university disciplinary committee.** The purpose of a hearing before the university disciplinary committee is to provide all parties with an opportunity to present evidence and argument before disciplinary sanctions are imposed on a student. Based on the evidence presented at this hearing, the committee shall determine whether the student has engaged in the alleged misconduct. If there is a finding of misconduct, the committee shall then determine the appropriate sanction to be imposed.

(1) When a hearing is scheduled before the university disciplinary committee, the chair of the committee shall provide the student with written notice of the following information:

- (a) The time and place of the hearing;
- (b) The allegations of misconduct against the student;
- (c) A list of all witnesses who may be called to testify;
- (d) A description of all documentary and real evidence to be presented at the hearing, including a copy of his or her disciplinary file; and

(e) The sanctions that may be imposed at the hearing if the allegations of misconduct are found to be true.

(2) The chair of the committee shall adhere to the following procedures at all disciplinary hearings:

(a) The student shall be provided with a reasonable opportunity (at least seven days) to gather evidence, contact witnesses, and prepare a defense for the hearing.

(b) The student may be accompanied by an advisor of the student's choice.

(c) The student is entitled to hear all testimony and examine all evidence that is presented at the hearing. In response, the student may present evidence and witnesses on his or her own behalf and may ask questions of any other witnesses.

(d) No student shall be compelled to give self-incriminating evidence.

(3) Evidence shall be admissible at the hearing if it is the type of evidence that reasonably prudent members of the university community would rely upon in the conduct of their affairs.

(4) The initiating officer (the appropriate dean, the vice-president for student affairs, or his or her delegate) must prove by a preponderance of the evidence presented at the hearing that the student has engaged in the alleged misconduct. The committee shall base its factual determination solely on the evidence presented at the hearing.

(a) Decisions of the university disciplinary committee will be made based on a simple majority vote of the committee.

(b) If the university disciplinary committee cannot reach a decision by simple majority vote, an order shall be entered referring the matter to the faculty appeal board. Where exceptional circumstances exist, the student shall be notified of the right to request a formal hearing. Otherwise, the faculty appeal board shall conduct an administrative review as provided under WAC 478-120-100 (1) and (2).

(5) If at any time after a matter has been referred to the university disciplinary committee the chair determines that the matter should properly be before the faculty appeal board, the chair may refer the matter to the faculty appeal

board and shall provide the student with written notice of the referral and of the opportunity to request a formal hearing if exceptional circumstances exist. (See WAC 478-120-100 (3)(b)(i).)

(6) If the committee determines that the student has violated the university's rules, regulations, procedures, policies, standards of conduct, or orders, it shall then determine the appropriate sanction to be imposed. When determining the appropriate sanction, the committee shall review the evidence presented at the hearing and the student's past record of conduct at the university.

(7) The chair of the university disciplinary committee shall provide the student with a written statement of the committee's decision within ten days of the conclusion of the hearing. This written statement shall include the committee's factual findings, the conclusions that have been drawn from those findings, the reasons for those conclusions, and the sanctions, if any, to be imposed. If sanctions are imposed, the student must also be informed of the appropriate procedures for appealing the committee's decision to the faculty appeal board. In a case involving an alleged sexual offense, both the accuser and the accused shall be informed of the outcome of the hearing. In a case where the student is a minor, the written statement of the committee's decision may be reported to the student's parents or legal guardian at the discretion of the chair of the university disciplinary committee.

(8) This written statement of the committee's decision shall be the committee's initial order. If the student chooses not to appeal, the initial order of the university disciplinary committee becomes the final order at the end of the appeal period set forth in WAC 478-120-075(1), except that orders of dismissal shall be referred to the president.

(9) The student may choose to present evidence to the chair of the university disciplinary committee rather than at a hearing before the full committee. The student's waiver of the right to a hearing before the university disciplinary committee must be submitted in writing to the chair of the committee. The chair will submit the student's evidence and arguments to the full committee and the committee will make its decision based on the chair's report.

(10) All proceedings of the committee will be conducted with reasonable dispatch and be terminated as soon as possible, consistent with fairness to all parties involved. The chair shall have the discretion to continue the hearing.

(11) An adequate summary of the proceedings will be kept. Such a summary shall include all documents that were considered by the committee and may include a tape recording of the testimony and any other documents related to the hearing.

(12) A report of the university disciplinary committee shall, upon written request and release by the student or students involved, and subject to the requirements of the Family Educational Rights and Privacy Act, be made available to members of the university community through the vice-president for student affairs.

PROPOSED

AMENDATORY SECTION (Amending Order 72-9, filed 11/30/72)

**WAC 478-120-100 Faculty appeal board.** ~~((+))~~ The faculty appeal board shall be composed of seven members of the faculty to be appointed by the ~~((chairman))~~ chair of the faculty senate ~~((+))~~ after consultation with the faculty council on student affairs. ~~((One member of the faculty appeal board shall be designated by the chairman of the faculty senate as chairman of the board. Individual))~~ The chair of the faculty senate shall appoint one of the members to be the chair of the faculty appeal board. The faculty appeal board shall conduct either administrative reviews or formal hearings and the procedures to be used shall depend on the nature of the appeal before the board. Cases may be heard by the entire board or by ~~((subgroups))~~ panels of no fewer than three board members.

(1) The faculty appeal board may conduct an administrative review when exceptional circumstances do not exist or the student has not requested a formal hearing in writing.

(2) ~~((The faculty appeal board shall hear three types of cases:~~

(a) Appeals by the student defendant from the action of the disciplinary committee.

(b) All cases involving recommendations of dismissal.

(c) Appeals by the vice president for student affairs, by a dean, or by their representatives. In the case where it is felt that the disciplinary committee has imposed too light a penalty, and where the student himself has not appealed to the faculty appeal board, the dean or the vice president for student affairs, or their representatives, may request an advisory review of the case by the faculty appeal board. If, in the opinion of the board, the complainant's view is correct, the sanction imposed on the student may not be increased in that specific case but the board may request that the issue be discussed by the joint council (see WAC 478-120-110), or that the faculty council on student affairs prepare additional guidelines for the disciplinary committee.) The procedures for conducting such administrative review are set forth in WAC 478-120-105. The chair shall maintain a record of all administrative reviews conducted by the faculty appeal board. At a minimum, such a record shall include all documents that were considered by the board and may include a tape recording of all testimony and all other documents related to the review.

(3) ~~((All procedural safeguards detailed in WAC 478-120-090 for cases before the disciplinary committee shall hold for hearings before the faculty appeal board.))~~ The faculty appeal board shall conduct a formal hearing when:

(a) The student requests a formal hearing before the faculty appeal board in writing setting forth the exceptional circumstances that exist (see below); and

(b) The chair reviews the student's written request and determines that exceptional circumstances do exist. Additionally, the faculty appeal board may conduct a formal hearing in other circumstances as the board deems appropriate. If the faculty appeal board does not conduct a formal hearing, it shall conduct an administrative review of the prior decision.

(i) Exceptional circumstances exist when:

(A) The sanction of dismissal has been recommended;

(B) The student has been charged with hazing; or

(C) The sanction of restitution (in excess of three hundred dollars) has been recommended; or

(D) Suspension has been recommended.

(ii) If the faculty appeal board decides not to grant a student's written request for a formal hearing, the chair shall provide the student with a written copy of the board's decision and a brief statement of the reasons for denying the petition within ninety days as specified in WAC 478-120-115(2).

(4) If a matter is referred directly to the faculty appeal board and there is no initial order, then the faculty appeal board shall determine whether exceptional circumstances exist or could exist. If exceptional circumstances exist or could exist, then the board shall notify the student in writing that he or she has twenty-one days from the date of the notice or twenty-five days from the date of mailing the notice to request a formal hearing. If the student fails to make such a request, any right to a formal hearing is waived.

(5) Formal hearings conducted by the faculty appeal board shall be according to the procedural guidelines set forth in WAC 478-120-115 and chapter 34.05 RCW.

(a) At the conclusion of the formal hearing, the faculty appeal board shall enter an initial order based on the findings of that hearing. That initial order shall include a written statement of the board's decision and the basis for that decision, including procedures for appealing the decision to the president or president's delegate. The initial order shall be provided to the student within ninety days of the conclusion of the hearing. In a case involving an alleged sexual offense, both the accuser and the accused shall be informed of the board's decision. In a case where the student is a minor, the board's decision may be reported to the student's parents or legal guardian at the discretion of the initiating officer.

(b) An initial order from a formal hearing may be appealed to the president of the university or the president's delegate for a final administrative review.

(c) If the student chooses not to appeal, the initial order of the faculty appeal board shall become the final order, except that orders of dismissal entered by the faculty appeal board shall be reviewed by the president or the president's delegate.

(6) The record in cases in which the faculty appeal board conducts a formal hearing shall be as specified in WAC 478-120-115(15).

(7) Board members may be disqualified from a particular formal hearing for bias, prejudice, conflict of interest, or any other reason which may prevent them from serving as impartial judges of the matter before the board.

(a) A committee member may excuse himself or herself for any of the causes set forth in this section by submitting a written statement to the board chair stating facts and reasons for the disqualification.

(b) A student before the faculty appeal board may challenge the impartiality of a board member by written petition. The chair shall determine whether to grant the petition and excuse the board member, stating the facts and reasons for the determination in writing.

(c) Faculty who have been delegated the authority to initiate disciplinary proceedings are disqualified from serving as members of the faculty appeal board.

or



(8) At the discretion of the chair, board members may be excused from a particular hearing on the basis of compelling personal need after submitting a written request to the chair explaining the basis of the request.

#### NEW SECTION

**WAC 478-120-105 Administrative review by the faculty appeal board.** (1) The faculty appeal board may conduct administrative review when exceptional circumstances do not exist or the student has not requested a formal hearing. When the faculty appeal board determines that administrative review is appropriate, the chair shall notify all parties of that decision. The notice to the parties shall include a statement of:

(a) The allegations of misconduct against the student;  
 (b) The sanctions that were recommended by the initiating officer or the university disciplinary committee, if any;

(c) A date by which any voluntarily submitted written briefs or statements must be submitted.

(2) When the faculty appeal board conducts an administrative review, the board may base its review on:

(a) All documents and any recordings considered by the initiating officer or the university disciplinary committee; or

(b) Oral and/or written argument of both parties; or

(c) Additional evidence.

(3) At the conclusion of its review, the faculty appeal board shall enter an order. An initial order may be appealed and a final order may not be appealed, except that final orders of dismissal shall be reviewed by the president or the president's delegate. The student shall be provided with a written order which shall include a written statement of the board's decision within ten days of the conclusion of the review and information on rights of appeal, if any. In a case involving an alleged sexual offense, both the accuser and the accused shall be informed of the outcome of the review. In a case where the student is a minor, the board's decision may be reported to the student's parents or legal guardian at the discretion of the chair of the faculty appeal board.

#### NEW SECTION

**WAC 478-120-115 Formal hearings before the faculty appeal board.** (1) The faculty appeal board shall conduct a formal hearing when exceptional circumstances exist and the student has requested in writing a formal hearing. Additionally, the faculty appeal board may conduct a formal hearing in other circumstances as the board deems appropriate.

(2) Within thirty days after receipt of a written petition for a formal hearing before the faculty appeal board, the board shall notify the requesting party of any obvious errors or omissions in the party's petition, request any additional information the board wishes to obtain and is permitted by law to require, and notify the requesting party of the name, mailing address, and telephone number of an office or person who may be contacted regarding the formal hearing.

(3) Within ninety days after receipt of a written petition for formal hearing or within ninety days after the party's response to a timely request from the board as provided in subsection (1) of this section, the board shall either deny the formal hearing or commence the formal hearing.

(4) Once the board decides to conduct a formal hearing, the chair of the faculty appeal board shall schedule the time and place of the hearing and give not less than seven days advance written notice of the hearing to all parties. That notice shall include:

(a) The names and addresses of all parties to whom notice is being given, and if known, the names and addresses of their representatives;

(b) The name, business address, and telephone number of the person designated to represent the university at the hearing;

(c) The official file number and name of the proceeding;

(d) The name, mailing address, and telephone number of the chair of the faculty appeal board;

(e) A statement of the time, place, and nature of the hearing;

(f) A statement of the legal authority and jurisdiction under which the hearing is to be held;

(g) A reference to the particular sections of university rules that are involved;

(h) A short and plain statement of the charges against the student; and

(i) A statement that a student who fails to attend the hearing or otherwise respond to this notice may lose his or her right to a formal hearing.

(5) If a student fails to attend or participate in a formal hearing, the faculty appeal board may serve upon all parties a default or other dispositive order which shall include a statement of the grounds for the order. Within seven days after service of a default order, the student may file a written motion requesting that the order be vacated, and stating the grounds relied upon.

(6) The student may be represented by counsel and/or be accompanied by an advisor of the student's choice. No student shall be compelled to give self-incriminating evidence.

(7) The chair shall determine whether discovery is to be available, and, if so, which forms of discovery may be used. The chair may condition the use of discovery procedures on a showing of necessity and unavailability by other means. In exercising such discretion, the chair shall consider:

(a) Whether all parties are represented by counsel;

(b) Whether undue expense or delay in bringing the case to a hearing will result;

(c) Whether the use of discovery will promote the orderly and prompt conduct of the proceeding; and

(d) Whether the interests of justice will be promoted.

The chair may decide whether to permit the taking of depositions, the requesting of admissions, or any other procedures authorized by rules 26 through 37 of the superior court rules.

(8) At appropriate stages of the hearing, the chair may give all parties an opportunity to submit and respond to briefs, proposed findings of fact and conclusions of law, and proposed initial or final orders. To the extent necessary for a full disclosure of all relevant facts and issues, the chair shall afford both parties the opportunity to respond, present evidence and argument, conduct cross-examination, and submit rebuttal evidence. A party filing a pleading, brief, or other paper with the chair shall serve copies on all other parties.

(9) Evidence, including hearsay evidence, is admissible if it is the kind of evidence on which reasonably prudent persons are accustomed to rely in the conduct of their affairs. Evidence is not admissible if it is excludable on constitutional or statutory grounds or on the basis of evidentiary privilege recognized in the courts of this state. The chair shall decide rulings on the admissibility of evidence, and the Washington rules of evidence shall serve as guidelines for those rulings.

(10) All testimony of parties and witnesses shall be made under oath or affirmation.

(11) The faculty appeal board may appoint an examiner to conduct the actual hearing. The decision to use a hearing examiner requires the approval of a majority of the board members. The hearing examiner will then conduct the hearing and submit a detailed report to the faculty appeal board according to the provisions of this section.

(a) If a hearing examiner conducts the hearing, an audio recording of the hearing must be kept, and the recording and any transcription thereof must be provided to the board.

(b) The faculty appeal board may, at its option, request the hearing examiner to provide recommendations as to findings, conclusions, and decisions, but those recommendations shall not be binding on the board. The hearing examiner shall transmit to the board the full and complete record of the hearing and the board shall make its own findings, conclusions, and decisions based on the record.

(c) The hearing examiner will make initial rulings on the use of discovery, the admissibility of evidence, and the procedures for the hearing.

(d) The hearing examiner must be a member of the bar. Any member of the faculty appeal board who is also a member of the bar, including the chair, may serve as the hearing examiner.

(12) The chair of the faculty appeal board may issue subpoenas and enter protective orders.

(13) Members of the faculty appeal board must avoid ex parte communications with any party involved in the hearing regarding any issue other than communications necessary to maintaining an orderly procedural flow to the hearing. Ex parte communications received by members of the board must be placed on the record, and the other party must be informed of the ex parte communication and given an opportunity to respond on the record.

(14) Findings, conclusions, and decisions by the faculty appeal board shall be based exclusively on the evidence of record from the hearing and on matters officially noted in the record.

(15) The board shall enter an initial order which shall be served in writing on the student within ninety days after conclusion of the hearing or after submission of memos, briefs, or proposed findings, whichever is later, unless the period is waived or extended for good cause shown. The student shall be informed of procedures for appealing the decision. If the student does not appeal the board's initial order within the time set out in WAC 478-120-075(1), the initial order of the board shall become the final order, except all orders of dismissal shall be reviewed by the president or the president's delegate.

(16) The chair shall maintain an official record of the hearing. The record shall contain those items specified in RCW 34.05.476.

## NEW SECTION

**WAC 478-120-125 Review by the president of the university.** (1) Any order of the faculty appeal board that is based on the findings of a formal hearing may be appealed for a final review to the president or the president's delegate. The student must submit an appeal in writing within twenty-one days of service of the board's order, or twenty-five days of mailing the order, unless the order specifies a different time limit. Any appeal shall specify the portion of the board's order to which exception is taken and shall refer to the evidence of record which is relied upon to support the petition. However, the president or the president's delegate shall review all orders of dismissal, regardless of whether the student appeals.

(2) The president or the president's delegate shall consider the entire record of the disciplinary proceeding or such portion as may be cited by the student. At the president's or the president's delegate's discretion, the parties may also supplement the record with additional evidence.

(3) The parties may present their arguments to the president or the president's delegate in writing, and the president or the president's delegate may, at his or her discretion, afford each party an opportunity for oral argument.

(4) After reviewing the record and considering the arguments of the two parties, the president or the president's delegate shall enter a final order disposing of the matter or remanding the case for further proceedings and provide the student with a copy of that order.

(5) In a case involving an alleged sexual offense, both the accuser and the accused shall be informed of the outcome of the review. In a case where the student is a minor, the decision of the president or the president's delegate may be reported to the student's parents or legal guardian at the discretion of the president or president's delegate.

(6) Notwithstanding any other provisions of this chapter, and before an initial order becomes final, the president or the president's delegate may review the order. Any such review shall be in accord with RCW 34.05.464 and 34.05.491.

## NEW SECTION

**WAC 478-120-135 Reconsideration of final orders.** (1) Within ten days of the service of a final order from the president or the president's delegate, the student may file a request for reconsideration, stating in writing specific reasons for the request. The request shall be directed to the president or the president's delegate.

(2) A request for reconsideration is only intended to correct obvious mistakes in the judgment or order and should not be used to reargue the case. Filing a request for reconsideration is not a prerequisite for obtaining judicial review, and denial of the request is not subject to judicial review.

(3) The request for reconsideration shall be promptly considered. If, within twenty days from the date the request is filed, the president or president's delegate does not either (a) dispose of the request, or (b) serve the student with a written notice specifying the date by which it will act upon the request, the request is deemed to be denied.

**NEW SECTION**

**WAC 478-120-140 Emergency authority of the president of the university.** If a student's conduct represents a threat to the health, safety, or welfare of the university or any member of the university community, the president or the president's delegate may suspend that student from participation in any or all university functions or privileges.

(1) In such an emergency situation, the president or a delegate shall issue a written order to be served upon the student describing the terms of the emergency suspension and the reasons for imposing the suspension. The order shall be effective immediately.

(2) The president or delegate shall then refer the matter to the vice-president for student affairs or his or her delegate, who shall proceed as quickly as feasible to complete any proceedings that would be required if the matter did not involve an immediate danger.

**NEW SECTION**

**WAC 478-120-145 Recording and maintenance of records.** (1) The vice-president for student affairs shall keep records of all disciplinary actions reported to his or her office. Disciplinary records shall be kept separate from academic records, and transcripts of a student's academic record shall contain no notation of any disciplinary action.

(2) The dean of a college or school initiating disciplinary action shall report in writing to the office of the vice-president for student affairs all cases in which disciplinary action is taken. The dean shall also inform the registrar of any action affecting a student's official standing in the university. The office of the vice-president for student affairs shall notify the dean of the college or school in which the student is enrolled of any disciplinary action it takes and also shall notify the registrar of any action affecting a student's official standing in the university.

(3) Disciplinary records of students not exonerated shall be maintained by the vice-president for student affairs and the registrar for seven years after disciplinary action has been taken and/or after the administrative purpose has been served.

(4) Disciplinary records of exonerated students shall not be maintained.

(5) Notwithstanding any other provision of this section, the vice-president for student affairs, at his or her discretion, upon written request by the student, may expunge the student's disciplinary record.

(6) Records and information regarding student disciplinary proceedings are subject to the provisions of the Family Educational Rights and Privacy Act and supporting regulations (20 U.S.C. 1232g), and to chapter 478-140 WAC.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- WAC 478-120-060 Disciplinary authority of deans and office of student affairs.
- WAC 478-120-070 Appeals.

- WAC 478-120-080 University disciplinary committee.
- WAC 478-120-090 Procedural guidelines and safeguards.
- WAC 478-120-110 Student-faculty joint council on student conduct and activities.
- WAC 478-120-120 Recording and maintenance of records.
- WAC 478-120-130 Emergency authority of the president of the university.

**NEW SECTION**

**WAC 478-124-037 Conduct on campus code—Hazing.** All university organizations, associations and student living groups are prohibited from hazing.

(1) Hazing includes:

(a) Any method of initiation into a student organization or living group, or any pastime or amusement engaged in with respect to such an organization or living group that causes, or is likely to cause, bodily danger or physical harm, or serious mental or emotional harm to any student or other person attending the university; and

(b) Conduct associated with initiation into a student organization or living group, or any pastime or amusement engaged in with respect to an organization or living group not amounting to a violation of (a) of this subsection, but including such conduct as humiliation by ritual act and sleep deprivation. Consent is no defense to hazing. Hazing does not include customary athletic events or other similar contests or competition.

(2) Any university organization, association or student living group that knowingly permits hazing as defined in subsection (1)(a) of this section shall be deprived of official recognition or approval granted by the university. Any university organization, association or student living group that knowingly permits hazing as defined in subsection (1)(b) of this section shall be placed on probation for a period specified by the university.

**WSR 95-24-080  
PROPOSED RULES  
DEPARTMENT OF  
RETIREMENT SYSTEMS  
[Filed December 4, 1995, 4:26 p.m.]**

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-18-011.

Title of Rule: Survivor benefit option actuarial tables.

Purpose: To adopt new tables for calculating survivor benefit reductions.

Statutory Authority for Adoption: RCW 41.50.050.

Statute Being Implemented: RCW 41.26.460, 41.32.530, 41.32.785, 41.40.188, 41.40.660.

Summary: The proposed rules adopt new actuarial factors that reflect the changes to the survivor benefit options proposed in WSR 95-22-081.

Reasons Supporting Proposal: The department is adopting changes to the survivor benefit options. These changes require new benefit option tables.

PROPOSED

Name of Agency Personnel Responsible for Drafting: Paul Neal, 1025 East Union, Olympia, WA, (360) 586-3368; Implementation and Enforcement: Janet Hazelton, 1025 East Union, Olympia, WA, (360) 753-3108.

Name of Proponent: Department of Retirement Systems, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The department is adopting an additional joint and two-thirds survivor option, as well as adding a pop-up provision to all existing survivor options. The rules implementing these changes were proposed in WSR 95-22-081. These changes in survivor options necessitate a change in the actuarial factors used to calculate survivor options. The effect will be to give notice to members of the factors the Department of Retirement Systems uses in calculating benefits.

Proposal Changes the Following Existing Rules: Amending WAC 415-108-340, 415-104-108 and 415-112-040; and repealing WAC 415-02-099.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rules affect only retirement system members who are all public sector employees. Therefore, no small business economic impact statement is required.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The Department of Retirement Systems is not one of the agencies that this provision applies to. The Department of Retirement Systems does not opt to voluntarily bring itself within the coverage of those rules.

Hearing Location: Boardroom, 2nd Floor, 1025 East Union Avenue, Olympia, WA 98504-8380, on January 9, 1996, at 4:00 p.m.

Assistance for Persons with Disabilities: Contact Paul Neal by January 5, 1996, TDD (360) 586-5450, or (360) 586-3368.

Submit Written Comments to: Paul Neal, P.O. Box 48380, Olympia, WA 98504-8380, FAX (360) 753-3166, by January 5, 1996.

Date of Intended Adoption: January 10, 1996.  
December 4, 1995  
Paul Neal  
Rules Coordinator

**AMENDATORY SECTION** (Amending WSR 91-19-063, filed 9/16/91, effective 10/17/91)

**WAC 415-104-108 Actuarial tables, schedules, and factors.** This chapter contains the tables, schedules, and factors adopted by the director of the department of retirement systems (~~pursuant to the authority granted by RCW 41-50-050 and 41-26-060~~) for calculating optional retirement allowances of members of the Washington state law enforcement officers' and fire fighters' retirement system (~~as administered by the director~~). These tables, schedules, and factors were adopted by the director upon the recommendation of (~~and in light of the findings of the state actuarial~~) the state actuary based upon the actuary's investigation into the mortality, service, compensation, and other experience of the members and beneficiaries of the law enforcement officers' and fire fighters' retirement system.

(1) Except as provided in subsection (2) of this section, the tables, schedules, and factors contained in this chapter shall govern the retirement allowances only of members retiring (~~during the period from October 1, 1990~~) on or after January 1, 1996, until such time as these tables, schedules, and factors are amended by the director following the next actuarial investigation conducted by the state actuary. The retirement allowances of members retiring before (~~October 1, 1990~~) January 1, 1996, shall continue to be governed by the tables, schedules, and factors in effect at the time of each member's retirement.

(2) The early retirement factors govern the retirement allowances of members retiring on or after January 1, 1993.

(3) Any new tables, schedules, and factors adopted by the director in the future shall govern retirement allowances only of members retiring after the (~~adoption~~) effective date of such new tables, schedules, and factors.

LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS RETIREMENT SYSTEM PLAN I		LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS RETIREMENT SYSTEM PLAN II	
Monthly Benefit per \$1.00 of Accumulation		Monthly Benefit per \$1.00 of Accumulation	
20	.0025142	20	.0039808
21	.0025304	21	.0039997
22	.0025472	22	.0040196
23	.0025647	23	.0040405
24	.0025828	24	.0040624
25	.0026017	25	.0040855
26	.0026214	26	.0041098
27	.0026418	27	.0041353
28	.0026632	28	.0041622
29	.0026854	29	.0041905
30	.0027086	30	.0042204
31	.0027327	31	.0042518
32	.0027579	32	.0042850
33	.0027842	33	.0043200
34	.0028117	34	.0043569
35	.0028404	35	.0043958
36	.0028704	36	.0044370
37	.0029018	37	.0044805
38	.0029346	38	.0045266
39	.0029690	39	.0045752
40	.0030050	40	.0046267
41	.0030427	41	.0046810
42	.0030823	42	.0047384
43	.0031237	43	.0047988
44	.0031672	44	.0048626
45	.0032128	45	.0049298
46	.0032607	46	.0050007
47	.0033111	47	.0050753
48	.0033640	48	.0051539
49	.0034197	49	.0052369
50	.0034785	50	.0053245
51	.0035404	51	.0054172
52	.0036059	52	.0055155
53	.0036751	53	.0056199
54	.0037485	54	.0057310
55	.0038265	55	.0058496
56	.0039096	56	.0059764
57	.0039981	57	.0061122
58	.0040928	58	.0062578
59	.0041941	59	.0064139
60	.0043026	60	.0065811
61	.0044195	61	.0067600
62	.0045451	62	.0069511
63	.0046805	63	.0071548
64	.0048266	64	.0073714
65	.0049847	65	.0076011

PROPOSED

66	.0051560	66	.0078441
67	.0053424	67	.0081009
68	.0055445	68	.0083721
69	.0057645	69	.0086591
70	.0060046	70	.0089634
71	.0062678	71	.0092866
72	.0065554	72	.0096299
73	.0068706	73	.0099940
74	.0072168	74	.0103786
75	.0075947	75	.0107825
76	.0080069	76	.0112040
77	.0084560	77	.0116408
78	.0089449	78	.0120905
79	.0094696	79	.0125511
80	.0100369	80	.0130204
81	.0106372	81	.0134944
82	.0112701	82	.0139758
83	.0119271	83	.0144609
84	.0126119	84	.0149489
85	.0133170	85	.0154388
86	.0140467	86	.0159282
87	.0147922	87	<del>((.0164053))</del>
			.0164153
88	.0155623	88	.0168983
89	.0163745	89	.0173754
90	.0172295	90	.0178441
91	.0181323	91	.0183008
92	.0190934	92	.0187436
93	.0201303	93	.0191730
94	.0212247	94	.0195820
95	.0223693	95	.0199697
96	.0236226	96	.0203443
97	.0250062	97	.0207038
98	.0265426	98	.0210462
99	.0282645	99	.0213706

LAW ENFORCEMENT OFFICERS  
AND FIRE FIGHTERS  
RETIREMENT SYSTEM  
PLAN II  
Early Retirement Factors  
by Year and Month

<del>((0</del>	0	1.0000
	1	.9918
	2	.9836
	3	.9754
	4	.9672
	5	.9590
	6	.9508
	7	.9426
	8	.9344
	9	.9262
	10	.9180
	11	.9098
1	0	.9016
	1	.8943
	2	.8870
	3	.8797
	4	.8724
	5	.8652
	6	.8579
	7	.8506
	8	.8433
	9	.8360
	10	.8287
	11	.8215
2	0	.8142
	1	.8077
	2	.8012
	3	.7947
	4	.7883
	5	.7818
	6	.7753
	7	.7688

8	.7623
9	.7558
10	.7494
11	.7429
3 0	.7364
1	.7306
2	.7248
3	.7191
4	.7133
5	.7075
6	.7017
7	.6959
8	.6902
9	.6844
10	.6786
11	.6728
4 0	.6670
1	.6619
2	.6567
3	.6515
4	.6464
5	.6412
6	.6360
7	.6309
8	.6257
9	.6205
10	.6153
11	.6102
5 0	.6050
1	.6004
2	.5958
3	.5911
4	.5865
5	.5819
6	.5772
7	.5726
8	.5680
9	.5634
10	.5587
11	.5541
6 0	.5495
1	.5453
2	.5412
3	.5370
4	.5329
5	.5287
6	.5246
7	.5204
8	.5163
9	.5121
10	.5080
11	.5038
7 0	.4996
1	.4959
2	.4922
3	.4884
4	.4847
5	.4810
6	.4773
7	.4735
8	.4698
9	.4661
10	.4623
11	.4586
8 0	.4549
1	.4515
2	.4481
3	.4448
4	.4414
5	.4381
6	.4347
7	.4313
8	.4280
9	.4246
10	.4213
11	.4179

PROPOSED

PROPOSED

9	0	.4145	4	.2355	
	1	.4115	5	.2338	
	2	.4085	6	.2322	
	3	.4054	7	.2305	
	4	.4024	8	.2288	
	5	.3994	9	.2271	
	6	.3964	10	.2254	
	7	.3933	11	.2238	
	8	.3903	16	0	.2221
	9	.3873		1	.2206
	10	.3842		2	.2190
	11	.3812		3	.2175
10	0	.3782		4	.2160
	1	.3754		5	.2145
	2	.3727		6	.2129
	3	.3700		7	.2114
	4	.3672		8	.2099
	5	.3645		9	.2084
	6	.3618		10	.2068
	7	.3590		11	.2053
	8	.3563	17	0	.2038
	9	.3535		1	.2024
	10	.3508		2	.2010
	11	.3481		3	.1996
11	0	.3453		4	.1982
	1	.3429		5	.1968
	2	.3404		6	.1955
	3	.3379		7	.1941
	4	.3354		8	.1927
	5	.3330		9	.1913
	6	.3305		10	.1899
	7	.3280		11	.1885
	8	.3255	18	0	.1871
	9	.3231		1	.1858
	10	.3206		2	.1846
	11	.3181		3	.1833
12	0	.3156		4	.1820
	1	.3134		5	.1808
	2	.3112		6	.1795
	3	.3089		7	.1782
	4	.3067		8	.1770
	5	.3044		9	.1757
	6	.3022		10	.1744
	7	.2999		11	.1732
	8	.2977	19	0	.1719
	9	.2955		1	.1708
	10	.2932		2	.1696
	11	.2910		3	.1684
13	0	.2887		4	.1673
	1	.2867		5	.1661
	2	.2847		6	.1650
	3	.2826		7	.1638
	4	.2806		8	.1627
	5	.2786		9	.1615
	6	.2765		10	.1604
	7	.2745		11	.1592
	8	.2725	20	0	.1580
	9	.2705		1	.1570
	10	.2684		2	.1559
	11	.2664		3	.1549
14	0	.2644		4	.1538
	1	.2625		5	.1528
	2	.2607		6	.1517
	3	.2588		7	.1506
	4	.2570		8	.1496
	5	.2551		9	.1485
	6	.2533		10	.1475
	7	.2514		11	.1464
	8	.2496	21	0	.1454
	9	.2478		1	.1444
	10	.2459		2	.1434
	11	.2441		3	.1425
15	0	.2422		4	.1415
	1	.2405		5	.1405
	2	.2389		6	.1396
	3	.2372		7	.1386

8	_____	.1376	28	0	_____	.0821
9	_____	.1367	1	_____	.0815	
10	_____	.1357	2	_____	.0810	
11	_____	.1347	3	_____	.0805	
22	0	_____	.1338	4	_____	.0800
1	_____	.1329	5	_____	.0794	
2	_____	.1320	6	_____	.0789	
3	_____	.1311	7	_____	.0784	
4	_____	.1302	8	_____	.0779	
5	_____	.1294	9	_____	.0773	
6	_____	.1285	10	_____	.0768	
7	_____	.1276	11	_____	.0763	
8	_____	.1267	29	0	_____	.0758
9	_____	.1258	1	_____	.0753	
10	_____	.1249	2	_____	.0748	
11	_____	.1241	3	_____	.0743	
23	0	_____	.1232	4	_____	.0738
1	_____	.1224	5	_____	.0733	
2	_____	.1216	6	_____	.0729	
3	_____	.1208	7	_____	.0724	
4	_____	.1199	8	_____	.0719	
5	_____	.1191	9	_____	.0714	
6	_____	.1183	10	_____	.0709	
7	_____	.1175	11	_____	.0704	
8	_____	.1167	30	0	_____	.0700
9	_____	.1159	1	_____	.0695	
10	_____	.1151	2	_____	.0691	
11	_____	.1143	3	_____	.0686	
24	0	_____	.1135	4	_____	.0682
1	_____	.1127	5	_____	.0677	
2	_____	.1120	6	_____	.0673	
3	_____	.1113	7	_____	.0668	
4	_____	.1105	8	_____	.0664	
5	_____	.1098	9	_____	.0660	
6	_____	.1090	10	_____	.0655	
7	_____	.1083	11	_____	.0651	
8	_____	.1075	31	0	_____	.0646
9	_____	.1068	1	_____	.0642	
10	_____	.1061	2	_____	.0638	
11	_____	.1053	3	_____	.0634	
25	0	_____	.1046	4	_____	.0630
1	_____	.1039	5	_____	.0626	
2	_____	.1032	6	_____	.0622	
3	_____	.1025	7	_____	.0618	
4	_____	.1019	8	_____	.0613	
5	_____	.1012	9	_____	.0609	
6	_____	.1005	10	_____	.0605	
7	_____	.0998	11	_____	.0601	
8	_____	.0991	32	0	_____	.0597
9	_____	.0985	1	_____	.0593	
10	_____	.0978	2	_____	.0590	
11	_____	.0971	3	_____	.0586	
26	0	_____	.0964	4	_____	.0582
1	_____	.0958	5	_____	.0578	
2	_____	.0952	6	_____	.0575	
3	_____	.0946	7	_____	.0571	
4	_____	.0939	8	_____	.0567	
5	_____	.0933	9	_____	.0563	
6	_____	.0927	10	_____	.0559	
7	_____	.0921	11	_____	.0556	
8	_____	.0914	33	0	_____	.0552
9	_____	.0908	1	_____	.0548	
10	_____	.0902	2	_____	.0545	
11	_____	.0896	3	_____	.0541	
27	0	_____	.0889	4	_____	.0538
1	_____	.0884	5	_____	.0535	
2	_____	.0878	6	_____	.0531	
3	_____	.0872	7	_____	.0528	
4	_____	.0867	8	_____	.0524	
5	_____	.0861	9	_____	.0521	
6	_____	.0855	10	_____	.0517	
7	_____	.0849	11	_____	.0514	
8	_____	.0844	34	0	_____	.0510
9	_____	.0838	1	_____	.0507	
10	_____	.0832	2	_____	.0504	
11	_____	.0826	3	_____	.0501	

PROPOSED

PROPOSED

4	.0497
5	.0494
6	.0491
7	.0488
8	.0485
9	.0481
10	.0478
11	.0475
35 0	.0472
1	.0469
2	.0466
3	.0463
4	.0460
5	.0457
6	.0454
7	.0451
8	.0448
9	.0445
10	.0442
11	.0439
36 0	.0437
1	.0434
2	.0431
3	.0428
4	.0426
5	.0423
6	.0420
7	.0417
8	.0415
9	.0412
10	.0409
11	.0407
37 0	.0404
1	.0401

2	.0399
3	.0396
4	.0394
5	.0391
6	.0389
7	.0386
8	.0384
9	.0381
10	.0379
11	.0376
38 0	.0374
1	.0372
2	.0369
3	.0367
4	.0365
5	.0363
6	.0361
7	.0359
8	.0356
9	.0354
10	.0352
11	.0350
39 0	.0348
1	.0346
2	.0344
3	.0342
4	.0340
5	.0338
6	.0336
7	.0334
8	.0332
9	.0330
10	.0327
11	.0325
40 or more	.0323))

<u>0</u>	0	1.000	<u>5</u>	0	.6177	<u>10</u>	0	.3921	<u>15</u>	0	.2541
	1	.9921		1	.6131		1	.3893		1	.2524
	2	.9843		2	.6085		2	.3866		2	.2507
	3	.9764		3	.6040		3	.3838		3	.2489
	4	.9686		4	.5994		4	.3811		4	.2472
	5	.9607		5	.5949		5	.3783		5	.2455
	6	.9529		6	.5903		6	.3755		6	.2438
	7	.9450		7	.5857		7	.3728		7	.2420
	8	.9372		8	.5812		8	.3700		8	.2403
	9	.9293		9	.5766		9	.3673		9	.2386
	10	.9215		10	.5720		10	.3645		10	.2369
	11	.9136		11	.5675		11	.3617		11	.2352
<u>1</u>	0	.9058	<u>6</u>	0	.5629	<u>11</u>	0	.3590	<u>16</u>	0	.2334
	1	.8988		1	.5588		1	.3565		1	.2319
	2	.8918		2	.5547		2	.3540		2	.2303
	3	.8847		3	.5506		3	.3515		3	.2287
	4	.8777		4	.5465		4	.3490		4	.2272
	5	.8707		5	.5423		5	.3465		5	.2256
	6	.8637		6	.5382		6	.3439		6	.2240
	7	.8567		7	.5341		7	.3414		7	.2225
	8	.8496		8	.5300		8	.3389		8	.2209
	9	.8426		9	.5259		9	.3364		9	.2193
	10	.8356		10	.5218		10	.3339		10	.2177
	11	.8286		11	.5177		11	.3314		11	.2162
<u>2</u>	0	.8216	<u>7</u>	0	.5135	<u>12</u>	0	.3289	<u>17</u>	0	.2146
	1	.8153		1	.5098		1	.3266		1	.2132
	2	.8090		2	.5061		2	.3244		2	.2117
	3	.8027		3	.5024		3	.3221		3	.2103
	4	.7964		4	.4987		4	.3198		4	.2089
	5	.7902		5	.4950		5	.3175		5	.2074
	6	.7839		6	.4912		6	.3153		6	.2060
	7	.7776		7	.4875		7	.3130		7	.2046
	8	.7713		8	.4838		8	.3107		8	.2031
	9	.7650		9	.4801		9	.3084		9	.2017
	10	.7587		10	.4764		10	.3061		10	.2003
	11	.7524		11	.4727		11	.3039		11	.1988
<u>3</u>	0	.7462	<u>8</u>	0	.4689	<u>13</u>	0	.3016	<u>18</u>	0	.1974
	1	.7405		1	.4656		1	.2995		1	.1961



	<u>2</u>	.7349		<u>2</u>	.4622		<u>2</u>	.2975		<u>2</u>	.1948
	<u>3</u>	.7292		<u>3</u>	.4589		<u>3</u>	.2954		<u>3</u>	.1935
	<u>4</u>	.7236		<u>4</u>	.4555		<u>4</u>	.2933		<u>4</u>	.1922
	<u>5</u>	.7180		<u>5</u>	.4521		<u>5</u>	.2912		<u>5</u>	.1908
	<u>6</u>	.7123		<u>6</u>	.4488		<u>6</u>	.2892		<u>6</u>	.1895
	<u>7</u>	.7067		<u>7</u>	.4454		<u>7</u>	.2871		<u>7</u>	.1882
	<u>8</u>	.7011		<u>8</u>	.4421		<u>8</u>	.2850		<u>8</u>	.1869
	<u>9</u>	.6954		<u>9</u>	.4387		<u>9</u>	.2830		<u>9</u>	.1856
	<u>10</u>	.6898		<u>10</u>	.4353		<u>10</u>	.2809		<u>10</u>	.1843
<u>4</u>	<u>11</u>	.6841		<u>11</u>	.4320		<u>11</u>	.2788		<u>11</u>	.1830
	<u>0</u>	.6785	<u>9</u>	<u>0</u>	.4286	<u>14</u>	<u>0</u>	.2767	<u>19</u>	<u>0</u>	.1817
	<u>1</u>	.6734		<u>1</u>	.4256		<u>1</u>	.2748		<u>1</u>	.1805
	<u>2</u>	.6684		<u>2</u>	.4225		<u>2</u>	.2730		<u>2</u>	.1793
	<u>3</u>	.6633		<u>3</u>	.4195		<u>3</u>	.2711		<u>3</u>	.1781
	<u>4</u>	.6582		<u>4</u>	.4164		<u>4</u>	.2692		<u>4</u>	.1769
	<u>5</u>	.6532		<u>5</u>	.4134		<u>5</u>	.2673		<u>5</u>	.1757
	<u>6</u>	.6481		<u>6</u>	.4104		<u>6</u>	.2654		<u>6</u>	.1745
	<u>7</u>	.6430		<u>7</u>	.4073		<u>7</u>	.2635		<u>7</u>	.1733
	<u>8</u>	.6379		<u>8</u>	.4043		<u>8</u>	.2616		<u>8</u>	.1721
	<u>9</u>	.6329		<u>9</u>	.4012		<u>9</u>	.2598		<u>9</u>	.1709
	<u>10</u>	.6278		<u>10</u>	.3982		<u>10</u>	.2579		<u>10</u>	.1697
<u>20</u>	<u>11</u>	.6227		<u>11</u>	.3951		<u>11</u>	.2560		<u>11</u>	.1685
	<u>0</u>	.1673	<u>25</u>	<u>0</u>	.1115	<u>30</u>	<u>0</u>	.0749	<u>35</u>	<u>0</u>	.0508
	<u>1</u>	.1662		<u>1</u>	.1107		<u>1</u>	.0745		<u>1</u>	.0505
	<u>2</u>	.1651		<u>2</u>	.1100		<u>2</u>	.0740		<u>2</u>	.0502
	<u>3</u>	.1640		<u>3</u>	.1093		<u>3</u>	.0735		<u>3</u>	.0499
	<u>4</u>	.1629		<u>4</u>	.1086		<u>4</u>	.0731		<u>4</u>	.0496
	<u>5</u>	.1618		<u>5</u>	.1079		<u>5</u>	.0726		<u>5</u>	.0493
	<u>6</u>	.1607		<u>6</u>	.1072		<u>6</u>	.0721		<u>6</u>	.0490
	<u>7</u>	.1596		<u>7</u>	.1065		<u>7</u>	.0716		<u>7</u>	.0487
	<u>8</u>	.1585		<u>8</u>	.1057		<u>8</u>	.0712		<u>8</u>	.0484
	<u>9</u>	.1574		<u>9</u>	.1050		<u>9</u>	.0707		<u>9</u>	.0481
	<u>10</u>	.1563		<u>10</u>	.1043		<u>10</u>	.0702		<u>10</u>	.0478
<u>21</u>	<u>11</u>	.1552		<u>11</u>	.1036		<u>11</u>	.0698		<u>11</u>	.0475
	<u>0</u>	.1541	<u>26</u>	<u>0</u>	.1029	<u>31</u>	<u>0</u>	.0693	<u>36</u>	<u>0</u>	.0472
	<u>1</u>	.1531		<u>1</u>	.1022		<u>1</u>	.0689		<u>1</u>	.0469
	<u>2</u>	.1521		<u>2</u>	.1016		<u>2</u>	.0684		<u>2</u>	.0467
	<u>3</u>	.1511		<u>3</u>	.1009		<u>3</u>	.0680		<u>3</u>	.0464
	<u>4</u>	.1501		<u>4</u>	.1003		<u>4</u>	.0676		<u>4</u>	.0461
	<u>5</u>	.1491		<u>5</u>	.0996		<u>5</u>	.0671		<u>5</u>	.0458
	<u>6</u>	.1481		<u>6</u>	.0989		<u>6</u>	.0667		<u>6</u>	.0456
	<u>7</u>	.1470		<u>7</u>	.0983		<u>7</u>	.0663		<u>7</u>	.0453
	<u>8</u>	.1460		<u>8</u>	.0976		<u>8</u>	.0658		<u>8</u>	.0450
	<u>9</u>	.1450		<u>9</u>	.0970		<u>9</u>	.0654		<u>9</u>	.0447
	<u>10</u>	.1440		<u>10</u>	.0963		<u>10</u>	.0649		<u>10</u>	.0445
<u>22</u>	<u>11</u>	.1430		<u>11</u>	.0957		<u>11</u>	.0645		<u>11</u>	.0442
	<u>0</u>	.1420	<u>27</u>	<u>0</u>	.0950	<u>32</u>	<u>0</u>	.0641	<u>37</u>	<u>0</u>	.0439
	<u>1</u>	.1411		<u>1</u>	.0944		<u>1</u>	.0637		<u>1</u>	.0437
	<u>2</u>	.1402		<u>2</u>	.0938		<u>2</u>	.0633		<u>2</u>	.0434
	<u>3</u>	.1392		<u>3</u>	.0932		<u>3</u>	.0629		<u>3</u>	.0432
	<u>4</u>	.1383		<u>4</u>	.0926		<u>4</u>	.0625		<u>4</u>	.0429
	<u>5</u>	.1374		<u>5</u>	.0920		<u>5</u>	.0621		<u>5</u>	.0426
	<u>6</u>	.1365		<u>6</u>	.0914		<u>6</u>	.0617		<u>6</u>	.0424
	<u>7</u>	.1356		<u>7</u>	.0908		<u>7</u>	.0613		<u>7</u>	.0421
	<u>8</u>	.1346		<u>8</u>	.0902		<u>8</u>	.0609		<u>8</u>	.0419
	<u>9</u>	.1337		<u>9</u>	.0896		<u>9</u>	.0605		<u>9</u>	.0416
	<u>10</u>	.1328		<u>10</u>	.0890		<u>10</u>	.0601		<u>10</u>	.0414
<u>23</u>	<u>11</u>	.1319		<u>11</u>	.0884		<u>11</u>	.0597		<u>11</u>	.0411
	<u>0</u>	.1309	<u>28</u>	<u>0</u>	.0878	<u>33</u>	<u>0</u>	.0593	<u>38</u>	<u>0</u>	.0409
	<u>1</u>	.1301		<u>1</u>	.0872		<u>1</u>	.0589		<u>1</u>	.0406
	<u>2</u>	.1292		<u>2</u>	.0866		<u>2</u>	.0585		<u>2</u>	.0404
	<u>3</u>	.1284		<u>3</u>	.0861		<u>3</u>	.0582		<u>3</u>	.0401
	<u>4</u>	.1276		<u>4</u>	.0855		<u>4</u>	.0578		<u>4</u>	.0399
	<u>5</u>	.1267		<u>5</u>	.0850		<u>5</u>	.0574		<u>5</u>	.0397
	<u>6</u>	.1259		<u>6</u>	.0844		<u>6</u>	.0571		<u>6</u>	.0394
	<u>7</u>	.1250		<u>7</u>	.0839		<u>7</u>	.0567		<u>7</u>	.0392
	<u>8</u>	.1242		<u>8</u>	.0833		<u>8</u>	.0563		<u>8</u>	.0390
	<u>9</u>	.1233		<u>9</u>	.0828		<u>9</u>	.0560		<u>9</u>	.0387
	<u>10</u>	.1225		<u>10</u>	.0822		<u>10</u>	.0556		<u>10</u>	.0385
<u>24</u>	<u>11</u>	.1216		<u>11</u>	.0816		<u>11</u>	.0552		<u>11</u>	.0382
	<u>0</u>	.1208	<u>29</u>	<u>0</u>	.0811	<u>34</u>	<u>0</u>	.0548	<u>39</u>	<u>0</u>	.0380
	<u>1</u>	.1200		<u>1</u>	.0806		<u>1</u>	.0545		<u>1</u>	.0378
	<u>2</u>	.1192		<u>2</u>	.0801		<u>2</u>	.0542		<u>2</u>	.0376
	<u>3</u>	.1184		<u>3</u>	.0796		<u>3</u>	.0538		<u>3</u>	.0373
	<u>4</u>	.1177		<u>4</u>	.0790		<u>4</u>	.0535		<u>4</u>	.0371
	<u>5</u>	.1169		<u>5</u>	.0785		<u>5</u>	.0531		<u>5</u>	.0369

<u>6</u>	<u>.1161</u>	<u>6</u>	<u>.0780</u>	<u>6</u>	<u>.0528</u>	<u>6</u>	<u>.0367</u>
<u>7</u>	<u>.1153</u>	<u>7</u>	<u>.0775</u>	<u>7</u>	<u>.0525</u>	<u>7</u>	<u>.0365</u>
<u>8</u>	<u>.1146</u>	<u>8</u>	<u>.0770</u>	<u>8</u>	<u>.0521</u>	<u>8</u>	<u>.0362</u>
<u>9</u>	<u>.1138</u>	<u>9</u>	<u>.0765</u>	<u>9</u>	<u>.0518</u>	<u>9</u>	<u>.0360</u>
<u>10</u>	<u>.1130</u>	<u>10</u>	<u>.0760</u>	<u>10</u>	<u>.0514</u>	<u>10</u>	<u>.0358</u>
<u>11</u>	<u>.1122</u>	<u>11</u>	<u>.0755</u>	<u>11</u>	<u>.0511</u>	<u>11</u>	<u>.0356</u>

LAW ENFORCEMENT OFFICERS  
AND FIRE FIGHTERS RETIREMENT SYSTEM  
PLAN II

Age  
(Option II ———— Difference ———— Option III)

<del>0.846</del>	<del>05</del>	<del>0.914</del>
<del>0.837</del>	<del>04</del>	<del>0.908</del>
<del>0.828</del>	<del>03</del>	<del>0.902</del>
<del>0.819</del>	<del>02</del>	<del>0.897</del>
<del>0.810</del>	<del>01</del>	<del>0.892</del>

LEOFF II Survivor Option Factors

Member Younger

Age Difference	OPTION II (100%)	OPTION IV (66 2/3%)	OPTION III (50%)
-20	0.928	0.951	0.963
-19	0.923	0.947	0.960
-18	0.918	0.944	0.957
-17	0.912	0.940	0.954
-16	0.906	0.935	0.951
-15	0.899	0.930	0.947
-14	0.892	0.926	0.943
-13	0.885	0.921	0.939
-12	0.877	0.915	0.935
-11	0.869	0.909	0.930
-10	0.861	0.903	0.926
-9	0.854	0.898	0.922
-8	0.846	0.892	0.917
-7	0.838	0.886	0.912
-6	0.830	0.880	0.907
-5	0.823	0.875	0.903
-4	0.814	0.868	0.898
-3	0.806	0.862	0.893
-2	0.798	0.856	0.888
-1	0.790	0.850	0.883

Member Older

Age Difference	OPTION II (100%)	OPTION IV (66 2/3%)	OPTION III (50%)
0	0.780	0.842	0.877
1	0.771	0.835	0.871
2	0.760	0.827	0.864
3	0.751	0.820	0.858
4	0.743	0.813	0.853
5	0.735	0.807	0.848
6	0.728	0.801	0.843
7	0.721	0.795	0.838
8	0.714	0.789	0.833
9	0.706	0.783	0.828
10	0.700	0.778	0.824
11	0.694	0.773	0.820
12	0.687	0.768	0.815
13	0.681	0.762	0.811
14	0.673	0.755	0.805
15	0.664	0.748	0.799
16	0.656	0.741	0.793
17	0.650	0.736	0.788
18	0.644	0.731	0.784
19	0.639	0.726	0.780
20	0.634	0.722	0.776
21	0.629	0.718	0.773
22	0.625	0.715	0.770
23	0.620	0.710	0.766
24	0.616	0.707	0.763
25	0.612	0.703	0.760
26	0.608	0.700	0.757
27	0.604	0.696	0.754
28	0.601	0.694	0.751
29	0.598	0.690	0.748
30	0.595	0.688	0.746
31	0.592	0.685	0.744

Member Older

0.800	0	0.887
0.790	1	0.883
0.778	2	0.877
0.768	3	0.871
0.759	4	0.865
0.750	5	0.859
0.742	6	0.854
0.734	7	0.849
0.726	8	0.843
0.718	9	0.838
0.711	10	0.833
0.704	11	0.828
0.697	12	0.824
0.690	13	0.818
0.681	14	0.812
0.672	15	0.805
0.663	16	0.799
0.656	17	0.794
0.650	18	0.790
0.644	19	0.786
0.639	20	0.782
0.634	21	0.778
0.630	22	0.775
0.625	23	0.771
0.621	24	0.768
0.617	25	0.765
0.613	26	0.762
0.609	27	0.759
0.606	28	0.756
0.602	29	0.754
0.599	30	0.751
0.596	31	0.749
0.593	32	0.746
0.590	33	0.744
0.587	34	0.742
0.585	35	0.740
0.582	36	0.738
0.580	37	0.736
0.578	38	0.734
0.575	39	0.732
0.573	40	0.731

Beneficiary Older

0.956	20 or more	0.980
0.951	19	0.978
0.946	18	0.975
0.940	17	0.972
0.934	16	0.968
0.927	15	0.965
0.920	14	0.961
0.913	13	0.957
0.905	12	0.953
0.897	11	0.948
0.889	10	0.944
0.881	09	0.939
0.872	08	0.933
0.863	07	0.927
0.854	06	0.920

PROPOSED

PROPOSED

<u>32</u>	<u>0.589</u>	<u>0.682</u>	<u>0.741</u>		9	.8312
<u>33</u>	<u>0.586</u>	<u>0.680</u>	<u>0.739</u>		10	.8238
<u>34</u>	<u>0.583</u>	<u>0.677</u>	<u>0.737</u>		11	.8163
<u>35</u>	<u>0.581</u>	<u>0.675</u>	<u>0.735</u>	2	0	.8089
<u>36</u>	<u>0.578</u>	<u>0.673</u>	<u>0.733</u>		1	.8023
<u>37</u>	<u>0.576</u>	<u>0.671</u>	<u>0.731</u>		2	.7957
<u>38</u>	<u>0.574</u>	<u>0.669</u>	<u>0.729</u>		3	.7892
<u>39</u>	<u>0.571</u>	<u>0.666</u>	<u>0.727</u>		4	.7826
<u>40</u>	<u>0.569</u>	<u>0.664</u>	<u>0.725</u>		5	.7760
					6	.7694
					7	.7629
					8	.7563
					9	.7497
					10	.7431
					11	.7366
				3	0	.7300
					1	.7242
					2	.7183
					3	.7125
					4	.7067
					5	.7009
					6	.6951
					7	.6892
					8	.6834
					9	.6776
					10	.6718
					11	.6660
				4	0	.6601
					1	.6550
					2	.6498
					3	.6446
					4	.6395
					5	.6343
					6	.6291
					7	.6240
					8	.6188
					9	.6136
					10	.6085
					11	.6033
				5	0	.5981
					1	.5935
					2	.5889
					3	.5843
					4	.5797
					5	.5751
					6	.5705
					7	.5659
					8	.5613
					9	.5567
					10	.5521
					11	.5475
				6	0	.5429
					1	.5388
					2	.5347
					3	.5306
					4	.5265
					5	.5224
					6	.5182
					7	.5141
					8	.5100
					9	.5059
					10	.5018
					11	.4977
				7	0	.4936
					1	.4899
					2	.4862
					3	.4825
					4	.4789
					5	.4752
					6	.4715
					7	.4678
					8	.4642
					9	.4605
					10	.4568
					11	.4531

AGE DIFFERENCE = MEMBER'S AGE MINUS BENEFICIARY AGE

\* For converting the Normal Form (Option I) to Option II or III.

AMENDATORY SECTION (Amending WSR 91-02-018, filed 12/21/90, effective 1/21/91)

**WAC 415-108-340 Actuarial tables, schedules, and factors.** This chapter contains the tables, schedules, and factors adopted by the director of the department of retirement systems (~~(pursuant to the authority granted by RCW 41.50.050, 41.40.020 and 41.40.022)~~) for calculating optional retirement allowances of members of the Washington state public employees' retirement system (~~(as administered by the director)~~). These tables, schedules, and factors were adopted by the director upon the recommendation of (~~and in light of the findings of the state actuary~~) the state actuary based on the actuary's investigation into the mortality, service, compensation, and other experience of the members and beneficiaries of public employees' retirement system. The tables, schedules, and factors contained in this chapter shall govern the retirement allowances only of members retiring during the period from (~~October 1, 1990~~) January 1, 1996, until such time as these tables, schedules, and factors are amended by the director following the next actuarial investigation conducted by the state actuary. The retirement allowances calculated at the time of retirement of members retiring before (~~October 1, 1990~~) January 1, 1996, shall continue to be governed by the tables, schedules, and factors in effect when each member retires. Any new tables, schedules, and factors adopted by the director in the future shall govern retirement allowances calculated at the time of retirement only of members retiring after the adoption of such new tables, schedules, and factors.

PUBLIC EMPLOYEES RETIREMENT SYSTEM

PLAN 1

Early Retirement Factors  
by Year and Month

0	0	1.0000
	1	.9915
	2	.9830
	3	.9746
	4	.9661
	5	.9576
	6	.9491
	7	.9407
	8	.9322
	9	.9237
	10	.9152
	11	.9068
1	0	.8983
	1	.8908
	2	.8834
	3	.8759
	4	.8685
	5	.8610
	6	.8536
	7	.8461
	8	.8387

PROPOSED

8	0	.4494	3	.2576
	1	.4461	4	.2558
	2	.4428	5	.2540
	3	.4395	6	.2522
	4	.4362	7	.2504
	5	.4329	8	.2486
	6	.4296	9	.2468
	7	.4263	10	.2450
	8	.4230	11	.2432
	9	.4197	15	0
	10	.4164		.2414
	11	.4131	1	.2398
9	0	.4098	2	.2381
	1	.4068	3	.2365
	2	.4039	4	.2348
	3	.4009	5	.2332
	4	.3979	6	.2316
	5	.3950	7	.2299
	6	.3920	8	.2283
	7	.3890	9	.2267
	8	.3860	10	.2250
	9	.3831	11	.2234
	10	.3801	16	0
	11	.3771		.2218
10	0	.3742	1	.2203
	1	.3715	2	.2188
	2	.3688	3	.2173
	3	.3661	4	.2158
	4	.3635	5	.2143
	5	.3608	6	.2128
	6	.3581	7	.2113
	7	.3554	8	.2098
	8	.3528	9	.2084
	9	.3501	10	.2069
	10	.3474	11	.2054
	11	.3447	17	0
11	0	((-.3440))		.2039
		<u>.3420</u>	1	.2025
	1	.3396	2	.2012
	2	.3372	3	.1998
	3	.3348	4	.1985
	4	.3324	5	.1971
	5	.3300	6	.1957
	6	.3275	7	.1944
	7	.3251	8	.1930
	8	.3227	9	.1917
	9	.3203	10	.1903
	10	.3179	11	.1890
	11	.3154	18	0
12	0	.3130		.1876
	1	.3108	1	.1864
	2	.3087	2	.1851
	3	.3065	3	.1839
	4	.3043	4	.1826
	5	.3021	5	.1814
	6	.2999	6	.1802
	7	.2977	7	.1789
	8	.2955	8	.1777
	9	.2933	9	.1764
	10	.2912	10	.1752
	11	.2890	11	.1740
13	0	.2868	19	0
	1	.2848		.1727
	2	.2828	1	((-.1726))
	3	.2808		<u>.1716</u>
	4	.2789	2	.1705
	5	.2769	3	.1693
	6	.2749	4	.1682
	7	.2729	5	.1671
	8	.2709	6	.1659
	9	.2689	7	.1648
	10	.2670	8	.1637
	11	.2650	9	.1625
14	0	.2630	10	.1614
	1	.2612	11	.1603
	2	.2594	20	0
				.1591
			1	.1581
			2	.1571
			3	.1560
			4	.1550
			5	.1540

	6	.1529		10	.0923
	7	.1519		11	.0917
	8	.1509	27	0	.0911
	9	.1498		1	.0905
	10	.1488		2	.0899
	11	.1478		3	.0894
21	0	.1467		4	.0888
	1	.1458		5	.0882
	2	.1448		6	.0877
	3	.1439		7	.0871
	4	.1429		8	.0865
	5	.1420		9	.0860
	6	.1410		10	.0854
	7	.1401		11	.0848
	8	.1391	28	0	.0842
	9	.1382		1	.0837
	10	.1372		2	.0832
	11	.1363		3	.0827
22	0	.1353		4	.0822
	1	.1345		5	.0816
	2	.1336		6	.0811
	3	.1327		7	.0806
	4	.1319		8	.0801
	5	.1310		9	.0795
	6	.1301		10	.0790
	7	.1293		11	.0785
	8	.1284	29	0	.0780
	9	.1275		1	.0775
	10	.1267		2	.0770
	11	.1258		3	.0765
23	0	.1249		4	.0760
	1	.1241		5	.0755
	2	.1233		6	.0751
	3	.1225		7	.0746
	4	.1217		8	.0741
	5	.1209		9	.0736
	6	.1201		10	.0731
	7	.1193		11	.0726
	8	.1185	30	0	.0722
	9	.1177		1	.0717
	10	.1169		2	.0713
	11	.1161		3	.0708
24	0	.1153		4	.0704
	1	.1146		5	.0699
	2	.1139		6	.0695
	3	.1132		7	.0690
	4	.1124		8	.0686
	5	.1117		9	.0682
	6	.1110		10	.0677
	7	.1102		11	.0673
	8	.1095	31	0	.0668
	9	.1088		1	.0664
	10	.1080		2	.0660
	11	.1073		3	.0656
25	0	.1066		4	.0652
	1	.1059		5	.0648
	2	.1052		6	.0644
	3	.1046		7	.0639
	4	.1039		8	.0635
	5	.1032		9	.0631
	6	.1025		10	.0627
	7	.1019		11	.0623
	8	.1012	32	0	.0619
	9	.1005		1	.0615
	10	.0998		2	.0611
	11	.0992		3	.0608
26	0	.0985		4	.0604
	1	.0979		5	.0600
	2	.0973		6	.0596
	3	.0966		7	.0592
	4	.0960		8	.0589
	5	.0954		9	.0585
	6	.0948		10	.0581
	7	.0942		11	.0577
	8	.0936	33	0	.0573
	9	.0929		1	.0570

PROPOSED

2	.0566
3	.0563
4	.0559
5	.0556
6	.0552
7	.0549
8	.0545
9	.0542
10	.0538
11	.0535
34 0	.0531
1	.0528
2	.0525
3	.0522
4	.0518
5	.0515
6	.0512
7	.0509
8	.0506
9	.0502
10	.0499
11	.0496
35 or more	.0493

**PUBLIC EMPLOYEES RETIREMENT SYSTEM**  
 Plan II Option 1  
 Monthly Benefit per \$1.00  
 of Accumulation

20	.0039357
21	.0039525
22	.0039702
23	.0039887
24	.0040081
25	.0040286
26	.0040500
27	.0040726
28	.0040963
29	.0041213
30	.0041476
31	.0041753
32	.0042044
33	.0042351
34	.0042675
35	.0043015
36	.0043375
37	.0043756
38	.0044157
39	.0044581
40	.0045029
41	.0045502
42	.0046001
43	.0046528
44	.0047084
45	.0047670
46	.0048287
47	.0048939
48	.0049626
49	.0050352
50	.0051120
51	.0051933
52	.0052795
53	.0053712
54	.0054687
55	.0055727
56	.0056837
57	.0058025
58	.0059296
59	.0060657
60	.0062116
61	.0063676
62	.0065347
63	.0067134
64	.0069044
65	.0071085
66	.0073263

67	.0075587
68	.0078066
69	.0080711
70	.0083537
71	.0086558
72	.0089785
73	.0093230
74	.0096898
75	((-.0100729))
	.0100792
76	((-.0104910))
	.0104910
77	.0109250
78	.0113811
79	.0118589
80	.0123587
81	.0128793
82	.0134243
83	.0139934
84	.0145880
85	.0152103
86	.0158600
87	.0165374
88	.0172413
89	.0179682
90	.0187162
91	.0194835
92	.0202654
93	.0210569
94	.0218459
95	.0226265
96	.0234038
97	.0241752
98	.0249356
99	.0256785

Public Employees  
 Retirement System  
 PERS I Optional  
 COLA\*

Public Employees  
 Retirement System  
 Plan 1 Option 1  
 Monthly Benefit per  
 \$1.00 of Accumulation

<del>(20</del>	<del>.638</del>	<del>20</del>	<del>.0061792</del>
<del>21</del>	<del>.640</del>	<del>21</del>	<del>.0061891</del>
<del>22</del>	<del>.641</del>	<del>22</del>	<del>.0061997</del>
<del>23</del>	<del>.643</del>	<del>23</del>	<del>.0062111</del>
<del>24</del>	<del>.645</del>	<del>24</del>	<del>.0062232</del>
<del>25</del>	<del>.647</del>	<del>25</del>	<del>.0062362</del>
<del>26</del>	<del>.649</del>	<del>26</del>	<del>.0062501</del>
<del>27</del>	<del>.651</del>	<del>27</del>	<del>.0062650</del>
<del>28</del>	<del>.654</del>	<del>28</del>	<del>.0062809</del>
<del>29</del>	<del>.656</del>	<del>29</del>	<del>.0062979</del>
<del>30</del>	<del>.658</del>	<del>30</del>	<del>.0063162</del>
<del>31</del>	<del>.661</del>	<del>31</del>	<del>.0062257</del>
<del>32</del>	<del>.664</del>	<del>32</del>	<del>.0063566</del>
<del>33</del>	<del>.666</del>	<del>33</del>	<del>.0062790</del>
<del>34</del>	<del>.669</del>	<del>34</del>	<del>.0064030</del>
<del>35</del>	<del>.672</del>	<del>35</del>	<del>.0064286</del>
<del>36</del>	<del>.675</del>	<del>36</del>	<del>.0064561</del>
<del>37</del>	<del>.678</del>	<del>37</del>	<del>.0064856</del>
<del>38</del>	<del>.681</del>	<del>38</del>	<del>.0065173</del>
<del>39</del>	<del>.684</del>	<del>39</del>	<del>.0065512</del>
<del>40</del>	<del>.688</del>	<del>40</del>	<del>.0065875</del>
<del>41</del>	<del>.691</del>	<del>41</del>	<del>.0066263</del>
<del>42</del>	<del>.695</del>	<del>42</del>	<del>.0066677</del>
<del>43</del>	<del>.698</del>	<del>43</del>	<del>.0067119</del>
<del>44</del>	<del>.702</del>	<del>44</del>	<del>.0067590</del>
<del>45</del>	<del>.706</del>	<del>45</del>	<del>.0068091</del>
<del>46</del>	<del>.710</del>	<del>46</del>	<del>.0068624</del>
<del>47</del>	<del>.715</del>	<del>47</del>	<del>.0069190</del>
<del>48</del>	<del>.719</del>	<del>48</del>	<del>.0069792</del>
<del>49</del>	<del>.724</del>	<del>49</del>	<del>.0070432</del>
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<del>51</del>	<del>.733</del>	<del>51</del>	<del>.0071843</del>
<del>52</del>	<del>.738</del>	<del>52</del>	<del>.0072621</del>
<del>53</del>	<del>.744</del>	<del>53</del>	<del>.0073455</del>

PROPOSED

54	.749	54	.0074351
55	.755	55	.0075313
56	.761	56	.0076350
57	.767	57	.0077467
58	.774	58	.0078672
59	.781	59	.0079972
60	.788	60	.0081375
61	.796	61	.0082885
62	.804	62	.0084509
63	.813	63	.0086255
64	.822	64	.0088128
65	.831	65	.0090135
66	.842	66	.0092282
67	.853	67	.0094577
68	.865	68	.0097029
69	.879	70	.0102454
70	.894	71	.0105455
71	.910	72	.0108665
72	.928	73	.0112093
73	.947	74	.0115744
74 or more	.971	75	.0119617
		76	.0123709
		77	.0128014
		78	.0132580
		79	.0137246
		80	.0142169
		81	.0147281
		82	.0152621
		83	.0158184
		84	.0163986
		85	.0170045
		86	.0176361
		87	.0182936
		88	.0189757
		89	.0196789
		90	.0204015
		91	.0211420
		92	.0218957
		93	.0226575
		94	.0234160
		95	.0241655
		96	.0249116
		97	.0256520
		98	.0263822
		99	.0270961))

Age

20	.6369	20	.0061792
21	.6386	21	.0061891
22	.6404	22	.0061997
23	.6422	23	.0062111
24	.6441	24	.0062232
25	.6460	25	.0062362
26	.6480	26	.0062501
27	.6501	27	.0062650
28	.6522	28	.0062809
29	.6544	29	.0062979
30	.6567	30	.0063162
31	.6590	31	.0063357
32	.6614	32	.0063566
33	.6639	33	.0063790
34	.6665	34	.0064030
35	.6691	35	.0064286
36	.6718	36	.0064561
37	.6747	37	.0064856
38	.6775	38	.0065173
39	.6805	39	.0065512
40	.6836	40	.0065875
41	.6867	41	.0066263
42	.6899	42	.0066677
43	.6932	43	.0067119
44	.6966	44	.0067590
45	.7001	45	.0068091
46	.7036	46	.0068624
47	.7073	47	.0069190
48	.7111	48	.0069792

49	.7149	49	.0070432
50	.7188	50	.0071114
51	.7229	51	.0071843
52	.7270	52	.0072621
53	.7312	53	.0073455
54	.7355	54	.0074351
55	.7399	55	.0075313
56	.7444	56	.0076350
57	.7490	57	.0077467
58	.7537	58	.0078672
59	.7585	59	.0079972
60	.7633	60	.0081375
61	.7682	61	.0082885
62	.7733	62	.0084509
63	.7783	63	.0086255
64	.7835	64	.0088128
65	.7887	65	.0090135
66	.7939	66	.0092282
67	.7992	67	.0094577
68	.8046	68	.0097029
69	.8099	69	.0099651
70	.8154	70	.0102454
71	.8208	71	.0105455
72	.8263	72	.0108665
73	.8317	73	.0112093
74	.8372	74	.0115744
75	.8426	75	.0119617
76	.8480	76	.0123709
77	.8534	77	.0128014
78	.8588	78	.0132528
79	.8641	79	.0137246
80	.8693	80	.0142169
81	.8745	81	.0147281
82	.8796	82	.0152621
83	.8846	83	.0158184
84	.8896	84	.0163986
85	.8945	85	.0170045
86	.8993	86	.0176361
87	.9040	87	.0182936
88	.9086	88	.0189757
89	.9131	89	.0196789
90	.9174	90	.0204015
91	.9216	91	.0211420
92	.9255	92	.0218957
93	.9294	93	.0226575
94	.9329	94	.0234160
95	.9363	95	.0241655
96	.9395	96	.0249116
97	.9424	97	.0256520
98	.9452	98	.0263822
99	.9477	99	.0270961

(PERS I OPTION II	Age-Difference Beneficiary Older	PERS I OPTION III
0.973	20 or more	0.987
0.970	19	0.986
0.964	18	0.984
0.960	17	0.982
0.957	16	0.980
0.953	15	0.978
0.949	14	0.976
0.945	13	0.974
0.940	12	0.972
0.934	11	0.969
0.929	10	0.966
0.923	9	0.963
0.917	8	0.960
0.910	7	0.956
0.902	6	0.952
0.895	5	0.948
0.887	4	0.944
0.878	3	0.939
0.866	2	0.932
0.852	1	0.924

PROPOSED

PROPOSED

Beneficiary Younger		
0.837	0	0.917
0.822	1	0.908
0.809	2	0.901
0.800	3	0.894
0.794	4	0.889
0.789	5	0.885
0.784	6	0.881
0.776	7	0.876
0.766	8	0.869
0.754	9	0.862
0.744	10	0.855
0.736	11	0.850
0.731	12	0.847
0.726	13	0.844
0.721	14	0.841
0.717	15	0.838
0.713	16	0.835
0.709	17	0.832
0.706	18	0.830
0.702	19	0.827
0.699	20	0.825
0.696	21	0.823
0.693	22	0.821
0.690	23	0.819
0.687	24	0.817
0.685	25	0.815
0.683	26	0.814
0.681	27	0.812
0.679	28	0.811
0.677	29	0.809
0.675	30	0.808
0.673	31	0.807
0.672	32	0.806
0.670	33	0.805
0.669	34	0.804
0.667	35	0.803
0.666	36	0.802
0.665	37	0.801
0.664	38	0.800
0.663	39	0.799
0.662	40 or more	0.798

Age difference = member's age minus beneficiary age

PERS II	Age Difference	PERS II
OPTION II	Beneficiary Older	OPTION III
0.965	20 or more	0.983
0.963	19	0.982
0.960	18	0.980
0.958	17	0.979
0.955	16	0.978
0.952	15	0.976
0.948	14	0.974
0.944	13	0.972
0.939	12	0.969
0.933	11	0.966
0.926	10	0.962
0.919	9	0.958
0.912	8	0.954
0.903	7	0.950
0.894	6	0.945
0.885	5	0.939
0.874	4	0.933
0.862	3	0.926
0.846	2	0.917
0.828	1	0.907

Beneficiary Younger		
0.809	0	0.896
0.791	1	0.885
0.774	2	0.874
0.760	3	0.865
0.748	4	0.858
0.738	5	0.851
0.729	6	0.845

0.718	7	0.838
0.705	8	0.829
0.691	9	0.819
0.678	10	0.810
0.668	11	0.803
0.660	12	0.797
0.653	13	0.792
0.646	14	0.787
0.639	15	0.782
0.632	16	0.777
0.626	17	0.772
0.620	18	0.767
0.614	19	0.763
0.609	20	0.759
0.603	21	0.754
0.598	22	0.750
0.594	23	0.747
0.589	24	0.743
0.584	25	0.739
0.580	26	0.736
0.576	27	0.733
0.572	28	0.730
0.569	29	0.727
0.565	30	0.724
0.562	31	0.721
0.559	32	0.718
0.556	33	0.716
0.553	34	0.713
0.550	35	0.711
0.547	36	0.709
0.545	37	0.707
0.542	38	0.705
0.540	39	0.703
0.538	40 or more	0.701

Age difference = member's age minus beneficiary age))

Age Difference  
Member Younger

- 20 or more
- 19
- 18
- 17
- 16
- 15
- 14
- 13
- 12
- 11
- 10
- 9
- 8
- 7
- 6
- 5
- 4
- 3
- 2
- 1

Beneficiary Younger

- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13



PROPOSED

<u>14</u> <u>15</u> <u>16</u> <u>17</u> <u>18</u> <u>19</u> <u>20</u> <u>21</u> <u>22</u> <u>23</u> <u>24</u> <u>25</u> <u>26</u> <u>27</u> <u>28</u> <u>29</u> <u>30</u> <u>31</u> <u>32</u> <u>33</u> <u>34</u> <u>35</u> <u>36</u> <u>37</u> <u>38</u> <u>39</u> 40 or more <u>Age Difference</u> <u>Beneficiary Older</u> -20 or more -19 -18 -17 -16 -15 -14 -13 -12 -11 -10 -9 -8 -7 -6 -5 -4 -3 -2 -1	<u>22</u> <u>23</u> <u>24</u> <u>25</u> <u>26</u> <u>27</u> <u>28</u> <u>29</u> <u>30</u> <u>31</u> <u>32</u> <u>33</u> <u>34</u> <u>35</u> <u>36</u> <u>37</u> <u>38</u> <u>39</u> 40 or more <u>PERS I Survivor Option Factors</u> <u>Member Younger</u> <u>Age</u> <u>Difference</u> <u>OPTION II (100%)</u> <u>OPTION IV (66 2/3%)</u> <u>OPTION III (50%)</u> -20                    0.948                    0.965                    0.973 -19                    0.945                    0.963                    0.972 -18                    0.940                    0.959                    0.969 -17                    0.936                    0.956                    0.967 -16                    0.933                    0.954                    0.965 -15                    0.929                    0.951                    0.963 -14                    0.925                    0.949                    0.961 -13                    0.921                    0.946                    0.959 -12                    0.916                    0.943                    0.956 -11                    0.910                    0.938                    0.953 -10                    0.906                    0.935                    0.950 -9                     0.900                    0.931                    0.948 -8                     0.895                    0.928                    0.945 -7                     0.889                    0.923                    0.941 -6                     0.882                    0.918                    0.937 -5                     0.876                    0.914                    0.934 -4                     0.868                    0.908                    0.930 -3                     0.860                    0.902                    0.925 -2                     0.849                    0.894                    0.918 -1                     0.836                    0.884                    0.911  <u>Member Older</u> <u>Age</u> <u>Difference</u> <u>OPTION II (100%)</u> <u>OPTION IV (66 2/3%)</u> <u>OPTION III (50%)</u> 0                     0.822                    0.874                    0.902 1                     0.808                    0.863                    0.894 2                     0.796                    0.854                    0.886 3                     0.787                    0.848                    0.881 4                     0.782                    0.844                    0.878 5                     0.778                    0.840                    0.875 6                     0.773                    0.837                    0.872 7                     0.766                    0.831                    0.868 8                     0.757                    0.824                    0.862 9                     0.746                    0.815                    0.854 10                    0.736                    0.807                    0.848 11                    0.729                    0.801                    0.843 12                    0.724                    0.798                    0.840 13                    0.720                    0.794                    0.837 14                    0.715                    0.790                    0.834 15                    0.711                    0.787                    0.832 16                    0.708                    0.784                    0.829 17                    0.704                    0.781                    0.827 18                    0.702                    0.779                    0.825 19                    0.698                    0.776                    0.822 20                    0.695                    0.774                    0.820 21                    0.692                    0.772                    0.818 22                    0.689                    0.769                    0.816 23                    0.686                    0.767                    0.814 24                    0.683                    0.764                    0.812 25                    0.681                    0.763                    0.811  <u>Beneficiary Younger</u> 0 <u>1</u> <u>2</u> <u>3</u> <u>4</u> <u>5</u> <u>6</u> <u>7</u> <u>8</u> <u>9</u> <u>10</u> <u>11</u> <u>12</u> <u>13</u> <u>14</u> <u>15</u> <u>16</u> <u>17</u> <u>18</u> <u>19</u> <u>20</u> <u>21</u>
--	--

26	0.679	0.761	0.809	28	0.565	0.661	0.722
27	0.677	0.759	0.808	29	0.562	0.658	0.720
28	0.675	0.758	0.806	30	0.558	0.655	0.717
29	0.673	0.756	0.805	31	0.555	0.652	0.714
30	0.671	0.754	0.804	32	0.552	0.649	0.712
31	0.669	0.753	0.802	33	0.549	0.647	0.709
32	0.668	0.752	0.801	34	0.546	0.644	0.707
33	0.667	0.750	0.800	35	0.543	0.641	0.705
34	0.666	0.749	0.799	36	0.540	0.638	0.702
35	0.664	0.747	0.798	37	0.538	0.637	0.700
36	0.663	0.747	0.797	38	0.535	0.634	0.698
37	0.662	0.746	0.796	39	0.533	0.632	0.696
38	0.661	0.745	0.796	40	0.531	0.630	0.695
39	0.660	0.744	0.795				
40	0.659	0.743	0.794				

Age difference = member's age minus beneficiary's age

Age difference = member's age minus beneficiary's age

PUBLIC EMPLOYEES RETIREMENT SYSTEM  
PLAN 2

Early Retirement Factors  
by Year and Month

PERS II Survivor Option Factors				Member Younger		Member Older	
Age Difference	OPTION II (100%)	OPTION IV (66 2/3%)	OPTION III (50%)	Age Difference	OPTION II (100%)	OPTION IV (66 2/3%)	OPTION III (50%)
-20	0.928	0.951	0.962	0	0	1.0000	
-19	0.925	0.949	0.961	0	1	.9910	
-18	0.922	0.946	0.959	0	2	.9821	
-17	0.919	0.945	0.958	0	3	.9731	
-16	0.916	0.942	0.956	0	4	.9641	
-15	0.912	0.940	0.954	0	5	.9551	
-14	0.908	0.937	0.952	0	6	.9462	
-13	0.904	0.933	0.949	0	7	.9372	
-12	0.898	0.930	0.946	0	8	.9282	
-11	0.892	0.925	0.943	0	9	.9193	
-10	0.885	0.920	0.939	0	10	.9103	
-9	0.879	0.916	0.935	0	11	.9013	
-8	0.873	0.911	0.932	1	0	.8923	
-7	0.865	0.906	0.927	1	1	.8845	
-6	0.857	0.900	0.923	1	2	.8767	
-5	0.849	0.894	0.918	1	3	.8688	
-4	0.839	0.887	0.912	1	4	.8610	
-3	0.828	0.878	0.906	1	5	.8531	
-2	0.813	0.867	0.897	1	6	.8453	
-1	0.797	0.855	0.887	1	7	.8374	
				1	8	.8296	
				1	9	.8217	
				1	10	.8139	
				1	11	.8061	
				2	0	.7982	
				2	1	.7913	
				2	2	.7844	
				2	3	.7776	
				2	4	.7707	
				2	5	.7638	
				2	6	.7569	
				2	7	.7500	
				2	8	.7431	
				2	9	.7363	
				2	10	.7294	
				2	11	.7225	
				3	0	.7156	
				3	1	.7096	
				3	2	((.7033))	
				3	3	.6975	
				3	4	.6914	
				3	5	.6853	
				3	6	.6793	
				3	7	.6732	
				3	8	.6672	
				3	9	.6611	
				3	10	.6551	
				3	11	.6490	
				4	0	.6429	
				4	1	.6376	
				4	2	.6322	
				4	3	.6269	
				4	4	.6215	
				4	5	.6162	

PROPOSED

6	.6109	7	.3322
7	.6055	8	.3295
8	.6002	9	.3269
9	.5948	10	.3242
10	.5895	11	.3215
11	.5841	11 0	.3188
5 0	.5788	1	.3165
1	.5740	2	.3141
2	.5693	3	.3117
3	.5646	4	.3093
4	.5598	5	.3069
5	.5551	6	.3045
6	.5504	7	.3021
7	<del>((.5446))</del>	8	.2997
	<u>.5456</u>	9	.2973
8	.5409	10	.2949
9	.5362	11	.2925
10	.5314	12 0	.2901
11	.5267	1	.2879
6 0	.5220	2	.2858
1	.5178	3	.2836
2	.5136	4	.2815
3	.5094	5	.2793
4	.5052	6	.2771
5	.5010	7	.2750
6	.4968	8	.2728
7	.4926	9	.2707
8	.4884	10	.2685
9	.4842	11	.2664
10	<del>((.4880))</del>	13 0	.2642
	<u>.4800</u>	1	.2623
11	.4758	2	.2603
7 0	.4716	3	.2584
1	.4678	4	.2564
2	.4641	5	.2545
3	.4603	6	.2526
4	.4566	7	.2506
5	.4529	8	.2487
6	.4491	9	.2467
7	.4454	10	.2448
8	.4416	11	.2429
9	.4379	14 0	.2409
10	.4342	1	.2392
11	.4304	2	.2374
8 0	.4267	3	.2357
1	.4234	4	.2339
2	.4200	5	.2322
3	.4167	6	.2304
4	.4134	7	.2287
5	.4100	8	.2269
6	.4067	9	.2252
7	.4033	10	.2234
8	.4000	11	.2216
9	.3967	15 0	.2199
10	.3933	1	.2183
11	.3900	2	.2167
9 0	.3867	3	.2151
1	.3837	4	.2136
2	.3807	5	.2120
3	.3777	6	.2104
4	.3747	7	.2088
5	<del>((.3748))</del>	8	.2072
	<u>.3718</u>	9	.2057
6	.3688	10	.2041
7	.3658	11	.2025
8	.3628	16 0	.2009
9	.3598	1	.1995
10	.3569	2	.1980
11	.3539	3	.1966
10 0	.3509	4	.1952
1	.3482	5	.1937
2	.3456	6	.1923
3	.3429	7	.1909
4	.3402	8	.1894
5	.3375	9	.1880
6	.3349		

PROPOSED

PROPOSED

	10	.1866	23	0	.1092
	11	.1851		1	.1085
17	0	.1837		2	.1077
	1	.1824		3	.1070
	2	.1811		4	.1063
	3	.1798		5	.1055
	4	.1785		6	.1048
	5	.1772		7	.1041
	6	.1759		8	.1033
	7	.1746		9	.1026
	8	.1733		10	.1018
	9	.1720		11	.1011
	10	.1707	24	0	.1004
	11	.1694		1	.0997
18	0	.1681		2	.0990
	1	.1670		3	.0984
	2	.1658		4	.0977
	3	.1646		5	<del>(.0974)</del>
	4	.1634			.0970
	5	.1623		6	.0963
	6	.1611		7	.0957
	7	.1599		8	.0950
	8	.1587		9	.0943
	9	.1575		10	.0937
	10	.1564		11	.0930
	11	.1552	25	0	.0923
19	0	.1540		1	.0917
	1	.1529		2	.0911
	2	.1519		3	.0905
	3	.1508		4	.0898
	4	.1497		5	.0892
	5	.1487		6	.0886
	6	.1476		7	.0880
	7	.1465		8	.0874
	8	.1455		9	.0868
	9	.1444		10	.0862
	10	.1433		11	.0856
	11	.1422	26	0	.0849
20	0	.1412		1	.0844
	1	.1402		2	.0838
	2	.1392		3	.0833
	3	.1383		4	.0827
	4	.1373		5	.0821
	5	.1363		6	.0816
	6	.1353		7	.0810
	7	.1344		8	.0804
	8	.1334		9	.0799
	9	.1324		10	.0793
	10	.1315		11	.0788
	11	.1305	27	0	.0782
21	0	.1295		1	.0777
	1	.1286		2	.0772
	2	.1277		3	.0767
	3	.1269		4	.0761
	4	.1260		5	.0756
	5	.1251		6	.0751
	6	.1242		7	.0746
	7	.1233		8	.0741
	8	.1224		9	.0736
	9	.1215		10	.0731
	10	.1207		11	.0725
	11	<del>(.1198)</del>	28	0	.0720
		.1198		1	.0716
22	0	.1189		2	.0711
	1	.1181		3	.0706
	2	.1173		4	.0701
	3	.1165		5	.0697
	4	.1157		6	.0692
	5	.1149		7	.0687
	6	.1140		8	.0683
	7	.1132		9	.0678
	8	.1124		10	.0673
	9	.1116		11	.0668
	10	.1108	29	0	.0664
	11	.1100		1	.0659
				2	.0655

	3	.0651		6	.0394
	4	.0646		7	.0392
	5	.0642		8	.0389
	6	.0638		9	.0387
	7	.0634		10	.0384
	8	.0629		11	.0381
	9	.0625		36 0	.0379
	10	.0621		1	.0376
30	11	.0616		2	.0374
	0	.0612		3	.0372
	1	.0608		4	.0369
	2	.0604		5	.0367
	3	.0600		6	.0364
	4	.0596		7	.0362
	5	.0592		8	.0360
	6	.0588		9	.0357
	7	.0584		10	.0355
	8	.0580		11	.0352
	9	.0576		37 0	.0350
	10	.0572		1	.0348
31	11	.0568		2	.0346
	0	.0564		3	.0343
	1	.0561		4	.0341
	2	.0557		5	.0339
	3	.0553		6	.0337
	4	.0550		7	.0335
	5	.0546		8	.0332
	6	.0543		9	.0330
	7	.0539		10	.0328
	8	.0535		11	.0326
	9	.0532		38 0	.0324
	10	.0528		1	.0322
32	11	.0524		2	.0320
	0	.0521		3	.0318
	1	.0517		4	.0316
	2	.0514		5	.0313
	3	.0511		6	.0311
	4	.0507		7	.0309
	5	.0504		8	.0307
	6	.0501		9	.0305
	7	.0497		10	.0303
	8	.0494		11	.0301
	9	.0491		39 0	.0299
	10	.0487		1	.0297
33	11	.0484		2	.0296
	0	.0481		3	.0294
	1	.0478		4	.0292
	2	.0475		5	.0290
	3	.0471		6	.0288
	4	<del>((.0768))</del>		7	.0286
		.0468		8	.0284
	5	.0465		9	.0282
	6	.0462		10	.0281
	7	.0459		11	.0279
	8	.0456		40 0	.0277
	9	.0453		1	.0275
	10	.0450		2	.0273
34	11	.0447		3	.0272
	0	.0444		4	.0270
	1	.0441		5	.0268
	2	.0438		6	.0266
	3	.0435		7	.0265
	4	.0433		8	.0263
	5	.0430		9	.0261
	6	.0427		10	.0260
	7	.0424		11	.0258
	8	.0421		41 0	.0256
	9	.0418		1	.0255
	10	.0416		2	.0253
35	11	.0413		3	.0251
	0	.0410		4	.0250
	1	.0407		5	.0248
	2	.0405		6	.0247
	3	.0402		7	.0245
	4	.0400		8	.0243
	5	.0397		9	.0242

PROPOSED

PROPOSED

	10	.0240
	11	.0239
42	0	.0237
	1	.0236
	2	.0234
	3	.0233
	4	.0231
	5	.0230
	6	.0228
	7	.0227
	8	.0225
	9	.0224
	10	.0222
	11	.0221
43	0	.0219
	1	.0218
	2	.0217
	3	.0215
	4	.0214
	5	.0213
	6	.0211
	7	.0210
	8	.0209
	9	.0207
	10	.0206
	11	.0205
44	0	.0203
	1	.0202
	2	.0201
	3	.0199
	4	.0198
	5	.0197
	6	.0196
	7	.0194
	8	.0193
	9	.0192
	10	.0191
	11	.0189
45	or more	.0188

Teachers	Teachers
Retirement System	Retirement System
TRS 1 Optional	TRS 1 Option 1
COLA*	Monthly Benefit per
	\$1.00 of Accumulation

<del>(20</del>	<del>.632</del>	20	.0061484
<del>21</del>	<del>.634</del>	21	.0061561
<del>22</del>	<del>.636</del>	22	.0061643
<del>23</del>	<del>.638</del>	23	.0061732
<del>24</del>	<del>.639</del>	24	.0061828
<del>25</del>	<del>.641</del>	25	.0061930
<del>26</del>	<del>.643</del>	26	.0062039
<del>27</del>	<del>.645</del>	27	.0062156
<del>28</del>	<del>.647</del>	28	.0062281
<del>29</del>	<del>.649</del>	29	.0062414
<del>30</del>	<del>.652</del>	30	.0062558
<del>31</del>	<del>.654</del>	31	.0062711
<del>32</del>	<del>.656</del>	32	.0062875
<del>33</del>	<del>.659</del>	33	.0063050
<del>34</del>	<del>.661</del>	34	.0063238
<del>35</del>	<del>.664</del>	35	.0063440
<del>36</del>	<del>.667</del>	36	.0063655
<del>37</del>	<del>.670</del>	37	.0063886
<del>38</del>	<del>.673</del>	38	.0064133
<del>39</del>	<del>.676</del>	39	.0064398
<del>40</del>	<del>.679</del>	40	.0064682
<del>41</del>	<del>.682</del>	41	.0064988
<del>42</del>	<del>.686</del>	42	.0065315
<del>43</del>	<del>.689</del>	43	.0065666
<del>44</del>	<del>.693</del>	44	.0066042
<del>45</del>	<del>.697</del>	45	.0066444
<del>46</del>	<del>.701</del>	46	.0066874
<del>47</del>	<del>.705</del>	47	.0067334
<del>48</del>	<del>.709</del>	48	.0067823
<del>49</del>	<del>.714</del>	49	.0068345
<del>50</del>	<del>.718</del>	50	.0068901
<del>51</del>	<del>.723</del>	51	.0069492
<del>52</del>	<del>.728</del>	52	.0070122
<del>53</del>	<del>.734</del>	53	.0070794
<del>54</del>	<del>.739</del>	54	.0071512
<del>55</del>	<del>.745</del>	55	.0072280
<del>56</del>	<del>.751</del>	56	.0073102
<del>57</del>	<del>.758</del>	57	.0073984
<del>58</del>	<del>.764</del>	58	.0074931
<del>59</del>	<del>.771</del>	59	.0075950
<del>60</del>	<del>.779</del>	60	.0077049
<del>61</del>	<del>.787</del>	61	.0078235
<del>62</del>	<del>.795</del>	62	.0079521
<del>63</del>	<del>.804</del>	63	.0080907
<del>64</del>	<del>.814</del>	64	.00824070
<del>65</del>	<del>.824</del>	65	.0084029
<del>66</del>	<del>.835</del>	66	.0085784
<del>67</del>	<del>.847</del>	67	.0087680
<del>68</del>	<del>.860</del>	68	.0089727
<del>69</del>	<del>.875</del>	69	.0091936
<del>70</del>	<del>.890</del>	70	.0094312
<del>71</del>	<del>.907</del>	71	.0096865
<del>72</del>	<del>.927</del>	72	.0099604
<del>73</del>	<del>.948</del>	73	.0102542
<del>74 or more</del>	<del>.972</del>	74	.0105696
		75	.0109088
		76	.0112739
		77	.0116669
		78	.0120898
		79	.0125439
		80	.0130304
		81	.0135505
		82	.0141057
		83	.0146979
		84	.0153295
		85	.0160001
		86	.0167200
		87	.0174922
		88	.0183223
		89	.0192217

**AMENDATORY SECTION** (Amending WSR 91-19-065, filed 9/16/91, effective 10/17/91)

**WAC 415-112-040 Actuarial tables, schedules, and factors.** This chapter contains the tables, schedules, and factors adopted by the director of the department of retirement systems (~~(pursuant to the authority granted by RCW 41.50.050 and 41.32.140))~~ for calculating optional retirement allowances of members of the Washington state teachers' retirement system (~~(as administered by the director)~~). These tables, schedules, and factors were adopted by the director upon the recommendation of (~~and in light of the findings of the state actuarial~~) the state actuary based on the actuary's investigation into the mortality, service, compensation, and other experience of the members and beneficiaries of teachers' retirement system. The tables, schedules, and factors contained in this chapter (shall) govern the retirement allowances only of members retiring ((during the period from October 1, 1990) on or after January 1, 1996, until such time as these tables, schedules, and factors are amended by the director following the next actuarial investigation conducted by the state actuary. The retirement allowances of members retiring before ((October 1, 1990) January 1, 1996, shall continue to be governed by the tables, schedules, and factors in effect at the time of each member's retirement. Any new tables, schedules, and factors adopted by the director in the future shall govern retirement allowances only of members retiring after the adoption of such new tables, schedules, and factors.

20	<u>0.6315</u>
21	<u>0.6330</u>
22	<u>0.6345</u>
23	<u>0.6361</u>
24	<u>0.6378</u>
25	<u>0.6395</u>
26	<u>0.6413</u>
27	<u>0.6432</u>
28	<u>0.6451</u>
29	<u>0.6471</u>
30	<u>0.6491</u>
31	<u>0.6512</u>
32	<u>0.6534</u>
33	<u>0.6556</u>
34	<u>0.6579</u>
35	<u>0.6603</u>
36	<u>0.6628</u>
37	<u>0.6653</u>
38	<u>0.6679</u>
39	<u>0.6706</u>
40	<u>0.6734</u>
41	<u>0.6762</u>
42	<u>0.6792</u>
43	<u>0.6822</u>
44	<u>0.6853</u>
45	<u>0.6885</u>
46	<u>0.6918</u>
47	<u>0.6952</u>
48	<u>0.6986</u>
49	<u>0.7022</u>
50	<u>0.7058</u>
51	<u>0.7095</u>
52	<u>0.7133</u>
53	<u>0.7173</u>
54	<u>0.7213</u>
55	<u>0.7254</u>
56	<u>0.7296</u>
57	<u>0.7339</u>
58	<u>0.7382</u>
59	<u>0.7427</u>
60	<u>0.7473</u>
61	<u>0.7520</u>
62	<u>0.7567</u>
63	<u>0.7615</u>
64	<u>0.7665</u>
65	<u>0.7714</u>
66	<u>0.7765</u>
67	<u>0.7816</u>
68	<u>0.7868</u>
69	<u>0.7920</u>
70	<u>0.7972</u>
71	<u>0.8025</u>
72	<u>0.8078</u>
73	<u>0.8132</u>
74	<u>0.8185</u>
75	<u>0.8239</u>
76	<u>0.8292</u>
77	<u>0.8346</u>
78	<u>0.8399</u>
79	<u>0.8452</u>
80	<u>0.8504</u>
81	<u>0.8557</u>
82	<u>0.8608</u>
83	<u>0.8659</u>
84	<u>0.8710</u>
85	<u>0.8760</u>

90	<u>.0201938</u>
91	<u>.0212433</u>
92	<u>.0223781</u>
93	<u>.0236079</u>
94	<u>.0249403</u>
95	<u>.0263868</u>
96	<u>.0279635</u>
97	<u>.0296927</u>
98	<u>.0315504</u>
99	<u>.0335425))</u>
20	<u>.0061484</u>
21	<u>.0061561</u>
22	<u>.0061643</u>
23	<u>.0061732</u>
24	<u>.0061828</u>
25	<u>.0061930</u>
26	<u>.0062039</u>
27	<u>.0062156</u>
28	<u>.0062281</u>
29	<u>.0062414</u>
30	<u>.0062558</u>
31	<u>.0062711</u>
32	<u>.0062875</u>
33	<u>.0063050</u>
34	<u>.0063238</u>
35	<u>.0063440</u>
36	<u>.0063655</u>
37	<u>.0063886</u>
38	<u>.0064133</u>
39	<u>.0064398</u>
40	<u>.0064682</u>
41	<u>.0064988</u>
42	<u>.0065315</u>
43	<u>.0065666</u>
44	<u>.0066042</u>
45	<u>.0066444</u>
46	<u>.0066874</u>
47	<u>.0067334</u>
48	<u>.0067823</u>
49	<u>.0068345</u>
50	<u>.0068901</u>
51	<u>.0069492</u>
52	<u>.0070122</u>
53	<u>.0070794</u>
54	<u>.0071512</u>
55	<u>.0072280</u>
56	<u>.0073102</u>
57	<u>.0073984</u>
58	<u>.0074931</u>
59	<u>.0075950</u>
60	<u>.0077049</u>
61	<u>.0078235</u>
62	<u>.0079521</u>
63	<u>.0080907</u>
64	<u>.0082407</u>
65	<u>.0084029</u>
66	<u>.0085784</u>
67	<u>.0087680</u>
68	<u>.0089727</u>
69	<u>.0091936</u>
70	<u>.0094312</u>
71	<u>.0096865</u>
72	<u>.0099604</u>
73	<u>.0102542</u>
74	<u>.0105696</u>
75	<u>.0109088</u>
76	<u>.0112739</u>
77	<u>.0116669</u>
78	<u>.0120898</u>
79	<u>.0125439</u>
80	<u>.0130304</u>
81	<u>.0135505</u>
82	<u>.0141057</u>
83	<u>.0146979</u>
84	<u>.0153295</u>
85	<u>.0160001</u>

86	<u>0.8810</u>	86	<u>.0167200</u>
87	<u>0.8859</u>	87	<u>.0174922</u>
88	<u>0.8908</u>	88	<u>.0183233</u>
89	<u>0.8956</u>	89	<u>.0192217</u>
90	<u>0.9003</u>	90	<u>.0201938</u>
91	<u>0.9049</u>	91	<u>.0212433</u>
92	<u>0.9095</u>	92	<u>.0223781</u>
93	<u>0.9140</u>	93	<u>.0236079</u>
94	<u>0.9184</u>	94	<u>.0249403</u>
95	<u>0.9227</u>	95	<u>.0263868</u>
96	<u>0.9269</u>	96	<u>.0279635</u>
97	<u>0.9310</u>	97	<u>.0296927</u>
98	<u>0.9350</u>	98	<u>.0315504</u>
99	<u>0.9390</u>	99	<u>.0335425</u>

\* For converting from the normal form Option 0 without a COLA, to Option 0 with a COLA

**TEACHERS  
RETIREMENT SYSTEM  
PLAN 1  
Early Retirement Factors  
by Year and Month**

0	0	1.0000
	1	.9927
	2	.9854
	3	.9780
	4	.9707
	5	.9634
	6	.9561
	7	.9488
	8	.9414
	9	.9341
	10	.9268
	11	.9195
1	0	.9122
	1	.9056
	2	.8990
	3	.8924
	4	.8858
	5	.8792
	6	.8727
	7	.8661
	8	.8595
	9	.8529
	10	.8463
	11	.8397
2	0	.8331
	1	.8272
	2	.8213
	3	.8153
	4	.8094
	5	.8034
	6	.7975
	7	.7916
	8	.7856
	9	.7797
	10	.7737
	11	.7678
3	0	.7619
	1	.7565
	2	.7511
	3	.7457
	4	.7404
	5	.7350
	6	.7296
	7	.7243
	8	.7189
	9	.7135
	10	.7082
	11	.7028
4	0	.6974
	1	.6926
	2	.6877

PROPOSED

PROPOSED

	3	.6829		7	.3993
	4	.6780		8	.3965
	5	.6731		9	.3938
	6	.6683		10	.3910
	7	.6634		11	.3882
	8	.6586		11 0	.3855
	9	.6537		1	.3830
	10	.6489		2	.3804
	11	.6440		3	.3779
5	0	.6391		4	.3754
	1	.6347		5	.3729
	2	.6303		6	.3704
	3	.6259		7	.3678
	4	.6215		8	.3653
	5	.6171		9	.3628
	6	.6127		10	.3603
	7	.6083		11	.3578
	8	.6039		12 0	.3552
	9	.5995		1	.3529
	10	.5951		2	.3506
	11	.5907		3	.3483
6	0	.5863		4	.3460
	1	.5823		5	.3437
	2	.5783		6	.3414
	3	.5743		7	.3391
	4	.5703		8	.3368
	5	.5663		9	.3345
	6	.5623		10	.3322
	7	.5583		11	.3299
	8	.5543		13 0	.3276
	9	.5503		1	.3254
	10	.5463		2	.3233
	11	.5423		3	.3212
7	0	.5383		4	.3191
	1	.5346		5	.3170
	2	.5310		6	.3149
	3	.5273		7	.3128
	4	.5237		8	.3107
	5	.5201		9	.3085
	6	.5164		10	.3064
	7	.5128		11	.3043
	8	.5092		14 0	.3022
	9	.5055		1	.3003
	10	.5019		2	.2983
	11	.4982		3	.2964
8	0	.4946		4	.2945
	1	.4913		5	.2925
	2	.4880		6	.2906
	3	.4847		7	.2887
	4	.4813		8	.2867
	5	.4780		9	.2848
	6	.4747		10	.2828
	7	.4714		11	.2809
	8	.4681		15 0	.2790
	9	.4648		1	.2772
	10	.4615		2	.2754
	11	.4582		3	.2736
9	0	.4548		4	.2719
	1	.4518		5	.2701
	2	.4488		6	.2683
	3	.4458		7	.2665
	4	.4428		8	.2648
	5	.4397		9	.2630
	6	.4367		10	.2612
	7	.4337		11	.2594
	8	.4307		16 0	.2577
	9	.4276		1	.2560
	10	.4246		2	.2544
	11	.4216		3	.2528
10	0	.4186		4	.2511
	1	.4158		5	.2495
	2	.4131		6	.2479
	3	.4103		7	.2462
	4	.4076		8	.2446
	5	.4048		9	.2430
	6	.4020			



	10	.2413		2	.1476
	11	.2397		3	.1466
17	0	.2381		4	.1457
	1	.2366		5	.1448
	2	.2351		6	.1439
	3	.2336		7	.1430
	4	.2321		8	.1421
	5	.2306		9	.1411
	6	.2291		10	.1402
	7	.2276		11	.1393
	8	.2261	24	0	.1384
	9	.2246		1	.1375
	10	.2231		2	.1367
	11	.2216		3	.1358
18	0	.2201		4	.1350
	1	.2187		5	.1341
	2	.2173		6	.1333
	3	.2159		7	.1325
	4	.2146		8	.1316
	5	.2132		9	.1308
	6	.2118		10	.1299
	7	.2104		11	.1291
	8	.2090	25	0	.1282
	9	.2077		1	.1274
	10	.2063		2	.1267
	11	.2049		3	.1259
19	0	.2035		4	.1251
	1	.2023		5	.1243
	2	.2010		6	.1235
	3	.1997		7	.1227
	4	.1984		8	.1220
	5	.1972		9	.1212
	6	.1959		10	.1204
	7	.1946		11	.1196
	8	.1934	26	0	.1188
	9	.1921		1	.1181
	10	.1908		2	.1174
	11	.1896		3	.1167
20	0	.1883		4	.1159
	1	.1871		5	.1152
	2	.1860		6	.1145
	3	.1848		7	.1138
	4	.1836		8	.1131
	5	.1824		9	.1123
	6	.1813		10	.1116
	7	.1801		11	.1109
	8	.1789	27	0	.1102
	9	.1778		1	.1095
	10	.1766		2	.1088
	11	.1754		3	.1082
21	0	.1743		4	.1075
	1	.1732		5	.1068
	2	.1721		6	.1062
	3	.1710		7	.1055
	4	.1699		8	.1048
	5	.1689		9	.1041
	6	.1678		10	.1035
	7	.1667		11	.1028
	8	.1656	28	0	.1021
	9	.1646		1	.1015
	10	.1635		2	.1009
	11	.1624		3	.1003
22	0	.1613		4	.0997
	1	.1603		5	.0991
	2	.1593		6	.0984
	3	.1583		7	.0978
	4	.1573		8	.0972
	5	.1563		9	.0966
	6	.1554		10	.0960
	7	.1544		11	.0953
	8	.1534	29	0	.0947
	9	.1524		1	.0942
	10	.1514		2	.0936
	11	.1504		3	.0930
23	0	.1494		4	.0924
	1	.1485		5	.0919

PROPOSED

PROPOSED

	6	.0913
	7	.0907
	8	.0902
	9	.0896
	10	.0890
	11	.0884
30	0	.0879
	1	.0873
	2	.0868
	3	.0863
	4	.0858
	5	.0852
	6	.0847
	7	.0842
	8	.0836
	9	.0831
	10	.0826
	11	.0820
31	0	.0815
	1	.0810
	2	.0805
	3	.0801
	4	.0796
	5	.0791
	6	.0786
	7	.0781
	8	.0776
	9	.0771
	10	.0766
	11	.0761
32	0	.0756
	1	.0752
	2	.0747
	3	.0743
	4	.0738
	5	.0734
	6	.0729
	7	.0725
	8	.0720
	9	.0716
	10	.0711
	11	.0707
33	0	.0702
	1	.0698
	2	.0694
	3	.0689
	4	.0685
	5	.0681
	6	.0677
	7	.0673
	8	.0668
	9	.0664
	10	.0660
	11	.0656
34	0	.0652
	1	.0648
	2	.0644
	3	.0640
	4	.0636
	5	.0632
	6	.0628
	7	.0624
	8	.0620
	9	.0617
	10	.0613
	11	.0609
	<del>((35 or more</del>	<del>.0605))</del>
35	0	.0605
	1	.0554
	2	.0504
	3	.0454
	4	.0403
	5	.0353
	6	.0302
	7	.0252
	8	.0202

9	.0151
10	.0101
11	.0050

((TRS-I \_\_\_\_\_ Age Difference \_\_\_\_\_ TRS-I  
OPTION-II \_\_\_\_\_ Beneficiary Older \_\_\_\_\_ OPTION-III

0.974	20 or more	0.988
0.972	19	0.987
0.969	18	0.986
0.967	17	0.984
0.964	16	0.983
0.961	15	0.982
0.958	14	0.980
0.955	13	0.978
0.952	12	0.977
0.949	11	0.975
0.945	10	0.973
0.942	9	0.971
0.938	8	0.969
0.934	7	0.967
0.930	6	0.965
0.926	5	0.963
0.922	4	0.961
0.916	3	0.957
0.908	2	0.952
0.898	1	0.946

Beneficiary Younger

0.887	0	0.940
0.876	1	0.934
0.866	2	0.928
0.858	3	0.923
0.852	4	0.920
0.847	5	0.917
0.842	6	0.914
0.838	7	0.912
0.834	8	0.910
0.830	9	0.907
0.826	10	0.905
0.823	11	0.903
0.819	12	0.901
0.815	13	0.898
0.810	14	0.895
0.803	15	0.891
0.798	16	0.888
0.794	17	0.886
0.792	18	0.885
0.789	19	0.883
0.786	20	0.881
0.784	21	0.880
0.782	22	0.878
0.780	23	0.876
0.778	24	0.875
0.776	25	0.874
0.774	26	0.873
0.772	27	0.872
0.771	28	0.871
0.769	29	0.870
0.768	30	0.869
0.767	31	0.868
0.765	32	0.867
0.764	33	0.866
0.763	34	0.866
0.762	35	0.865
0.761	36	0.864
0.760	37	0.864
0.759	38	0.863
0.758	39	0.862
0.757	40 or more	0.862))

TRS I Survivor Options

Member Younger

<u>Age Difference</u>	<u>OPTION II (100%)</u>	<u>OPTION IV (66 2/3%)</u>	<u>OPTION III (50%)</u>
-20	0.956	0.971	0.978
-19	0.955	0.969	0.977
-18	0.952	0.967	0.975
-17	0.950	0.966	0.974
-16	0.947	0.964	0.973
-15	0.944	0.962	0.971
-14	0.942	0.960	0.970
-13	0.939	0.958	0.968
-12	0.936	0.956	0.967
-11	0.933	0.954	0.965
-10	0.929	0.952	0.963
-9	0.927	0.950	0.962
-8	0.923	0.948	0.960
-7	0.920	0.945	0.958
-6	0.917	0.943	0.956
-5	0.913	0.940	0.955
-4	0.910	0.938	0.953
-3	0.904	0.934	0.950
-2	0.897	0.929	0.946
-1	0.887	0.922	0.940

Member Older

<u>Age Difference</u>	<u>OPTION II (100%)</u>	<u>OPTION IV (66 2/3%)</u>	<u>OPTION III (50%)</u>
0	0.877	0.914	0.934
1	0.867	0.907	0.929
2	0.857	0.900	0.923
3	0.850	0.894	0.919
4	0.844	0.890	0.916
5	0.840	0.887	0.913
6	0.835	0.884	0.910
7	0.831	0.881	0.908
8	0.828	0.878	0.906
9	0.824	0.876	0.904
10	0.821	0.873	0.902
11	0.818	0.871	0.900
12	0.814	0.868	0.898
13	0.811	0.865	0.895
14	0.806	0.862	0.893
15	0.799	0.857	0.888
16	0.795	0.853	0.886
17	0.791	0.850	0.883
18	0.789	0.849	0.882
19	0.786	0.847	0.880
20	0.784	0.845	0.879
21	0.782	0.843	0.877
22	0.780	0.841	0.876
23	0.778	0.840	0.875
24	0.776	0.838	0.874
25	0.774	0.837	0.872
26	0.772	0.835	0.871
27	0.770	0.834	0.870
28	0.769	0.833	0.869
29	0.767	0.831	0.868
30	0.766	0.831	0.867
31	0.765	0.830	0.867
32	0.763	0.828	0.865
33	0.762	0.827	0.865
34	0.761	0.827	0.864
35	0.760	0.826	0.864
36	0.759	0.825	0.863
37	0.758	0.824	0.862
38	0.757	0.824	0.862
39	0.756	0.823	0.861
40	0.755	0.822	0.860

Age difference = member's age minus beneficiary age

TEACHERS  
RETIREMENT SYSTEM  
PLAN 2  
Monthly Benefit per \$1.00  
of Accumulation

20	.0038822
21	.0038963
22	.0039111
23	.0039267
24	.0039430
25	.0039602
26	.0039783
27	.0039972
28	.0040171
29	.0040380
30	.0040600
31	.0040831
32	.0041074
33	.0041329
34	.0041598
35	.0041882
36	.0042180
37	.0042494
38	.0042826
39	.0043175
40	.0043544
41	.0043934
42	.0044346
43	.0044781
44	.0045240
45	.0045725
46	.0046237
47	.0046777
48	.0047347
49	.0047948
50	.0048583
51	.0049252
52	.0049959
53	.0050707
54	.0051499
55	.0052339
56	.0053230
57	.0054178
58	.0055186
59	.0056262
60	.0057410
61	.0058637
62	.0059953
63	.0061358
64	.0062864
65	.0064475
66	.0066200
67	.0068046
68	.0070018
69	.0072122
70	.0074365
71	.0076750
72	.0079285
73	.0081977
74	.0084836
75	.0087870
76	.0091089
77	.0094497
78	.0098095
79	.0101882
80	.0105851
81	.0109995
82	.0114309
83	.0118787
84	.0123425
85	.0128212
86	.0133167
87	.0138277
88	.0143534
89	.0148925

PROPOSED

90	.0154423
91	.0159988
92	.0165585
93	.0171179
94	.0176717
95	.0182139
96	.0187396
97	.0192453
98	.0197237
99	.0201727

0.630	39	0.775
0.628	40 or more	0.773))

TRS II Survivor Options

Member Younger

Age Difference	OPTION II (100%)	OPTION IV (66 2/3%)	OPTION III (50%)
-20	0.949	0.965	0.974
-19	0.947	0.964	0.974
-18	0.945	0.962	0.973
-17	0.941	0.960	0.972
-16	0.939	0.958	0.972
-15	0.936	0.956	0.971
-14	0.932	0.954	0.971
-13	0.928	0.951	0.969
-12	0.924	0.948	0.968
-11	0.919	0.945	0.966
-10	0.915	0.942	0.965
-9	0.912	0.939	0.962
-8	0.909	0.937	0.960
-7	0.905	0.934	0.956
-6	0.902	0.932	0.954
-5	0.898	0.930	0.951
-4	0.892	0.925	0.947
-3	0.883	0.919	0.941
-2	0.869	0.908	0.931
-1	0.851	0.895	0.920

Member Older

Age Difference	OPTION II (100%)	OPTION IV (66 2/3%)	OPTION III (50%)
0	0.832	0.881	0.908
1	0.814	0.868	0.897
2	0.797	0.855	0.887
3	0.784	0.845	0.879
4	0.777	0.839	0.875
5	0.770	0.834	0.870
6	0.763	0.829	0.866
7	0.757	0.824	0.862
8	0.751	0.819	0.858
9	0.746	0.815	0.855
10	0.740	0.810	0.851
11	0.735	0.806	0.847
12	0.729	0.801	0.843
13	0.722	0.795	0.838
14	0.713	0.789	0.833
15	0.706	0.783	0.828
16	0.700	0.778	0.824
17	0.696	0.774	0.821
18	0.691	0.771	0.818
19	0.687	0.767	0.814
20	0.683	0.763	0.811
21	0.679	0.760	0.809
22	0.675	0.757	0.806
23	0.670	0.753	0.802
24	0.666	0.749	0.799
25	0.663	0.747	0.797
26	0.659	0.743	0.794
27	0.655	0.740	0.792
28	0.652	0.738	0.789
29	0.649	0.735	0.787
30	0.646	0.732	0.785
31	0.643	0.730	0.783
32	0.640	0.727	0.781
33	0.637	0.725	0.778
34	0.635	0.723	0.777
35	0.632	0.721	0.775
36	0.630	0.719	0.773
37	0.628	0.717	0.772
38	0.626	0.715	0.770
39	0.624	0.714	0.769
40	0.622	0.712	0.767

Age difference = member's age minus beneficiary age

OPTION II	Age Difference	OPTION III
0.982	20 or more	0.990
0.980	19	0.988
0.978	18	0.987
0.975	17	0.985
0.973	16	0.984
0.970	15	0.982
0.967	14	0.980
0.963	13	0.978
0.959	12	0.975
0.955	11	0.973
0.951	10	0.971
0.947	9	0.968
0.943	8	0.965
0.938	7	0.962
0.934	6	0.959
0.930	5	0.956
0.923	4	0.952
0.913	3	0.947
0.897	2	0.940
0.878	1	0.932

Beneficiary Younger

0.858	0	0.923
0.838	1	0.914
0.820	2	0.906
0.806	3	0.899
0.797	4	0.893
0.789	5	0.888
0.781	6	0.883
0.774	7	0.879
0.767	8	0.874
0.761	9	0.870
0.754	10	0.866
0.748	11	0.861
0.741	12	0.857
0.733	13	0.852
0.724	14	0.847
0.716	15	0.841
0.709	16	0.836
0.704	17	0.831
0.699	18	0.828
0.694	19	0.824
0.689	20	0.821
0.685	21	0.818
0.681	22	0.814
0.676	23	0.811
0.672	24	0.808
0.669	25	0.805
0.665	26	0.803
0.661	27	0.800
0.658	28	0.798
0.655	29	0.795
0.652	30	0.793
0.649	31	0.791
0.646	32	0.788
0.643	33	0.786
0.641	34	0.784
0.638	35	0.782
0.636	36	0.781
0.634	37	0.779
0.632	38	0.777

PROPOSED

TEACHERS  
RETIREMENT SYSTEM  
PLAN 2  
Early Retirement Factors  
by Year and Month

			9	.5561
			10	.5515
			11	.5468
			6 0	.5422
			1	.5380
			2	.5338
			3	.5297
			4	.5255
			5	.5214
			6	.5172
			7	.5130
			8	.5089
			9	.5047
			10	.5005
			11	.4964
			7 0	.4922
			1	.4885
			2	.4847
			3	.4810
			4	.4773
			5	.4735
			6	.4698
			7	.4661
			8	.4623
			9	.4586
			10	.4549
			11	.4511
			8 0	.4474
			1	.4441
			2	.4407
			3	.4374
			4	.4340
			5	.4307
			6	.4273
			7	.4239
			8	.4206
			9	.4172
			10	.4139
			11	.4105
			9 0	.4072
			1	.4042
			2	.4012
			3	.3981
			4	.3951
			5	.3921
			6	.3891
			7	.3861
			8	.3831
			9	.3800
			10	.3770
			11	.3740
			10 0	.3710
			1	.3683
			2	.3656
			3	.3628
			4	.3601
			5	.3574
			6	.3547
			7	.3520
			8	.3493
			9	.3465
			10	.3438
			11	.3411
			11 0	.3384
			1	.3359
			2	.3335
			3	.3310
			4	.3286
			5	.3261
			6	.3237
			7	.3212
			8	.3188
			9	.3163
			10	.3139
			11	.3114
0	0	1.0000		
	1	.9916		
	2	.9832		
	3	.9748		
	4	.9664		
	5	.9580		
	6	.9495		
	7	.9411		
	8	.9327		
	9	.9243		
	10	.9159		
	11	.9075		
1	0	.8991		
	1	.8916		
	2	.8842		
	3	.8768		
	4	.8693		
	5	.8619		
	6	.8545		
	7	.8470		
	8	.8396		
	9	.8322		
	10	.8247		
	11	.8173		
2	0	.8099		
	1	.8033		
	2	.7967		
	3	.7901		
	4	.7835		
	5	.7769		
	6	.7704		
	7	.7638		
	8	.7572		
	9	.7506		
	10	.7440		
	11	.7374		
3	0	.7308		
	1	.7250		
	2	.7191		
	3	.7133		
	4	.7074		
	5	.7016		
	6	.6957		
	7	.6899		
	8	.6840		
	9	.6781		
	10	.6723		
	11	.6664		
4	0	.6606		
	1	.6554		
	2	.6502		
	3	.6449		
	4	.6397		
	5	.6345		
	6	.6293		
	7	.6241		
	8	.6189		
	9	.6137		
	10	.6085		
	11	.6032		
5	0	.5980		
	1	.5934		
	2	.5887		
	3	.5841		
	4	.5794		
	5	.5748		
	6	.5701		
	7	.5654		
	8	.5608		

PROPOSED

PROPOSED

12	0	.3089	4	.1772
	1	.3067	5	.1760
	2	.3045	6	.1747
	3	.3023	7	.1735
	4	.3001	8	.1723
	5	.2979	9	.1710
	6	.2956	10	.1698
	7	.2934	11	.1685
	8	.2912	19	0
	9	.2890	1	.1662
	10	.2868	2	.1650
	11	.2846	3	.1639
13	0	.2823	4	.1628
	1	.2803	5	.1616
	2	.2783	6	.1605
	3	.2763	7	.1594
	4	.2743	8	.1582
	5	.2723	9	.1571
	6	.2703	10	.1560
	7	.2683	11	.1548
	8	.2663	20	0
	9	.2643	1	.1527
	10	.2623	2	.1516
	11	.2603	3	.1506
14	0	.2582	4	.1496
	1	.2564	5	.1485
	2	.2546	6	.1475
	3	.2528	7	.1465
	4	.2510	8	.1454
	5	.2491	9	.1444
	6	.2473	10	.1433
	7	.2455	11	.1423
	8	.2437	21	0
	9	.2419	1	.1403
	10	.2400	2	.1394
	11	.2382	3	.1384
15	0	.2364	4	.1375
	1	.2348	5	.1366
	2	.2331	6	.1356
	3	.2315	7	.1347
	4	.2298	8	.1337
	5	.2282	9	.1328
	6	.2265	10	.1318
	7	.2248	11	.1309
	8	.2232	22	0
	9	.2215	1	.1291
	10	.2199	2	.1282
	11	.2182	3	.1274
16	0	.2166	4	.1265
	1	.2151	5	.1256
	2	.2136	6	.1248
	3	.2121	7	.1239
	4	.2106	8	.1230
	5	.2091	9	.1222
	6	.2076	10	.1213
	7	.2061	11	.1205
	8	.2046	23	0
	9	.2031	1	.1188
	10	.2016	2	.1180
	11	.2001	3	.1172
17	0	.1986	4	.1164
	1	.1972	5	.1156
	2	.1959	6	.1149
	3	.1945	7	.1141
	4	.1931	8	.1133
	5	.1918	9	.1125
	6	.1904	10	.1117
	7	.1890	11	.1109
	8	.1877	24	0
	9	.1863	1	.1094
	10	.1849	2	.1087
	11	.1836	3	.1079
18	0	.1822	4	.1072
	1	.1810	5	.1065
	2	.1797	6	.1058
	3	.1785	7	.1051

	8	.1043		31	0	.0625
	9	.1036			1	.0621
	10	.1029			2	.0617
	11	.1022			3	.0613
25	0	.1014			4	.0609
	1	.1008			5	.0605
	2	.1001			6	.0602
	3	.0994			7	.0598
	4	.0988			8	.0594
	5	.0981			9	.0590
	6	.0975			10	.0586
	7	.0968			11	.0582
	8	.0961		32	0	.0578
	9	.0955			1	.0574
	10	.0948			2	.0570
	11	.0941			3	.0567
26	0	.0935			4	.0563
	1	.0929			5	.0559
	2	.0923			6	.0556
	3	.0917			7	.0552
	4	.0911			8	.0548
	5	.0904			9	.0545
	6	.0898			10	.0541
	7	.0892			11	.0537
	8	.0886		33	0	.0534
	9	.0880			1	.0530
	10	.0874			2	.0527
	11	.0868			3	.0524
27	0	.0862			4	.0520
	1	.0856			5	.0517
	2	.0851			6	.0514
	3	.0845			7	.0510
	4	.0840			8	.0507
	5	.0834			9	.0503
	6	.0828			10	.0500
	7	.0823			11	.0497
	8	.0817		34	0	.0493
	9	.0812			1	.0490
	10	.0806			2	.0487
	11	.0801			3	.0484
28	0	.0795			4	.0481
	1	.0790			5	.0478
	2	.0785			6	.0475
	3	.0780			7	.0472
	4	.0775			8	.0469
	5	.0769			9	.0465
	6	.0764			10	.0462
	7	.0759			11	.0459
	8	.0754		35	0	.0456
	9	.0749			1	.0453
	10	.0744			2	.0450
	11	.0739			3	.0448
29	0	.0734			4	.0445
	1	.0729			5	.0442
	2	.0724			6	.0439
	3	.0720			7	.0436
	4	.0715			8	.0433
	5	.0710			9	.0430
	6	.0705			10	.0428
	7	.0701			11	.0425
	8	.0696		36	0	.0422
	9	.0691			1	.0419
	10	.0687			2	.0417
	11	.0682			3	.0414
30	0	.0677			4	.0411
	1	.0673			5	.0409
	2	.0669			6	.0406
	3	.0664			7	.0403
	4	.0660			8	.0401
	5	.0656			9	.0398
	6	.0651			10	.0396
	7	.0647			11	.0393
	8	.0643		37	0	.0390
	9	.0638			1	.0388
	10	.0634			2	.0385
	11	.0630			3	.0383

PROPOSED

PROPOSED

	4	.0381		8	.0234
	5	.0378		9	.0232
	6	.0376		10	.0231
	7	.0373		11	.0229
	8	.0371		44 0	.0228
	9	.0368		1	.0226
	10	.0366		2	.0225
	11	.0364		3	.0223
38	0	.0361		4	.0222
	1	.0359		5	.0221
	2	.0357		6	.0219
	3	.0354		7	.0218
	4	.0352		8	.0216
	5	.0350		9	.0215
	6	.0348		10	.0214
	7	.0345		11	.0212
	8	.0343		45 or more 0	.0211
	9	.0341			
	10	.0339			
	11	.0336			
39	0	.0334			
	1	.0332			
	2	.0330			
	3	.0328			
	4	.0326			
	5	.0324			
	6	.0322			
	7	.0320			
	8	.0318			
	9	.0316			
	10	.0313			
	11	.0311			
40	0	.0309			
	1	.0307			
	2	.0306			
	3	.0304			
	4	.0302			
	5	.0300			
	6	.0298			
	7	.0296			
	8	.0294			
	9	.0292			
	10	.0290			
	11	.0288			
41	0	.0286			
	1	.0285			
	2	.0283			
	3	.0281			
	4	.0279			
	5	.0278			
	6	.0276			
	7	.0274			
	8	.0272			
	9	.0271			
	10	.0269			
	11	.0267			
42	0	.0265			
	1	.0264			
	2	.0262			
	3	.0260			
	4	.0259			
	5	.0257			
	6	.0255			
	7	.0254			
	8	.0252			
	9	.0251			
	10	.0249			
	11	.0247			
43	0	.0246			
	1	.0244			
	2	.0243			
	3	.0241			
	4	.0240			
	5	.0238			
	6	.0237			
	7	.0235			

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 415-02-099 Purpose.

**WSR 95-24-093  
PROPOSED RULES  
FOREST PRACTICES BOARD**

[Filed December 5, 1995, 3:25 p.m.]

Supplemental Notice to WSR 94-17-156, 95-04-073, and 95-14-028.

Preproposal statement of inquiry was filed as WSR 94-13-066.

Title of Rule: Amendment to forest practices rules, Title 222 WAC.

Purpose: The purpose of this proposed rule is to identify critical wildlife habitat (state) for the northern spotted owl and the marbled murrelet.

Statutory Authority for Adoption: Chapter 34.05 RCW, RCW 76.09.040, [76.09.]050.

Statute Being Implemented: Chapter 76.09 RCW.

Summary: Proposed Rules for the Northern Spotted Owl: Citation of existing rules amended by this order are WAC 222-16-010, 222-16-080, 222-24-030, 222-30-050, 222-30-060, 222-30-070 and 222-30-100; new sections added are WAC 222-10-040, 222-10-041, 222-16-085, 222-16-086, 222-16-100, and 222-30-065.

Proposed Rules for the Marbled Murrelet: Citation of existing rules amended by this order are occupied stand approach: WAC 222-16-010 and 222-16-080; and marbled murrelet watershed administrative unit approach: WAC 222-16-010 and 222-16-080.

Reasons Supporting Proposal: Both of these species are listed as threatened by the United States Fish and Wildlife Service and by the state Fish and Wildlife Commission. The Forest Practices Board is required to identify forest practices which have the potential for a substantial impact on the environment.

Name of Agency Personnel Responsible for Drafting: Judith Holter, 1111 Washington Street S.E., Olympia, WA 98504-7012, (360) 902-1412; Implementation and Enforcement: John Edwards, 1111 Washington Street S.E., Olympia, WA 98504-7012, (360) 902-1730.



Name of Proponent: Forest Practices Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: These proposed rules identify critical wildlife habitat (state) for two threatened species: The northern spotted owl and the marbled murrelet. Any applications for forest practices within such habitat are classed as Class IV-Special and require additional environmental review in order to identify the potential for substantial material damage to public resources. The proposal's purpose is to identify and classify as Class IV-Special all forest practices that have the potential for a substantial adverse impact on the environment because of impacts on northern spotted owls and marbled murrelets. The northern spotted owl alternative was developed through the TFW process; it replaces the three alternatives originally proposed by the board in 1994. The rule identifies critical wildlife habitat (state). It also places restrictions on certain forest practices to minimize disturbance impacts on the northern spotted owl. Two alternatives are proposed for the marbled murrelet: (1) The occupied stand approach; and (2) the marbled murrelet watershed administrative unit approach. Both approaches identify critical wildlife habitat (state). The Forest Practices Board is soliciting public comments on these alternatives. A supplemental draft environmental impact statement on the spotted owl alternative will be available prior to the public hearing. A final environmental impact statement on both species will be published at least seven days prior to adoption of the rules. (Note: A draft environmental impact statement on the original alternatives proposed by the board was published in January 1995. For copies of environmental documents, contact the Forest Practices Board secretary at the address listed below.)

Proposal Changes the Following Existing Rules: Changes to existing rules include:

The northern spotted owl alternative: Designates ten spotted owl special emphasis areas (SOSEAs); identifies the goals for each SOSEA via a map showing dispersal support, demographic support, or a combination of the two; provides planning processes, including landowner option plans (LOP) and cooperative habitat enhancement agreements (CHEA), that are opportunities for landowners to have more flexibility than might be available under SEPA; sets the SEPA trigger both within and outside of SOSEAs, and lists exemptions to SEPA; identifies disturbance factors within SOSEAs during nesting season; and provides for a small parcel exemption under certain conditions.

For the marbled murrelet, each alternative: Includes several new definitions; and identifies critical wildlife habitat (state).

A small business economic impact statement has been prepared under chapter 19.85 RCW.

#### Small Business Economic Impact Statement

**Reviser's note:** The material contained in the small business economic impact statement will appear in the 96-01 issue of the Register as it was received after the applicable closing date for the issue for agency-typed material exceeding the volume limitations of WAC 1-21-040.

A copy of the statement may be obtained by writing to the Forest Practices Board Recording Secretary, Department of Natural Resources, Forest Practices Division, P.O. Box 47012, Olympia, WA 98504-7012, phone (360) 902-1413, or FAX (360) 902-1784.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. A statement of proposed rule making under RCW 34.05.320 for this rule making was filed prior to July 23, 1995. See WSR 94-17-156.

Hearing Location: Natural Resources Building, Room 172, 1111 Washington Street S.E., Olympia, WA, on February 13, 1996, at 3 p.m.

Assistance for Persons with Disabilities: Contact the Forest Practices Board Recording Secretary by February 2, 1996, TDD (360) 902-1431, or (360) 902-1413.

Submit Written Comments to: Judith Holter, Department of Natural Resources, Forest Practices Division, P.O. Box 47012, Olympia, WA 98504-7012, FAX (360) 902-1784, by February 19, 1996.

Date of Intended Adoption: May 22, 1996.

November 29, 1995

Jennifer M. Belcher

Commissioner of Public Lands

#### NORTHERN SPOTTED OWL PROPOSED RULE

Proposed by the Forest Practices  
Board - November 8, 1995  
(Supplemental Notice)

#### NEW SECTION

**WAC 222-10-040 Class IV-Special threatened and endangered species SEPA policies.** In addition to the SEPA policies established elsewhere in this chapter, the following policies shall apply to Class IV-Special forest practices involving threatened or endangered species.

(1) The department shall consult with the department of fish and wildlife, other agencies with expertise, affected landowners, affected Indian tribes, and others with expertise when evaluating the impacts of forest practices. If the department does not follow the recommendations of the department of fish and wildlife, the department shall set forth in writing a concise explanation of the reasons for its action.

(2) In order to determine whether forest practices are likely to have a probable significant adverse impact, and therefore require an environmental impact statement, the department shall evaluate whether the forest practices reasonably would be expected, directly or indirectly, to reduce appreciably the likelihood of both the survival and recovery of a listed species in the wild by reducing the reproduction, numbers, or distribution of that species.

(3) Specific mitigation measures or conditions shall be designed to reduce any probable significant adverse impacts identified in subsection (2) of this section.

(4) The department shall consider the species-specific policies in WAC 222-10-041 when reviewing and evaluating SEPA documents and the impacts of forest practices.

PROPOSED

NEW SECTION

**WAC 222-10-041 Northern spotted owls.** The effective date of this section is July 1, 1996. The following policies shall apply to forest practices subject to SEPA if the forest practices may cause adverse impacts to northern spotted owls.

(1) **In SOSEAs or areas of SOSEAs where the goal is demographic support,** suitable spotted owl habitat should be maintained either to protect the viability of the owl(s) associated with each northern spotted owl site center or to provide demographic support for that particular SOSEA as described in the SOSEA goals.

(2) **In SOSEAs or areas of SOSEAs where the goal is dispersal support,** either suitable spotted owl habitat should be maintained to protect the viability of the owl(s) associated with each northern spotted owl site center or dispersal habitat should be managed, over time, to provide the dispersal support for that particular SOSEA as described in the SOSEA goals. Dispersal support is provided by a landscape which includes dispersal habitat at the stand level interspersed with areas of higher quality habitat. Stands of dispersal habitat should be managed to reduce gaps between stands and to maintain a sufficient level of dispersal habitat to meet the SOSEA goals over time.

(3) **In SOSEAs or areas of SOSEAs where the goal is a combination of dispersal support and demographic support,** either suitable spotted owl habitat should be maintained to protect the viability of the owl(s) associated with each northern spotted owl site center or a variety of habitat conditions should be provided which in total are more than dispersal support and less than demographic support. This can be accomplished by providing:

(a) Dispersal support as described in subsection (2) of this section;

(b) Areas of suitable spotted owl habitat that contain some opportunities for nesting as well as roosting and foraging habitat; and

(c) Connectivity between areas of SOSEAs designated for demographic support or adjacent federal lands which are designated as late successional reserves, congressionally reserved areas, or administratively withdrawn areas.

(4) **Within SOSEAs,** the following amounts of suitable habitat are generally assumed to be necessary to maintain the viability of the owl(s) associated with each northern spotted owl site center, in the absence of more specific data or a mitigation plan, as provided for in subsections (6) and (7) of this section respectively:

(a) All suitable spotted owl habitat within 0.7 mile of each northern spotted owl site center;

(b) Including the suitable spotted owl habitat identified in (a) of this subsection:

(i) For the Hoh-Clearwater/Coastal Link SOSEA - A total of 5,863 acres of suitable spotted owl habitat within the median home range circle (2.7 mile radius).

(ii) For all other SOSEAs - A total of 2,605 acres of suitable spotted owl habitat within the median home range circle (1.8 mile radius).

The department shall first identify the highest quality suitable spotted owl habitat for this purpose. Consideration shall be given to habitat quality, proximity to the activity center and contiguity in selecting the most suitable habitat.

Suitable spotted owl habitat identified outside 0.7 mile of a northern spotted owl site center may support more than one median home range circle.

Suitable spotted owl habitat harvested by a landowner shall continue to be counted as part of the total acres necessary under (b) of this subsection for other landowners within the median home range circle if the harvest is conducted pursuant to agreements or plans approved under subsection (6) of this section or WAC 222-16-080 (1)(h)(iv), (6)(a), (b), or (e).

(5) **Outside SOSEAs,** during the nesting season (between March 1 and August 31), seventy acres of the highest quality suitable spotted owl habitat surrounding a northern spotted owl site center. The seventy acres for one site center shall not be utilized for meeting suitable habitat needs of any other site center.

(6) The assumptions set forth in subsection (4) of this section are based on regional data. Applicants may submit information that is more current, accurate, or specific to a northern spotted owl site center, proposal, or SOSEA circumstances or goals. The department shall use such information in making its determinations under this section where the department finds, in consultation with the department of fish and wildlife, that the information is more likely to be valid for the particular circumstances than the assumptions established under subsection (4) of this section. If the department does not use the information, it shall explain its reasons in writing to the applicant.

(7) The department shall consider measures to mitigate identified adverse impacts of an applicant's proposal. Mitigation measures must contribute to the achievement of SOSEA goals or to supporting the viability of impacted northern spotted owl site centers.

AMENDATORY SECTION (Amending WSR 94-17-033, filed 8/10/94, effective 8/13/94)

**WAC 222-16-010 General definitions.\*** Unless otherwise required by context, as used in these regulations:

"Act" means the Forest Practices Act, chapter 76.09 RCW.

"Affected Indian tribe" means any federally recognized Indian tribe that requests in writing from the department information on forest practices applications and notification filed on specified areas.

"Appeals board" means the forest practices appeals board established in the act.

"Area of resource sensitivity" means areas identified in accordance with WAC 222-22-050 (2)(d) or 222-22-060(2).

"Board" means the forest practices board established by the act.

"Bog" means wetlands which have the following characteristics: Hydric organic soils (peat and/or muck) typically 16 inches or more in depth (except over bedrock or hardpan); and vegetation such as sphagnum moss, labrador tea, bog laurel, bog rosemary, sundews, and sedges; bogs may have an overstory of spruce, western Hemlock, lodgepole pine, cedar, whitepine, crabapple, or aspen, and may be associated with open water. This includes nutrient-poor fens. See the *Forest Practices Board Manual*.

**"Borrow pit"** shall mean an excavation site outside the limits of construction to provide material necessary to that construction, such as fill material for the embankments.

**"Chemicals"** means substances applied to forest lands or timber including pesticides, fertilizers, and other forest chemicals.

**"Clearcut"** means a harvest method in which the entire stand of trees is removed in one timber harvesting operation. Except as provided in WAC 222-30-110, an area remains clearcut until:

It meets the minimum stocking requirements under WAC 222-34-010(2) or 222-34-020(2); and

The largest trees qualifying for the minimum stocking levels have survived on the area for five growing seasons or, if not, they have reached an average height of four feet.

**"Commercial tree species"** means any species which is capable of producing a merchantable stand of timber on the particular site, or which is being grown as part of a Christmas tree or ornamental tree-growing operation.

**"Completion of harvest"** means the latest of:

Completion of removal of timber from the portions of forest lands harvested in the smallest logical unit that will not be disturbed by continued logging or an approved slash disposal plan for adjacent areas; or

Scheduled completion of any slash disposal operations where the department and the applicant agree within 6 months of completion of yarding that slash disposal is necessary or desirable to facilitate reforestation and agree to a time schedule for such slash disposal; or

Scheduled completion of any site preparation or rehabilitation of adjoining lands approved at the time of approval of the application or receipt of a notification: *Provided*, That delay of reforestation under this paragraph is permitted only to the extent reforestation would prevent or unreasonably hinder such site preparation or rehabilitation of adjoining lands.

**"Constructed wetlands"** means those wetlands voluntarily developed by the landowner. Constructed wetlands do not include wetlands created, restored, or enhanced as part of a mitigation procedure or wetlands inadvertently created as a result of current or past practices including, but not limited to: Road construction, landing construction, railroad construction, or surface mining.

**"Contamination"** means the introducing into the atmosphere, soil, or water, sufficient quantities of substances as may be injurious to public health, safety or welfare, or to domestic, commercial, industrial, agriculture or recreational uses, or to livestock, wildlife, fish or other aquatic life.

**"Conversion option harvest plan"** means a voluntary plan developed by the landowner and approved by the local government entity indicating the limits of harvest areas, road locations, and open space.

**"Conversion to a use other than commercial timber operation"** shall mean a bona fide conversion to an active use which is incompatible with timber growing.

**"Cooperative spotted owl habitat enhancement agreement (CHEA)"** see WAC 222-16-100(2).

**"Critical habitat (federal)"** means the habitat of any threatened or endangered species designated as critical habitat by the United States Secretary of the Interior under Sections 3 (5)(A) and 4 (a)(3) of the Federal Endangered Species Act.

**"Critical wildlife habitat (state)"** means those habitats designated by the board in accordance with WAC 222-16-080.

**"Cultural resources"** means archaeological and historic sites and artifacts and traditional religious, ceremonial and social uses and activities of affected Indian tribes.

**"Cumulative effects"** means the changes to the environment caused by the interaction of natural ecosystem processes with the effects of two or more forest practices.

**"Debris"** means woody vegetative residue less than 3 cubic feet in size resulting from forest practice activities which would reasonably be expected to cause significant damage to a public resource.

**"Demographic support"** means providing sufficient suitable spotted owl habitat within the SOSEA to maintain the viability of northern spotted owl sites identified as necessary to meet the SOSEA goals.

**"Department"** means the department of natural resources.

**"Dispersal habitat"** see WAC 222-16-085(2).

**"Dispersal support"** means providing sufficient dispersal habitat for the interchange of northern spotted owls within or across the SOSEA, as necessary to meet SOSEA goals. Dispersal support is provided by a landscape consisting of stands of dispersal habitat interspersed with areas of higher quality habitat, such as suitable spotted owl habitat found within RMZs, WMZs or other required and voluntary leave areas.

**"Eastern Washington"** means the lands of the state lying east of an administrative line which approximates the change from the Western Washington timber types to the Eastern Washington timber types described as follows:

Beginning at the International Border and Okanogan National Forest boundary at the N1/4 corner Section 6, T. 40N, R. 24E., W.M., south and west along the Pasayten Wilderness boundary to the west line of Section 30, T. 37N, R. 19E.,

Thence south on range line between R. 18E. and R. 19E., to the Lake Chelan-Sawtooth Wilderness at Section 31, T. 35N, R. 19E.,

Thence south and east along the eastern wilderness boundary of Lake Chelan-Sawtooth Wilderness to the west line of Section 18, T. 31N, R. 19E. on the north shore of Lake Chelan,

Thence south on the range line between R. 18E. and R. 19E. to the SE corner of T. 28N, R. 18E.,

Thence west on the township line between T. 27N, and T. 28N to the NW corner of T. 27N, R. 17E.,

Thence south on range line between R. 16E. and R. 17E. to the Alpine Lakes Wilderness at Section 31, T. 26N, R. 17E.,

Thence south along the eastern wilderness boundary to the west line of Section 6, T. 22N, R. 17E.,

Thence south on range line between R. 16E. and R. 17E. to the SE corner of T. 22N, R. 16E.,

Thence west along township line between T. 21N, and T. 22N to the NW corner of T. 21N, R. 15E.,

Thence south along range line between R. 14E. and R. 15E. to SW corner of T. 20N, R. 15E.,

Thence east along township line between T. 19N, and T. 20N to the SW corner of T. 20N, R. 16E.,

Thence south along range line between R. 15E. and R. 16E. to the SW corner of T. 18N, R. 16E.,

Thence west along township line between T. 17N, and T. 18N to the SE corner of T. 18N, R. 14E.,

Thence south along range line between T. 14E. and R. 15E. to the SW corner of T. 14N, R. 15E.,

Thence south and west along Wenatchee National Forest Boundary to the NW corner of T. 12N, R. 14E.,

Thence south along range line between R. 13E. and R. 14E. to SE corner of T. 10N, R. 13E.,

Thence west along township line between T. 9N, and T. 10N to the NW corner of T. 9N, R. 12E.,

Thence south along range line between R. 11E. and R. 12E. to SE corner of T. 8N, R. 11E.,

Thence west along township line between T. 7N, and T. 8N to the Gifford Pinchot National Forest Boundary,

Thence south along Forest Boundary to SE corner of Section 33, T. 7N, R. 11E.,

Thence west along township line between T. 6N, and T. 7N to SE corner of T. 7N, R. 9E.,

Thence south along Skamania-Klickitat County line to Oregon-Washington state line.

**"End hauling"** means the removal and transportation of excavated material, pit or quarry overburden, or landing or road cut material from the excavation site to a deposit site not adjacent to the point of removal.

**"Erodible soils"** means those soils exposed or displaced by a forest practice operation, that would be readily moved by water.

**"Even-aged harvest methods"** means the following harvest methods:

Clearcuts;

Seed tree harvests in which twenty or fewer trees per acre remain after harvest;

Shelterwood regeneration harvests in which twenty or fewer trees per acre remain after harvest;

Group or strip shelterwood harvests creating openings wider than two tree heights, based on dominant trees;

Shelterwood removal harvests which leave fewer than one hundred fifty trees per acre which are at least five years old or four feet in average height;

Partial cutting in which fewer than fifty trees per acre remain after harvest;

Overstory removal when more than five thousand board feet per acre is removed and fewer than fifty trees per acre at least ten feet in height remain after harvest; and

Other harvesting methods designed to manage for multiple age classes in which six or fewer trees per acre remain after harvest.

Except as provided above for shelterwood removal harvests and overstory removal, trees counted as remaining after harvest shall be at least ten inches in diameter at breast height and have at least the top one-third of the stem supporting green, live crowns. Except as provided in WAC 222-30-110, an area remains harvested by even-aged methods until it meets the minimum stocking requirements under WAC 222-30-010(2) or 222-34-020(2) and the largest trees qualifying for the minimum stocking levels have survived on the area for five growing seasons or, if not, they have reached an average height of four feet.

**"Fen"** means wetlands which have the following characteristics: Peat soils 16 inches or more in depth (except

over bedrock); and vegetation such as certain sedges, hard-stem bulrush and cattails; fens may have an overstory of spruce and may be associated with open water.

**"Fertilizers"** means any substance or any combination or mixture of substances used principally as a source of plant food or soil amendment.

**"Fill"** means the placement of earth material or aggregate for road or landing construction or other similar activities. Fill does not include the growing or harvesting of timber including, but not limited to, slash burning, site preparation, reforestation, precommercial thinning, intermediate or final harvesting, salvage of trees, brush control, or fertilization.

**"Flood level - 50 year."** For purposes of field interpretation of these regulations, the 50-year flood level shall be considered to refer to a vertical elevation measured from the ordinary high-water mark which is 1.25 times the vertical distance between the average stream bed and the ordinary high-water mark, and in horizontal extent shall not exceed 2 times the channel width measured on either side from the ordinary high-water mark, unless a different area is specified by the department based on identifiable topographic or vegetative features or based on an engineering computation of flood magnitude that has a 2 percent chance of occurring in any given year. The 50-year flood level shall not include those lands that can reasonably be expected to be protected from flood waters by flood control devices maintained by or under license from the federal government, the state, or a political subdivision of the state.

**"Forest land"** means all land which is capable of supporting a merchantable stand of timber and is not being actively used for a use which is incompatible with timber growing.

**"Forest land owner"** shall mean any person in actual control of forest land, whether such control is based either on legal or equitable title, or on any other interest entitling the holder to sell or otherwise dispose of any or all of the timber on such land in any manner: *Provided*, That any lessee or other person in possession of forest land without legal or equitable title to such land shall be excluded from the definition of "forest land owner" unless such lessee or other person has the right to sell or otherwise dispose of any or all of the timber located on such forest land.

**"Forest practice"** means any activity conducted on or directly pertaining to forest land and relating to growing, harvesting, or processing timber, including but not limited to:

Road and trail construction;

Harvesting, final and intermediate;

Precommercial thinning;

Reforestation;

Fertilization;

Prevention and suppression of diseases and insects;

Salvage of trees; and

Brush control.

"Forest practice" shall not include: Forest species seed orchard operations and intensive forest nursery operations; or preparatory work such as tree marking, surveying and road flagging; or removal or harvest of incidental vegetation from forest lands such as berries, ferns, greenery, mistletoe, herbs, mushrooms, and other products which cannot normally be expected to result in damage to forest soils, timber or public resources.

**"Forest trees"** excludes trees cultivated by agricultural methods in growing cycles shorter than ten years: *Provided*, That Christmas trees are forest trees and: *Provided further*, That this exclusion applies only to trees planted on land that was not in forest use immediately before the trees were planted and before the land was prepared for planting the trees.

**"Green recruitment trees"** means those trees left after harvest for the purpose of becoming future wildlife reserve trees under WAC 222-30-020(11).

**"Herbicide"** means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate any tree, bush, weed or algae and other aquatic weeds.

**"Historic site"** includes:

Sites, areas and structures or other evidence of human activities illustrative of the origins, evolution and development of the nation, state or locality; or

Places associated with a personality important in history; or

Places where significant historical events are known to have occurred even though no physical evidence of the event remains.

**"Identified watershed processes"** means the following components of natural ecological processes that may in some instances be altered by forest practices in a watershed:

Mass wasting;

Surface and road erosion;

Seasonal flows including hydrologic peak and low flows and annual yields (volume and timing);

Large organic debris;

Shading; and

Stream bank and bed stability.

**"Insecticide"** means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate any insect, other arthropods or mollusk pests.

**"Interdisciplinary team"** (ID Team) means a group of varying size comprised of individuals having specialized expertise, assembled by the department to respond to technical questions associated with a proposed forest practice activity.

**"Islands"** means any island surrounded by salt water in Kitsap, Mason, Jefferson, Pierce, King, Snohomish, Skagit, Whatcom, Island, or San Juan counties.

**"Limits of construction"** means the area occupied by the completed roadway or landing, including the cut bank, fill slope, and the area cleared for the purpose of constructing the roadway or landing.

**"Load bearing portion"** means that part of the road, landing, etc., which is supportive soil, earth, rock or other material directly below the working surface and only the associated earth structure necessary for support.

**"Local government entity"** means the governments of counties and the governments of cities and towns as defined in chapter 35.01 RCW.

**"Low impact harvest"** means use of any logging equipment, methods, or systems that minimize compaction or disturbance of soils and vegetation during the yarding process. The department shall determine such equipment, methods or systems in consultation with the department of ecology.

**"Median home range circle"** means a circle, with a specified radius, centered on a spotted owl site center. The

radius for the median home range circle in the Hoh-Clearwater/Coastal Link SOSEA is 2.7 miles; for all other SOSEAs the radius is 1.8 miles.

**"Merchantable stand of timber"** means a stand of trees that will yield logs and/or fiber:

Suitable in size and quality for the production of lumber, plywood, pulp or other forest products;

Of sufficient value at least to cover all the costs of harvest and transportation to available markets.

**"Northern spotted owl site center"** means the location of status 1, 2 or 3 northern spotted owls based on the following definitions:

Status 1: Pair or reproductive - a male and female heard and/or observed in close proximity to each other on the same visit, a female detected on a nest, or one or both adults observed with young.

Status 2: Two birds, pair status unknown - the presence or response of two birds of opposite sex where pair status cannot be determined and where at least one member meets the resident territorial single requirements.

Status 3: Resident territorial single - the presence or response of a single owl within the same general area on three or more occasions within a breeding season with no response by an owl of the opposite sex after a complete survey; or three or more responses over several years (i.e., two responses in year one and one response in year two, for the same general area).

In determining the existence, location, and status of northern spotted owl site centers, the department shall consult with the department of fish and wildlife and use only those sites documented in substantial compliance with guidelines or protocols and quality control methods established by and available from the department of fish and wildlife.

**"Notice to comply"** means a notice issued by the department pursuant to RCW 76.09.090 of the act and may require initiation and/or completion of action necessary to prevent, correct and/or compensate for material damage to public resources which resulted from forest practices.

**"Old forest habitat"** see WAC 222-16-085 (1)(a).

**"Operator"** shall mean any person engaging in forest practices except an employee with wages as his/her sole compensation.

**"Ordinary high-water mark"** means the mark on the shores of all waters, which will be found by examining the beds and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation: *Provided*, That in any area where the ordinary high-water mark cannot be found, the ordinary high-water mark adjoining saltwater shall be the line of mean high tide and the ordinary high-water mark adjoining freshwater shall be the line of mean high-water.

**"Other forest chemicals"** means fire retardants when used to control burning (other than water), nontoxic repellents, oil, dust-control agents (other than water), salt, and

other chemicals used in forest management, except pesticides and fertilizers, that may present hazards to the environment.

**"Park"** means any park included on the parks register maintained by the department pursuant to WAC 222-20-100(2). Developed park recreation area means any park area developed for high density outdoor recreation use.

**"Partial cutting"** means the removal of a portion of the merchantable volume in a stand of timber so as to leave an uneven-aged stand of well-distributed residual, healthy trees that will reasonably utilize the productivity of the soil. Partial cutting does not include seedtree or shelterwood or other types of regeneration cutting.

**"Pesticide"** means any insecticide, herbicide, fungicide, or rodenticide but does not include nontoxic repellents or other forest chemicals.

**"Plantable area"** is an area capable of supporting a commercial stand of timber excluding lands devoted to permanent roads, utility rights-of-way, that portion of riparian management zones where scarification is not permitted, and any other area devoted to a use incompatible with commercial timber growing.

**"Power equipment"** means all machinery operated with fuel burning or electrical motors, including heavy machinery, chain saws, portable generators, pumps, and powered backpack devices.

**"Public resources"** means water, fish, and wildlife and in addition shall mean capital improvements of the state or its political subdivisions.

**"Rehabilitation"** means the act of renewing, or making usable and reforesting forest land which was poorly stocked or previously nonstocked with commercial species.

**"Relief culvert"** means a structure to relieve surface runoff from roadside ditches to prevent excessive buildup in water volume and velocity.

**"Resource characteristics"** means the following specific measurable characteristics of fish, water, and capital improvements of the state or its political subdivisions:

For fish and water:

Physical fish habitat, including temperature and turbidity;

Turbidity in hatchery water supplies; and

Turbidity and volume for areas of water supply.

For capital improvements of the state or its political subdivisions:

Physical or structural integrity.

If the methodology is developed and added to the manual to analyze the cumulative effects of forest practices on other characteristics of fish, water, and capital improvements of the state or its subdivisions, the board shall amend this list to include these characteristics.

**"Riparian management zone"** means a specified area alongside Type 1, 2 and 3 Waters where specific measures are taken to protect water quality and fish and wildlife habitat.

**"Rodenticide"** means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate rodents or any other vertebrate animal which the director of the state department of agriculture may declare by regulation to be a pest.

**"Salvage"** means the removal of snags, down logs, windthrow, or dead and dying material.

**"Scarification"** means loosening the topsoil and/or disrupting the forest floor in preparation for regeneration.

**"Shorelines of the state"** shall have the same meaning as in RCW 90.58.030 (Shoreline Management Act).

**"Side casting"** means the act of moving excavated material to the side and depositing such material within the limits of construction or dumping over the side and outside the limits of construction.

**"Site preparation"** means those activities associated with the removal of slash in preparing a site for planting and shall include scarification and/or slash burning.

**"Skid trail"** means a route used by tracked or wheeled skidders to move logs to a landing or road.

**"Slash"** means pieces of woody material containing more than 3 cubic feet resulting from forest practice activities.

**"SOSEA goals"** means the goals specified for a spotted owl special emphasis area as identified on the SOSEA maps (see WAC 222-16-086). SOSEA goals provide for demographic and/or dispersal support as necessary to complement the northern spotted owl protection strategies on federal land within or adjacent to the SOSEA.

**"Spoil"** means excess material removed as overburden or generated during road or landing construction which is not used within limits of construction.

**"Spotted owl dispersal habitat"** see WAC 222-16-085(2).

**"Spotted owl special emphasis areas (SOSEA)"** means the geographic areas as mapped in WAC 222-16-086. Detailed maps of the SOSEAs indicating the boundaries and goals are available from the department at its regional offices.

**"Stop work order"** means the "stop work order" defined in RCW 76.09.080 of the act and may be issued by the department to stop violations of the forest practices chapter or to prevent damage and/or to correct and/or compensate for damages to public resources resulting from forest practices.

**"Sub-mature habitat"** see WAC 222-16-085 (1)(b).

**"Suitable spotted owl habitat"** see WAC 222-16-085(1).

**"Threatened or endangered species"** means all species of wildlife listed as "threatened" or "endangered" by the United States Secretary of the Interior, and all species of wildlife designated as "threatened" or "endangered" by the Washington wildlife commission.

**"Timber"** shall mean forest trees, standing or down, of a commercial species, including Christmas trees.

**"Water bar"** means a diversion ditch and/or hump in a trail or road for the purpose of carrying surface water runoff into the vegetation duff, ditch, or other dispersion area so that it does not gain the volume and velocity which causes soil movement and erosion.

**"Watershed administrative unit (WAU)"** means an area shown on the map specified in WAC 222-22-020(1).

**"Watershed analysis"** means, for a given WAU, the assessment completed under WAC 222-22-050 or 222-22-060 together with the prescriptions selected under WAC 222-22-070 and shall include assessments completed under WAC 222-22-050 where there are no areas of resource sensitivity.

**"Weed"** is any plant which tends to overgrow or choke out more desirable vegetation.

"**Western Washington**" means the lands of the state lying west of the administrative line described in the definition of Eastern Washington.

"**Wetland**" means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, such as swamps, bogs, fens, and similar areas. This includes wetlands created, restored, or enhanced as part of a mitigation procedure. This does not include constructed wetlands or the following surface waters of the state intentionally constructed from wetland sites: Irrigation and drainage ditches, grass lined swales, canals, agricultural detention facilities, farm ponds, and landscape amenities.

"**Wetland functions**" include the protection of water quality and quantity, providing fish and wildlife habitat, and the production of timber.

"**Wetland management zone**" means a specified area adjacent to Type A and B Wetlands where specific measures are taken to protect the wetland functions.

"**Wildlife**" means all species of the animal kingdom whose members exist in Washington in a wild state. The term "wildlife" includes, but is not limited to, any mammal, bird, reptile, amphibian, fish, or invertebrate, at any stage of development. The term "wildlife" does not include feral domestic mammals or the family Muridae of the order Rodentia (old world rats and mice).

"**Wildlife reserve trees**" means those defective, dead, damaged, or dying trees which provide or have the potential to provide habitat for those wildlife species dependent on standing trees. Wildlife reserve trees are categorized as follows:

Type 1 wildlife reserve trees are defective or deformed live trees that have observably sound tops, limbs, trunks, and roots. They may have part of the top broken out or have evidence of other severe defects that include: "Cat face," animal chewing, old logging wounds, weather injury, insect attack, or lightning strike. Unless approved by the landowner, only green trees with visible cavities, nests, or obvious severe defects capable of supporting cavity dependent species shall be considered as Type 1 wildlife reserve trees. These trees must be stable and pose the least hazard for workers.

Type 2 wildlife reserve trees are dead Type 1 trees with sound tops, limbs, trunks, and roots.

Type 3 wildlife reserve trees are live or dead trees with unstable tops or upper portions. Unless approved by the landowner, only green trees with visible cavities, nests, or obvious severe defects capable of supporting cavity dependent species shall be considered as Type 3 wildlife reserve trees. Although the roots and main portion of the trunk are sound, these reserve trees pose high hazard because of the defect in live or dead wood higher up in the tree.

Type 4 wildlife reserve trees are live or dead trees with unstable trunks or roots, with or without bark. This includes "soft snags" as well as live trees with unstable roots caused by root rot or fire. These trees are unstable and pose a high hazard to workers.

"**Windthrow**" means a natural process by which trees are uprooted or sustain severe trunk damage by the wind.

"**Young forest marginal habitat**" see WAC 222-16-085 (1)(b).

AMENDATORY SECTION (Amending WSR 93-12-001, filed 5/19/93, effective 6/19/93)

**WAC 222-16-080 Critical wildlife habitats (state) and critical habitat (federal) of threatened and endangered species.** (1) Critical wildlife habitats (state) of threatened or endangered species and specific forest practices designated as Class IV-Special are as follows:

(a) Bald eagle - harvesting, road construction, aerial application of pesticides, or site preparation within 0.5 mile of a known active nest site, documented by the department of wildlife, between the dates of January 1 and August 15 or 0.25 mile at other times of the year; and within 0.25 mile of a communal roosting site. Communal roosting sites shall not include refuse or garbage dumping sites.

(b) Gray wolf - harvesting, road construction, or site preparation within 1 mile of a known active den site, documented by the department of wildlife, between the dates of March 15 and July 30 or 0.25 mile from the den site at other times of the year.

(c) Grizzly bear - harvesting, road construction, aerial application of pesticides, or site preparation within 1 mile of a known active den site, documented by the department of wildlife, between the dates of October 1 and May 30 or 0.25 mile at other times of the year.

(d) Mountain caribou - harvesting, road construction, aerial application of pesticides, or site preparation within 0.25 mile of a known active breeding area, documented by the department of wildlife.

(e) Oregon silverspot butterfly - harvesting, road construction, aerial or ground application of pesticides, or site preparation within 0.25 mile of an individual occurrence, documented by the department of wildlife.

(f) Peregrine falcon - harvesting, road construction, aerial application of pesticides, or site preparation within 0.5 mile of a known active nest site, documented by the department of wildlife, between the dates of March 1 and July 30; or harvesting, road construction, or aerial application of pesticides within 0.25 mile of the nest site at other times of the year.

(g) Sandhill crane - harvesting, road construction, aerial application of pesticides, or site preparation within 0.25 mile of a known active nesting area, documented by the department of wildlife.

(h) Northern spotted owl - the following shall apply through June 30, 1996: Harvesting, road construction, or aerial application of pesticides on the most suitable 500 acres of ((suitable)) nesting, ((breeding)) roosting, and foraging habitat surrounding the ((activity center of known Status 1, 2, or 3 spotted owls, documented by the department of wildlife)) northern spotted owl site center. The most suitable habitat shall be determined by the department in cooperation with the department of fish and wildlife, tribes, and others with applicable expertise. Consideration shall be given to habitat quality, proximity to the activity center and contiguity in selecting the most suitable 500 acres of habitat.

Beginning July 1, 1996, the following shall apply for the northern spotted owl:

(i) Within a SOSEA boundary (see maps in WAC 222-16-086), except as indicated in (h)(ii) of this subsection, harvesting, road construction, or aerial application of pesticides on suitable spotted owl habitat within a median home range circle that is centered within the SOSEA or on adjacent federal lands.

(ii) Within the Entiat SOSEA, harvesting, road construction, or aerial application of pesticides within the areas indicated for demographic support (see WAC 222-16-086(2)) on suitable spotted owl habitat located within a median home range circle that is centered within the demographic support area or on adjacent federal lands.

(iii) Outside of a SOSEA, harvesting, road construction, or aerial application of pesticides, between March 1 and August 31 on the seventy acres of highest quality suitable spotted owl habitat surrounding a northern spotted owl site center located outside a SOSEA. The highest quality suitable habitat shall be determined by the department in cooperation with the department of fish and wildlife. Consideration shall be given to habitat quality, proximity to the activity center and contiguity.

(iv) Small parcel northern spotted owl exemption. Forest practices proposed on the lands owned or controlled by a landowner whose forest land ownership within the SOSEA is less than or equal to 500 acres and where the forest practice is not within 0.7 mile of a northern spotted owl site center shall not be considered to be within critical wildlife habitat (state) for northern spotted owls.

~~((This rule is intended to be interim and will expire on February 9, 1994. Prior to the above expiration date the forest practices board will reconsider the protection of spotted owls based on consideration of advancing science and increased data analysis, as well as the board's landscape planning for wildlife and would be influenced by the completion of the northern spotted owl recovery plan, rule making under the Federal Endangered Species Act, or other federal action, or other state actions.~~

~~The department shall rely upon the department of wildlife for the determination of status based on the following definitions:~~

~~Status 1 Pair or reproductive—the presence or response of two birds of the opposite sex where past or current reproductive activities have been documented.~~

~~Status 2 Two birds, pair status unknown—the presence or response of 2 birds of the opposite sex where pair status cannot be determined and where at least 1 member must meet the resident single requirements.~~

~~Status 3 Resident territorial single—the presence or response of a single owl within the same general area on 3 or more occasions within a breeding season with no response by an owl of the opposite sex after a complete survey; or multiple responses over several years (i.e., 2 responses in year one and 1 response in year two, for the same general area.);)~~

(i) Western pond turtle - harvesting, road construction, aerial application of pesticides, or site preparation within 0.25 mile of a known individual occurrence, documented by the department of wildlife.

(2) ~~((A site specific special wildlife management plan, including a bald eagle site management plan under WAC~~

~~222-12-292, developed by the landowner shall replace the critical wildlife habitats (state) listed in subsection (1) of this section when such a plan has been established in cooperation with, and approved by, the department of wildlife.~~

~~(3))~~ The following critical habitats (federal) designated by the United States Secretary of the Interior, or specific forest practices within those habitats, have been determined to not have the potential for a substantial impact on the environment:

None listed.

~~((4))~~ (3) For the purpose of identifying forest practices which have the potential for a substantial impact on the environment with regard to threatened or endangered species newly listed by the Washington fish and wildlife commission and/or the United States Secretary of the Interior, the department shall after consultation with the department of fish and wildlife, prepare and submit to the board a proposed list of critical wildlife habitats (state) of threatened or endangered species. This list shall be submitted to the board within 15 days of the listing of the species. The department shall, at a minimum, consider potential impacts of forest practices on habitats essential to meeting the life requisites for each species listed as threatened or endangered. Those critical wildlife habitats (state) adopted by the board shall be added to the list in subsection (1) of this section. See WAC 222-16-050 (1)(b)(i).

~~((5))~~ (4) For the purpose of identifying any areas and/or forest practices within critical habitats (federal) designated by the United States Secretary of the Interior which do not have the potential for a substantial impact on the environment, the department shall, after consultation with the department of fish and wildlife, submit to the board a proposed list of any forest practices and/or areas proposed for exclusion from Class IV - special forest practices. The department shall submit the list to the board within 120 days of the date the United States Secretary of the Interior publishes a final rule designating critical habitat (federal) in the Federal Register. Those critical habitats excluded by the board from Class IV - Special shall be added to the list in subsection ~~((3))~~ (2) of this section. See WAC 222-16-050 (1)(b)(ii).

~~((6))~~ (5)(a) Except for bald eagles under subsection (1)(b) of this section, the critical wildlife habitats (state) of threatened and endangered species and specific forest practices designated in subsection (1) of this section are intended to be interim. These interim designations shall expire for a given species on the earliest of:

(i) The effective date of a regulatory system for wildlife protection referred to in (b) of this subsection or of substantive rules on the species.

(ii) The delisting of a threatened or endangered species by the Washington fish and wildlife commission.

(b) The board shall examine current wildlife protection and department authority to protect wildlife and develop and recommend ~~((by May 1993))~~ a regulatory system, including baseline rules for wildlife protection. To the extent possible, this system shall:

(i) Use the best science and management advice available;

(ii) Use a landscape approach to wildlife protection;



(iii) Be designed to avoid the potential for substantial impact to the environment;

(iv) Protect known populations of threatened and endangered species of wildlife from negative effects of forest practices consistent with RCW 76.09.010; and

(v) Consider and be consistent with recovery plans adopted by the department of fish and wildlife pursuant to RCW 77.12.020(6) or habitat conservation plans or 16 U.S.C. 1533(d) rule changes of the Endangered Species Act.

~~((7))~~ (6) Regardless of any other provision in this section, ~~((the following are not critical wildlife habitats (state) or critical habitats (federal) for the particular species:~~

~~(a) Forest practices on lands covered by a conservation plan and permit for a particular species approved by the U.S. Fish and Wildlife Service pursuant to 16 U.S.C. 1539 (a)(2) consistent with that plan and permit; or~~) forest practices applications shall not be classified as Class IV-Special based on critical wildlife habitat (state) (WAC 222-16-080(1)) or critical habitat (federal) (WAC 222-16-050 (1)(b)(ii)) for a species if the forest practices are consistent with one of the following proposed for protection of the species:

(a) A habitat conservation plan and permit or an incidental take statement covering such species approved by the Secretary of the Interior or Commerce pursuant to 16 U.S.C. §1536(b) or 1539(a); an "unlisted species agreement" covering such species approved by the U.S. Fish and Wildlife Service or National Marine Fisheries Service; or a "no-take letter" or other cooperative or conservation agreement entered into with a federal or state fish and wildlife agency pursuant to its statutory authority for fish and wildlife protection that addresses the needs of the affected species and that is subject to review under the National Environmental Protection Act, 42 U.S.C. §4321 et seq., or the State Environmental Policy Act, chapter 43.21C RCW, as applicable;

(b) ~~((Forest practices covered by))~~ A rule adopted by the U.S. Fish and Wildlife Service for the conservation of a particular threatened species pursuant to 16 U.S.C. 1533(d);

(c) A special wildlife management plan (SWMP) developed by the landowner and approved by the department in consultation with the department of fish and wildlife;

(d) A bald eagle management plan approved under WAC 232-12-292;

(e) A landowner option plan (LOP) for northern spotted owls developed pursuant to WAC 222-16-100(1); or

(f) A cooperative spotted owl habitat enhancement agreement (CHEA) developed pursuant to WAC 222-16-100(2).

In those situations where one of the options above has been used, forest practices applications may still be classified as Class IV-Special based upon the presence of one or more of the factors listed in WAC 222-16-050(1), other than critical wildlife habitat (state) or critical habitat (federal) for the species covered by the existing plan.

(7) The department, in consultation with the department of fish and wildlife, shall review each SOSEA to determine whether the goals for that SOSEA are being met through approved plans, permits, statements, letters, or agreements referred to in subsection (6) of this section. If so, the department shall recommend to the board the suspension, deletion, modification or reestablishment of the applicable SOSEA from the rules. The department shall conduct a

review for a particular SOSEA upon approval of a landowner option plan, a petition from a landowner in the SOSEA, or under its own initiative.

(8) The department, in consultation with the department of fish and wildlife, shall report annually to the board on the status of the northern spotted owl to determine whether circumstances exist that substantially interfere with meeting the goals of the SOSEAs.

#### NEW SECTION

**WAC 222-16-085 Northern spotted owl habitats.** (1) **Suitable spotted owl habitat** means forest stands which meet the description of old forest habitat, sub-mature habitat or young forest marginal habitat found in (a) and (b) of this subsection. Old forest habitat is the highest quality, followed in descending order by sub-mature habitat and young forest marginal habitat.

(a) **Old forest habitat** means habitat that provides for all the characteristics needed by northern spotted owls for nesting, roosting, foraging, and dispersal, described as stands with:

(i) A canopy closure of 60% or more and a layered, multispecies canopy where 50% or more of the canopy closure is provided by large overstory trees (typically, there should be at least 75 trees greater than 20 inches dbh per acre, or at least 35 trees 30 inches dbh or larger per acre); and

(ii) Three or more snags or trees 20 inches dbh or larger and 16 feet or more in height per acre with various deformities such as large cavities, broken tops, dwarf mistletoe infections, and other indications of decadence; and

(iii) More than two fallen trees 20 inches dbh or greater per acre and other woody debris on the ground.

(b) **Sub-mature habitat and young forest marginal habitat.** Sub-mature habitat provides all of the characteristics needed by northern spotted owls for roosting, foraging, and dispersal. Young forest marginal habitat provides some of the characteristics needed by northern spotted owls for roosting, foraging, and dispersal. Sub-mature habitat and young forest marginal habitat stands can be characterized based on the forest community, canopy closure, tree density and height, vertical diversity, snags and cavity trees, dead and down wood, and shrubs or mistletoe infection. They are described in the following tables:

(i) Western Washington spotted owl sub-mature and young forest marginal habitat characteristics.

PROPOSED

Characteristic	Habitat Type	
	Sub-Mature	Young Forest Marginal
Forest Community	conifer-dominated <i>or</i> conifer-hardwood (greater than or equal to 30% conifer)	conifer-dominated <i>or</i> conifer-hardwood (greater than or equal to 30% conifer)
Canopy Closure	greater than or equal to 70% canopy closure	greater than or equal to 70% canopy closure
Tree Density and Height	115-280 trees/acre (greater than or equal to 4 inches dbh) with dominants/codominants greater than or equal to 85 feet high OR	115-280 trees/acre (greater than or equal to 4 inches dbh) with dominants/codominants greater than or equal to 85 feet high OR
Vertical Diversity	dominants/codominants greater than or equal to 85 feet high with 2 or more layers and 25 - 50% intermediate trees	dominants/codominants greater than or equal to 85 feet high with 2 or more layers and 25 - 50% intermediate trees
Snags/Cavity Trees	greater than or equal to 3/acre (greater than or equal to 20 inches dbh and 16 feet in height)	greater than or equal to 2/acre (greater than or equal to 20 inches dbh and 16 feet in height) OR
Dead, Down Wood	N/A	greater than or equal to 10% of the ground covered with 4 inch diameter or larger wood, with
Shrubs	N/A	25-60% shrub cover

The values indicated for canopy closure and tree density may be replaced with a quadratic mean diameter of greater than 13 inches and a basal area of greater than 100.

(ii) Eastern Washington spotted owl sub-mature and young forest marginal habitat characteristics.

Characteristic	Habitat Type		
	Sub-Mature	Young Forest Marginal (closed canopy)	Young Forest Marginal (open canopy)
Relative Community	greater than or equal to 40% fir	greater than or equal to 40% fir	greater than or equal to 40% fir
Tree Density Height	110-260 trees/acre (greater than or equal to 4 inches dbh) with dominants/codominants greater than or equal to 90 feet high OR	100 - 300 trees/acre (greater than or equal to 4 inches dbh) dominants/codominants equal to or greater than 70 feet high	100 - 300 trees/acre (greater than or equal to 4 inches dbh) dominants/codominants equal to or greater than 70 feet high
	dominants/codominants greater than or equal to 90 feet high with 2 or more layers and 25 - 50% intermediate trees	2 or more layers 25 - 50% intermediate trees	2 or more layers 25 - 50% intermediate trees
Canopy Closure	greater than or equal to 70% canopy closure	greater than or equal to 70% canopy closure	greater than or equal to 50% canopy closure
Large Trees/Cavity Trees	greater than or equal to 3/acre (greater than or equal to 20 inches dbh 16 feet in height) OR	N/A	2/acre or more (greater than or equal to 20 inches dbh 16 feet in height)
Wet/Disease	high or moderate infection	N/A	high or moderate infection
Dead, Down Wood	greater than or equal to 5% of the ground covered with 4 inch diameter or larger wood	N/A	N/A

PROPOSED

Values indicated for canopy closure and tree density may be replaced with the following:

- (a) For sub-mature a quadratic mean diameter of greater than 13 inches and a relative density of greater than 44;
- (b) For young forest marginal a quadratic mean diameter of greater than 13 inches and a relative density of greater than 28.

(2) **Spotted owl dispersal habitat** means habitat stands that provide the characteristics needed by northern spotted owls for dispersal. Such habitat provides protection from the weather and predation, roosting opportunities, and clear space below the forest canopy for flying. Timber stands that provide for spotted owl dispersal have the following characteristics:

- (a) For western Washington, timber stands 5 acres in size or larger with:
  - (i) 70% or more canopy cover; and
  - (ii) 70% or more of the stand in conifer species greater than 6 inches dbh; and
  - (iii) A minimum of 130 trees per acre with a dbh of at least 10 inches or a basal area of 100 square feet of 10 inch dbh or larger trees; and
  - (iv) A total tree density of 300 trees per acre or less; and
  - (v) A minimum of 20 feet between the top of the understory vegetation and the bottom of the live canopy, with the lower boles relatively clear of dead limbs.
- (b) For eastern Washington, timber stands 5 acres in size or larger with:
  - (i) 50% or more canopy closure; and

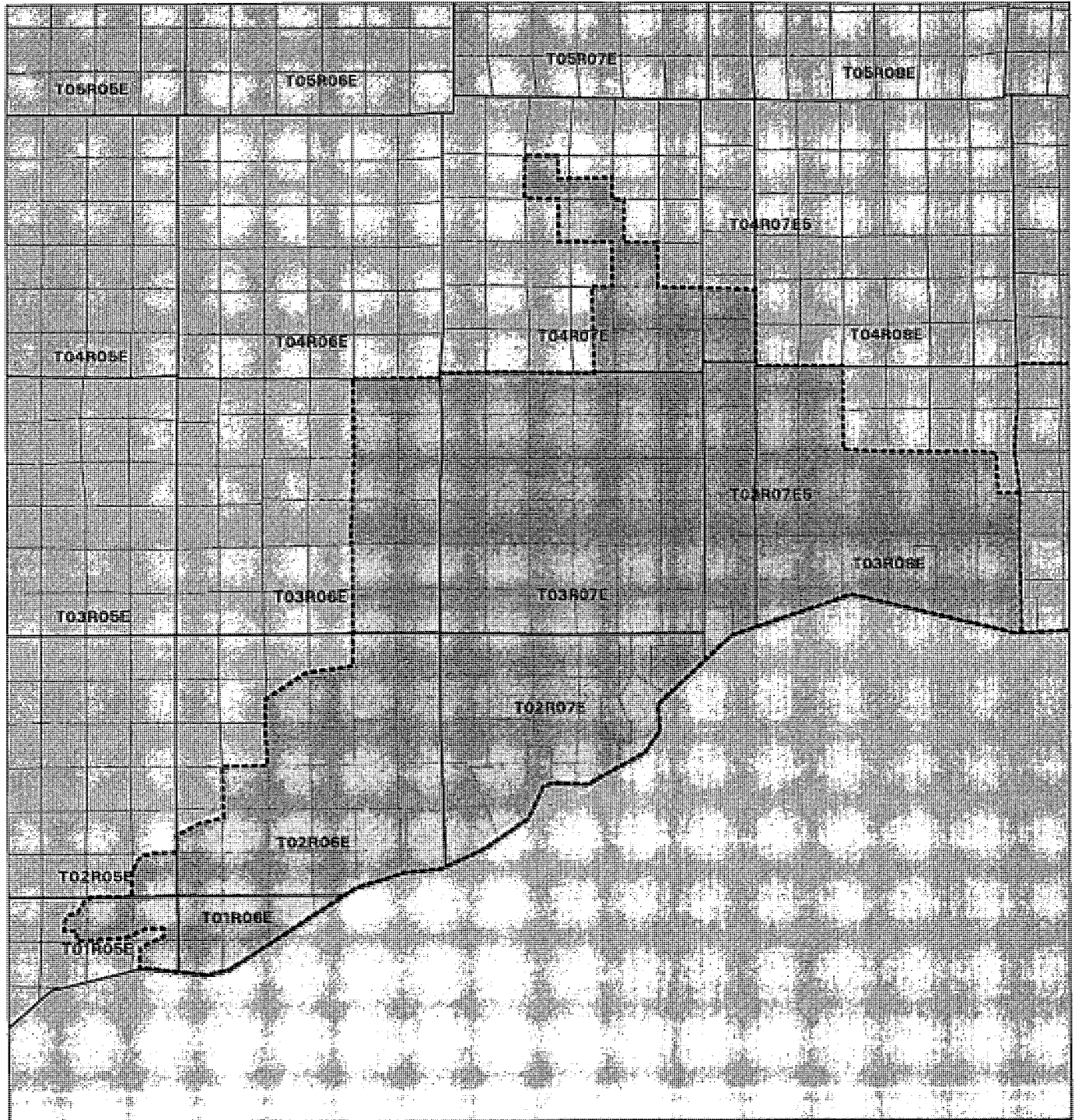
- (ii) A minimum of 50 conifer trees per acre, with a dbh of 6 inches or more in even-aged stands or 4 inches or more in uneven-aged stands, and an average tree height of 65 feet or more; and
  - (iii) Total tree density of 200 trees per acre or less; and
  - (iv) A minimum of 20 feet between the top of the understory vegetation and the bottom of the live canopy, with the lower boles relatively clear of dead limbs; or
  - (v) Conifer stands with a quadratic mean diameter of 9 inches or more and a relative density of 33 or more or a canopy closure of 55% or more.
- (c) Suitable spotted owl habitat provides all of the required characteristics needed by spotted owls for dispersal.
- (d) Landowners may submit information to support an alternate definition of dispersal habitat for review and approval by the department in consultation with the department of fish and wildlife.





NEW SECTION

**WAC 222-16-086 Northern spotted owl special emphasis areas and goals.** "Spotted owl special emphasis areas (SOSEA)" means the following geographic areas and the associated goals as mapped. Detailed maps of the SOSEAs indicating the boundaries and goals are available from the department at its regional offices.

### (1) Columbia Gorge SOSEA

PROPOSED

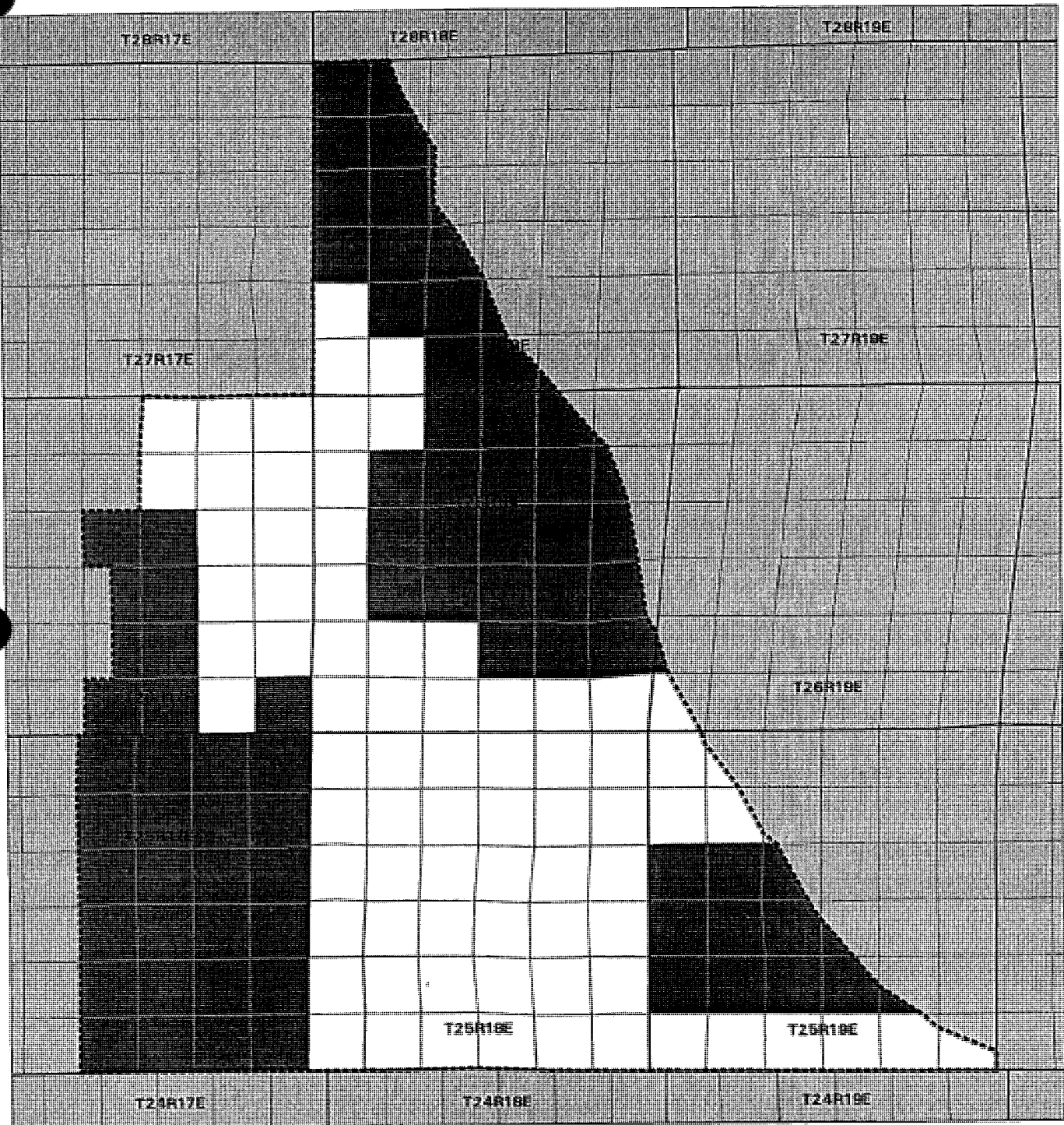






-  Demographic Support
-  Dispersal Support
-  Combination of Dispersal Support and Demographic Support
-  SOSEA Boundary

Proposed

## (2) Entiat SOSEA

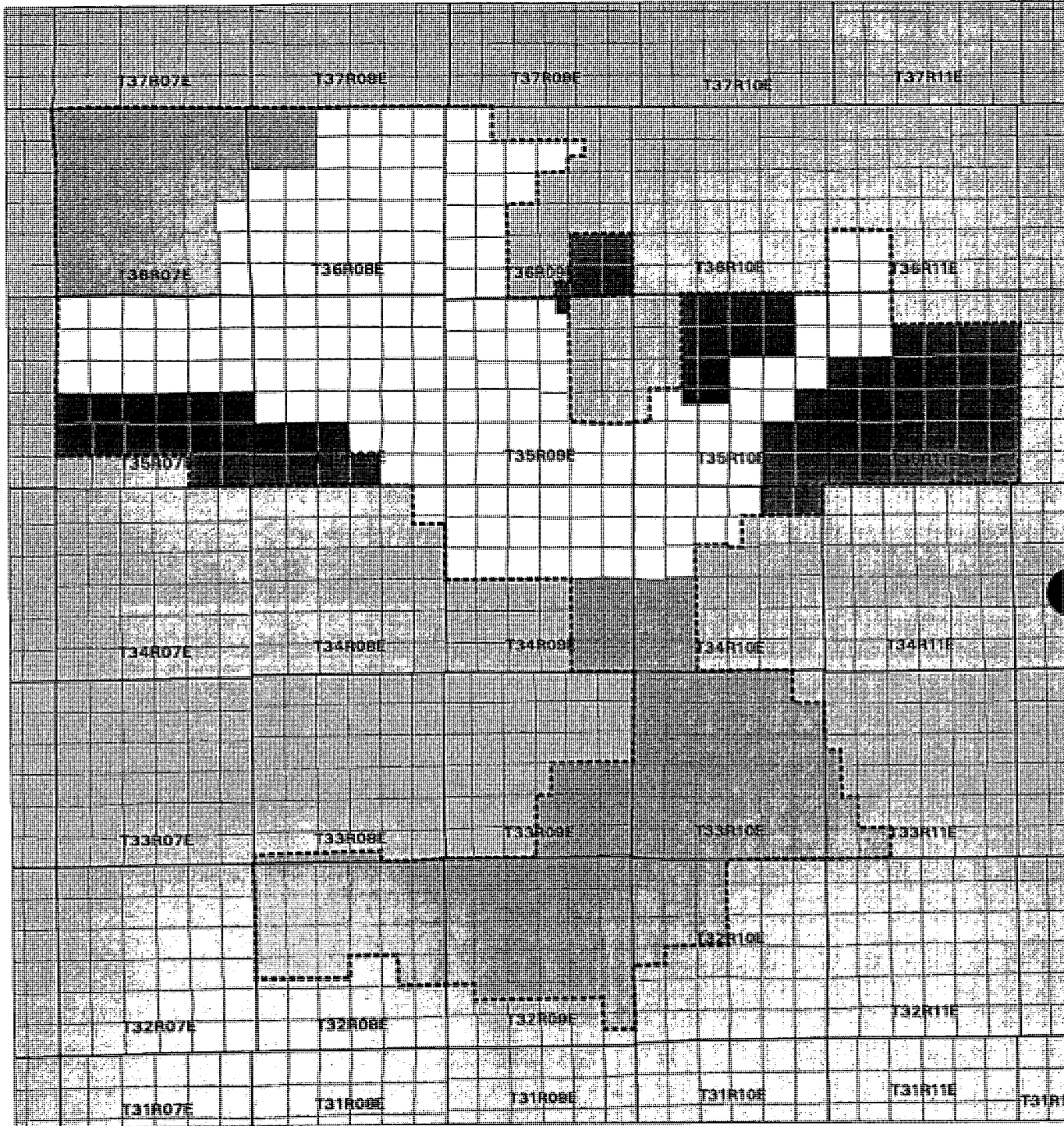
PROPOSED







-  Demographic Support
-  Dispersal Support
-  Combination of Dispersal Support and Demographic Support
-  SOSEA Boundary

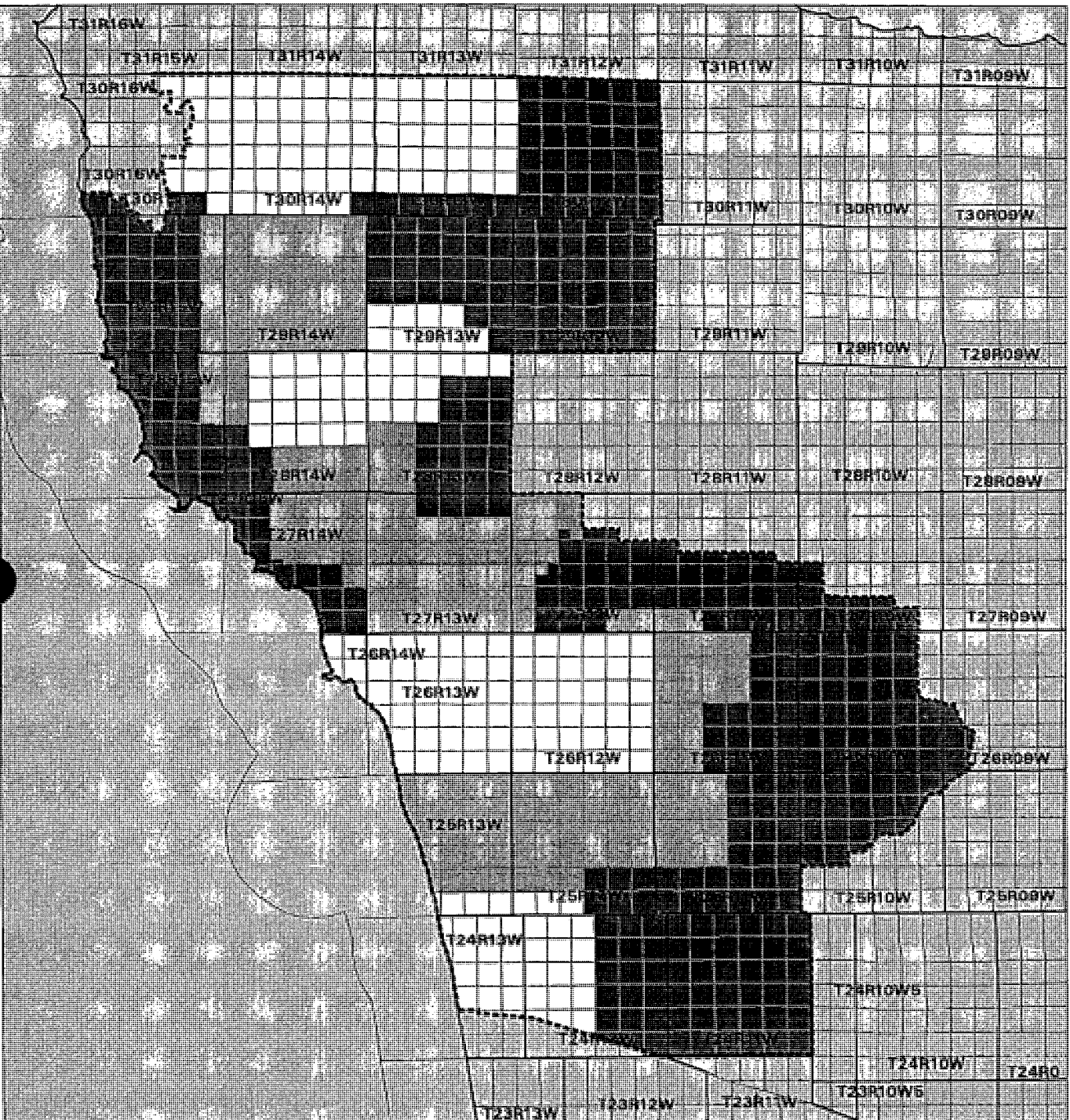
### (3) Finney Block SOSEA

PROPOSED







-  Demographic Support
-  Dispersal Support
-  Combination of Dispersal Support and Demographic Support
-  SOSEA Boundary

### (4) Hoh-Clearwater/Coastal Link SOSEA

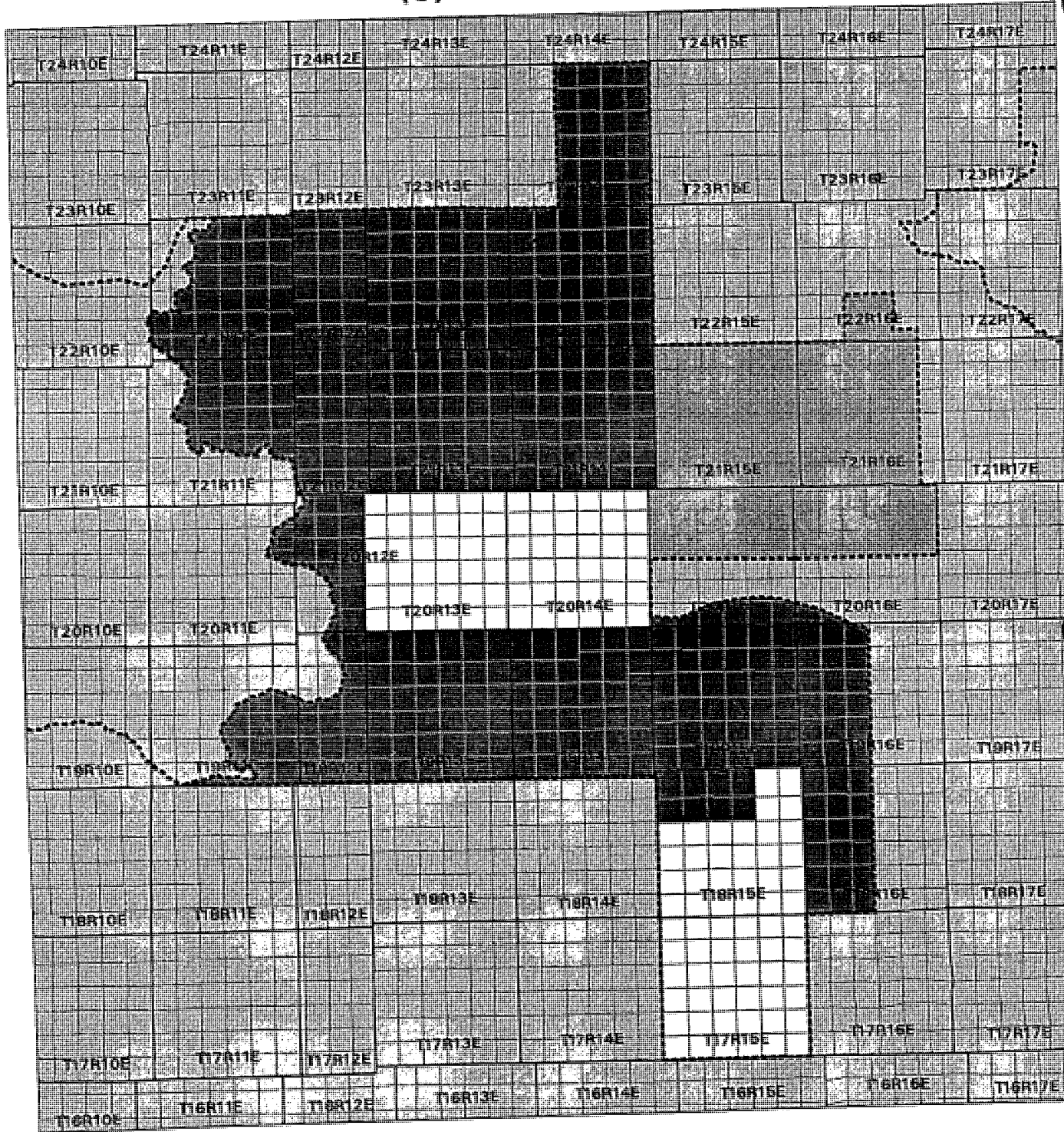






PROPOSED

-  Demographic Support
-  Dispersal Support
-  Combination of Dispersal Support and Demographic Support
-  SOSEA Boundary

# (5) I-90 East SOSEA

PROPOSED

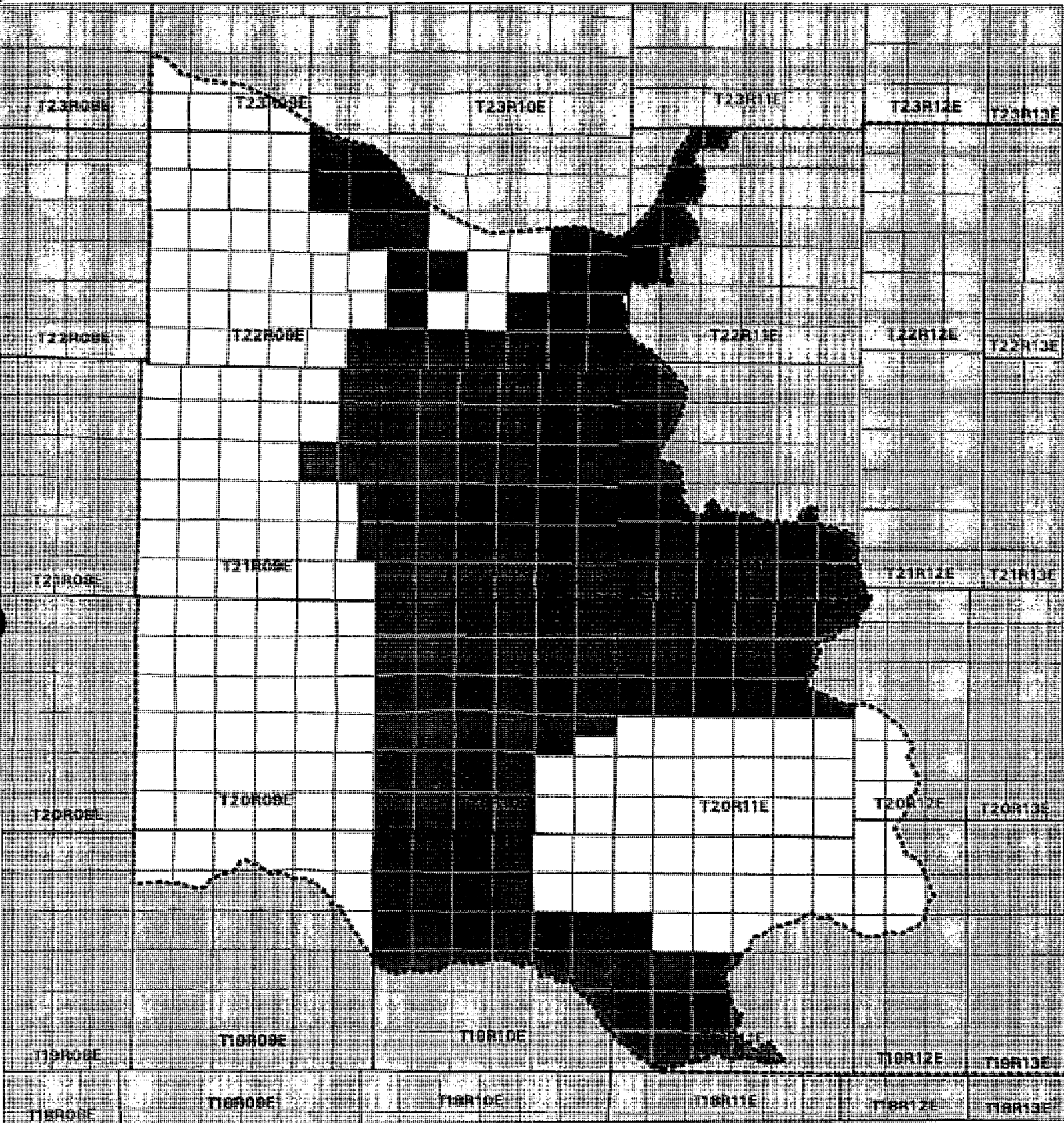






-  Demographic Support
-  Dispersal Support
-  Combination of Dispersal Support and Demographic Support
-  SOSEA Boundary



### (6) I-90 West SOSEA

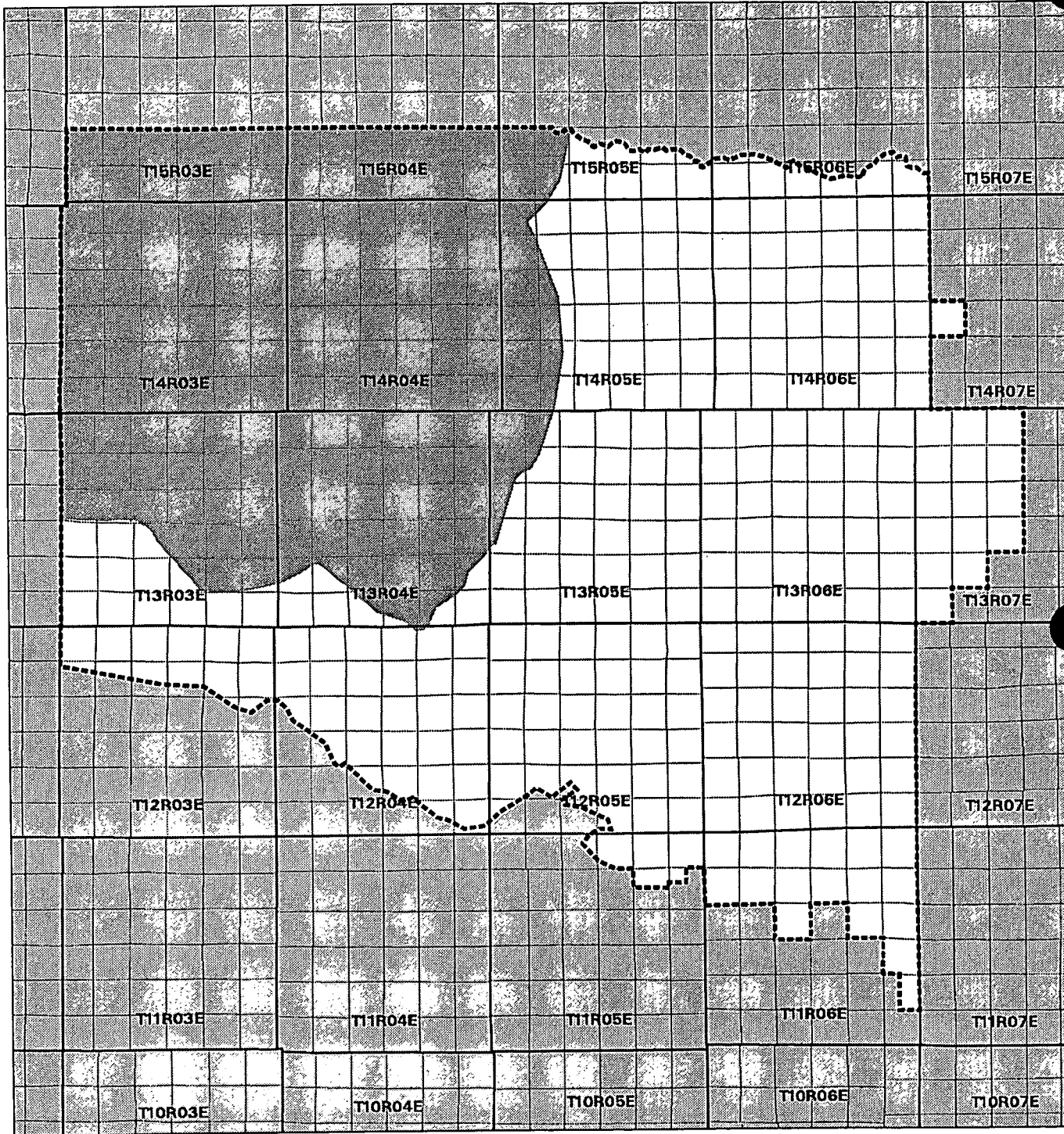
PROPOSED



-  Demographic Support
-  Dispersal Support
-  Combination of Dispersal Support and Demographic Support
-  SOSEA Boundary

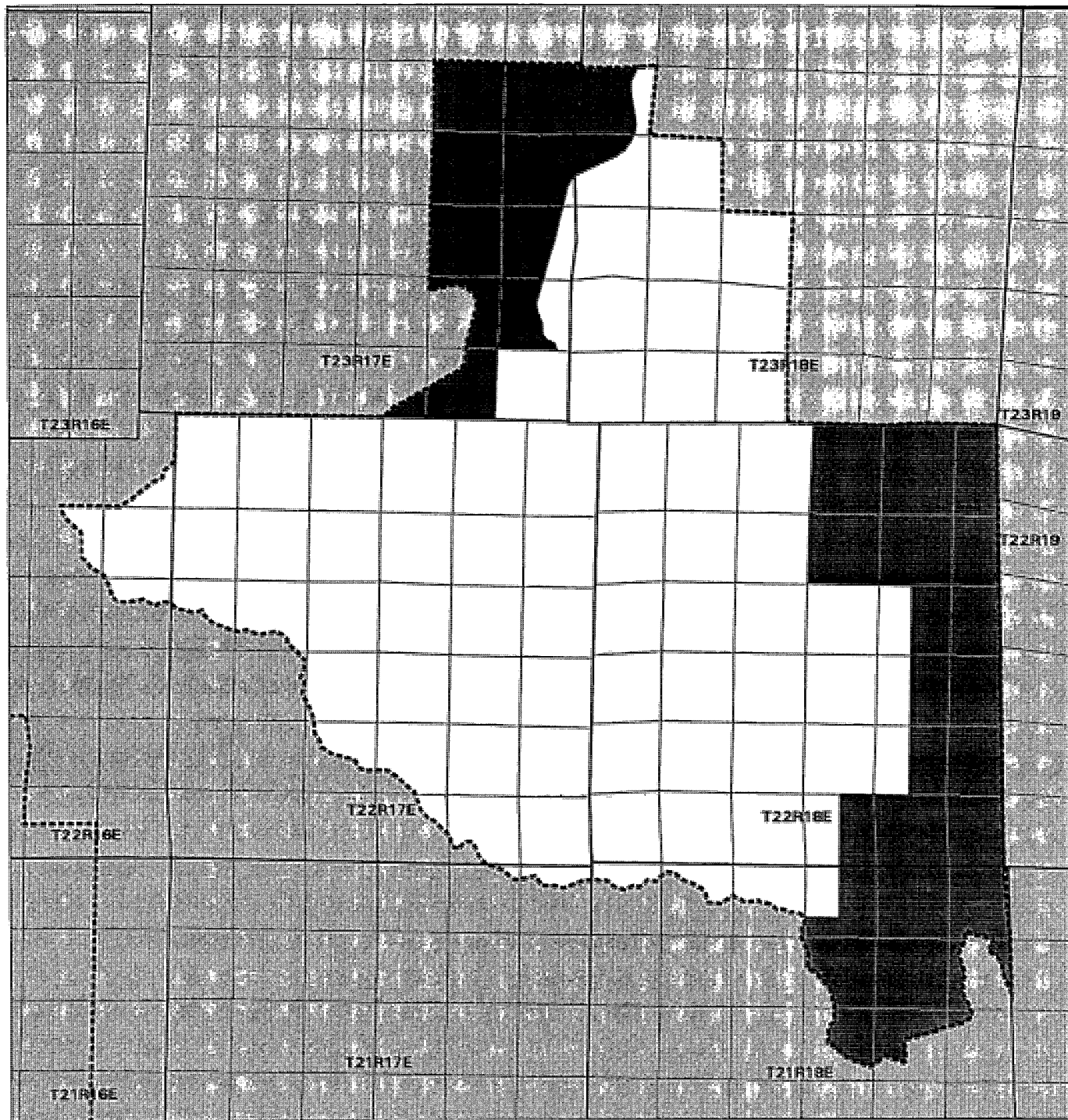
# (7) Mineral Block/Link SOSEA

PROPOSED



- Demographic Support
- Dispersal Support
- Combination of Dispersal Support and Demographic Support
- SOSEA Boundary

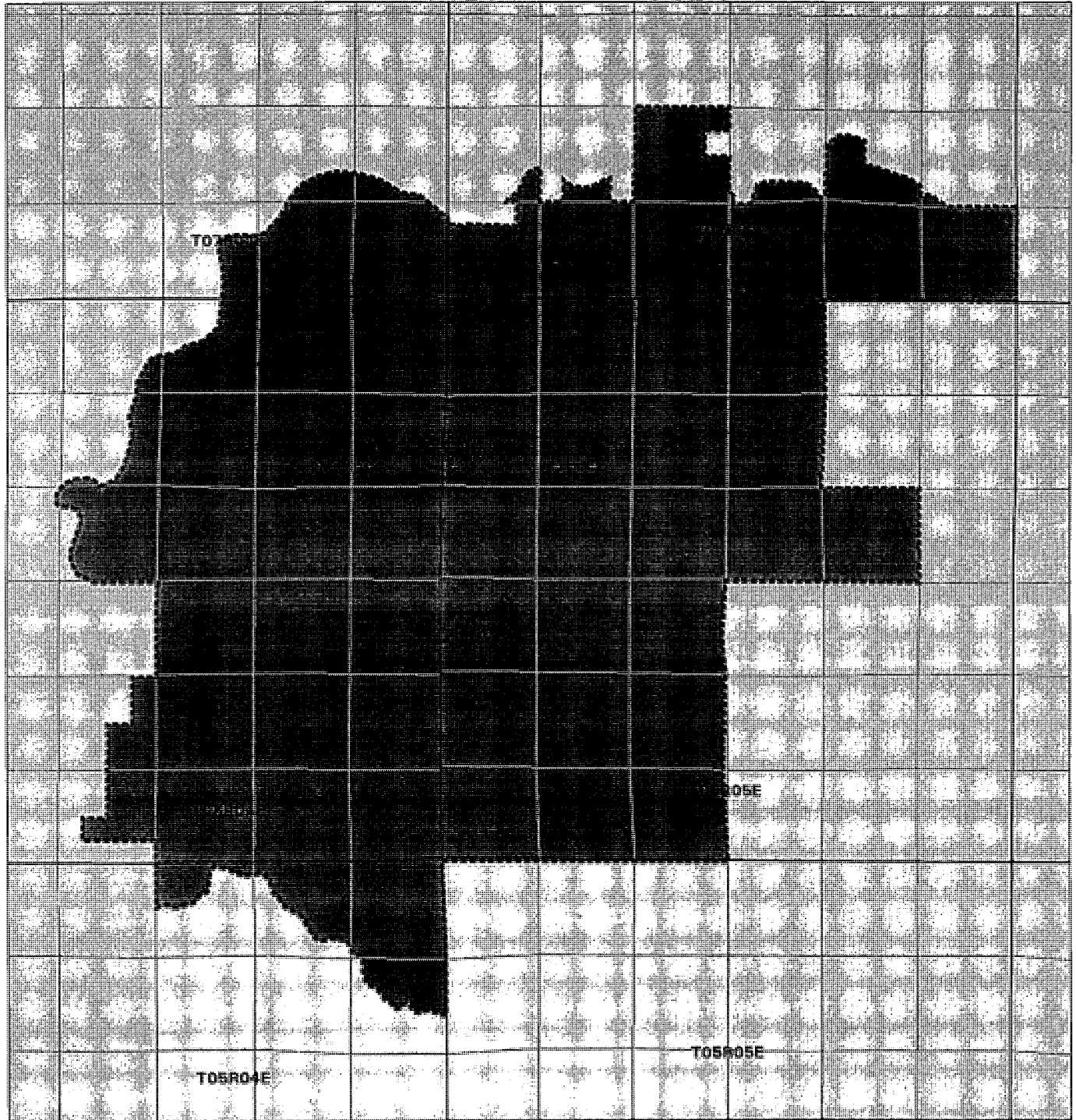
### (8) North Blewett SOSEA







PROPOSED

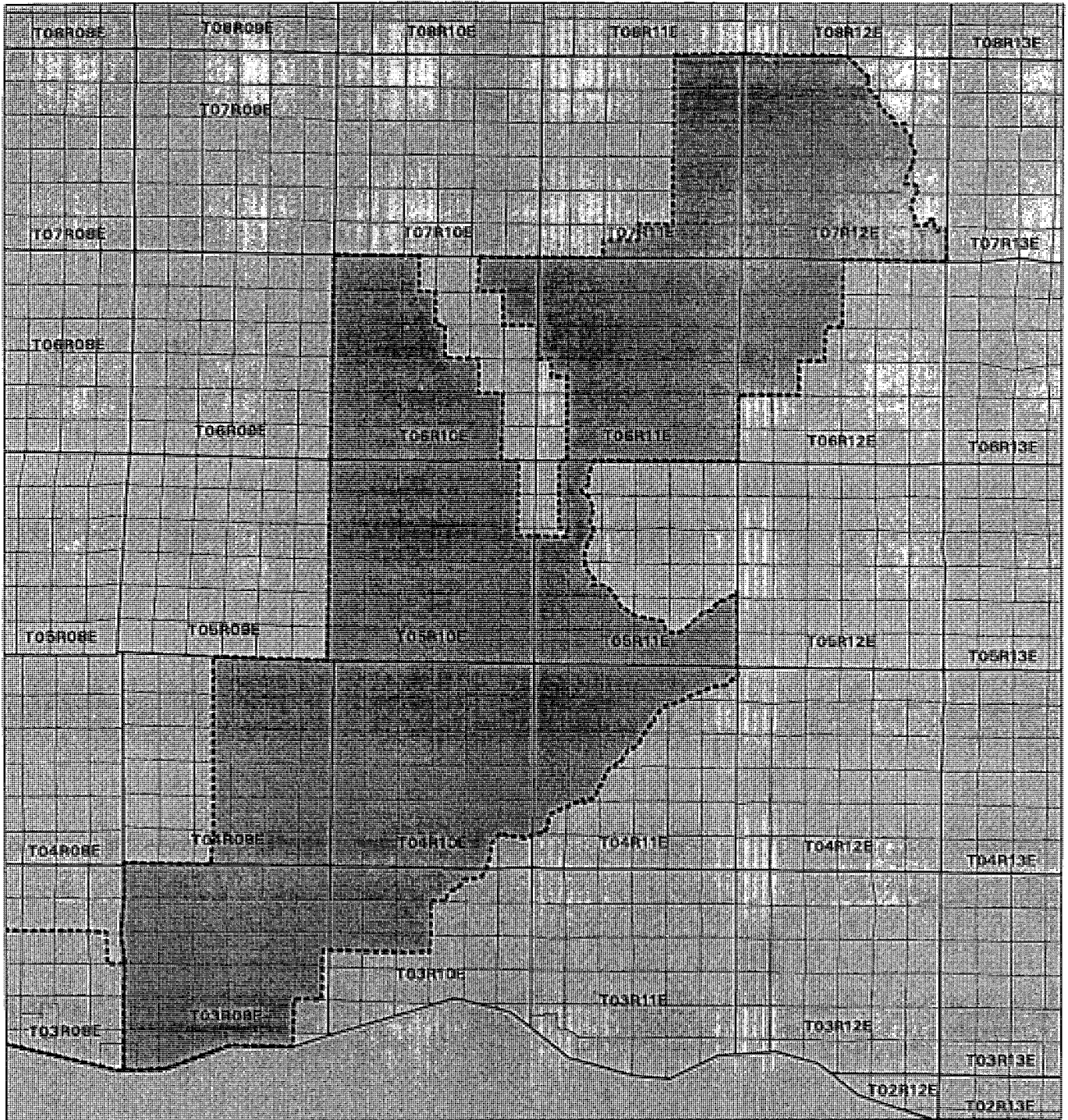
# (9) Siouxon SOSEA

PROPOSED







-  Demographic Support
-  Dispersal Support
-  Combination of Dispersal Support and Demographic Support
-  SOSEA Boundary

# (10) White Salmon SOSEA



PROPOSED

-  Demographic Support
-  Dispersal Support
-  Combination of Dispersal Support and Demographic Support
-  SOSEA Boundary

NEW SECTION

**WAC 222-16-100 Planning options for the northern spotted owl.** (1) **Landowner option plans for the northern spotted owl.** Landowner option plans (LOPs) are intended to provide landowners with a mechanism, entered into voluntarily, to contribute to the protection of northern spotted owls by considering the needs of overall population maintenance or dispersal habitat across a defined geographic area. LOPs should be designed to achieve an appropriate contribution from nonfederal lands toward meeting SOSEA goals and are intended to be an efficient and effective alternative to site-by-site management planning. In eastern Washington, LOPs must also consider the need to protect the forests from catastrophic loss from wildfire, insects, and diseases. Forest practices applications that are in an area covered by an LOP, and that are consistent with the LOP, will not be classified as Class IV-Special on the basis of critical wildlife habitat (state) or critical habitat (federal) for the northern spotted owl. This does not preclude classification as Class IV-Special because of the presence of other factors listed in WAC 222-16-050(1).

(a) **Required elements of LOPs.** The level of detail to be included in a LOP will depend on the area of ownership involved, the time period for which the plan will be in effect, and the complexity of the management strategy. Nevertheless, each plan shall contain the elements set forth in this subsection.

(i) **Goals and objectives.** The specific goals and objectives for the landowner's contributions proposed under the LOP shall be developed by the landowner and approved by the department in consultation with the department of fish and wildlife based on the following:

(A) Mitigation under the plan must be reasonable and capable of being accomplished; and

(B) To the maximum extent practicable, the plan must minimize and mitigate significant adverse impacts caused by, and identified in, the plan on individual northern spotted owl site centers or the ability of the SOSEA to meet SOSEA goals. Specific short (one to five-year) and long (greater than five-year) term goals and objectives for the LOP should be clearly stated, where applicable.

(ii) **Other required elements:**

(A) A description of the planning area. The LOP planning area shall include a sufficient amount of the landowner's forest land within the SOSEA to meet the goals and objectives of the plan.

(B) A description of the physical features in the planning area (e.g., geology, topography, etc.).

(C) The current habitat status. Suitable spotted owl habitat should be categorized and mapped as old forest, submature, young forest marginal, or dispersal.

(D) The current species status. All status 1, 2, and 3 northern spotted owl site centers and the associated median home range circles that overlap any of the landowner's ownership within the LOP boundary must be mapped.

(E) Management proposals and relevant operations plans.

(F) Projected suitable habitat development.

(G) A plan for training.

(H) A monitoring program.

(I) Reporting standards.

(J) The conditions under which the LOP may be modified.

(K) The term of the LOP and conditions for termination. The term of the LOP shall be sufficient to meet its goals and objectives. The conditions of the LOP run with the land unless the LOP specifies alternative means to achieve the LOP goals and objectives upon mid-term sale or transfer. In addition to any other termination provisions in the LOP, plans may be terminated by mutual agreement of the landowner and the department.

(b) **Approval of LOPs.** Upon receipt of a landowner option plan, the department shall circulate the plan to the department of fish and wildlife, affected Indian tribes, local government entities, other forest landowners in the SOSEA, and the public for a thirty-day review and comment period. The department may extend this review period for up to thirty additional days. Within ninety days of receipt of the plan, the department shall review the comments and approve or disapprove the plan or submit the plan to the landowner to revise as appropriate. The department, after consultation with the department of fish and wildlife, shall approve the plan if:

(i) The plan contains all of the elements required under this section;

(ii) The plan is expected to be effective in meeting its goals and objectives;

(iii) The plan will not have a probable significant adverse impact on the ability of the SOSEA to meet its goals; and

(iv) The plan will not appreciably reduce the likelihood of the survival and recovery of the northern spotted owl in the wild.

In making its determination under this subsection, the department shall consider the direct, indirect, and cumulative effects of the plan; both the short-term and long-term effects of the plan; and whether local, state, or federal land management, regulatory, or nonregulatory requirements will mitigate identified significant adverse impacts. If the department does not approve the plan, or approves it over the objections of the department of fish and wildlife, the department shall set forth in writing a concise explanation of the reasons for its action.

(c) **Enforcement of LOPs.** The department shall review all applications and notifications from the landowner, proposed within the plan area, for consistency with the plan. Any applications or notifications found to be inconsistent with the plan shall be returned to the landowner for modification. After landowner review, applications and notifications which are not consistent with the plan shall be classified as Class IV-Special.

(2) **Cooperative northern spotted owl habitat enhancement agreements.** A cooperative northern spotted owl habitat enhancement agreement (CHEA) is intended to provide flexibility for the landowner as well as an increase in the amount of available habitat for northern spotted owls over time. A CHEA is an agreement between the department and a landowner, developed in cooperation with the department of fish and wildlife, for the purpose of restoring, enhancing or maintaining northern spotted owl habitat. The agreement will only apply to forest land identified by the

landowner, outside of the median home range circles of northern spotted owl site centers in existence at the time of implementation.

(a) **Required elements of CHEAs.** The level of detail to be included in a CHEA will depend on the area of ownership involved, the time period for which the agreement will be in effect, and the complexity of the management strategy. Nevertheless, each agreement shall contain the elements set forth in this subsection.

(i) **Goals and objectives.** The specific goals and objectives for the landowner's contributions proposed under the CHEA shall be developed by the landowner and approved by the department in consultation with the department of fish and wildlife.

(ii) **Other required elements:**

(A) A description of the agreement area. The CHEA planning area shall include a sufficient amount of the landowner's forest land to meet the goals and objectives of the agreement.

(B) The current habitat status. Suitable spotted owl habitat should be categorized and mapped as old forest, sub-mature, young forest marginal, or dispersal.

(C) Management proposals. Management proposals may include, at the landowners discretion, proposed harvest dates or ages, silvicultural management plans, etc.

(D) Projected habitat development.

(E) The conditions under which the CHEA may be modified.

(F) The term of the CHEA and conditions for termination. CHEAs shall be effective for a duration mutually agreed to between the department and the landowner, but must be of sufficient duration to aid in the conservation of the northern spotted owl. CHEAs may be terminated by the landowner, in part or whole, prior to the time that the forest land is determined to be within the median home range circle surrounding a northern spotted owl site center. If forest land covered by the agreement is found to fall within a median home range circle surrounding a northern spotted owl site center, the agreement shall remain in effect on that forest land for its full term. If a CHEA is terminated, in part or in whole, all rights and relief from the rules shall also be terminated on those lands removed from the CHEA. In addition to any other termination provisions in the CHEA, agreements may be terminated by mutual agreement of the landowner and the department.

(G) Extensions. The term of a CHEA may be extended by the department based upon a written request from the landowner.

(b) **Approval of a CHEA.** Upon receipt of a CHEA, the department shall circulate the agreement to the department of fish and wildlife, affected Indian tribes, local government entities, other forest landowners in the SOSEA, and the public for review and comment. Within sixty days of receipt of the agreement, the department shall review the comments and approve or disapprove the agreement or submit the agreement to the landowner to revise as appropriate. The department, after consultation with the department of fish and wildlife, shall approve the agreement if:

(i) The agreement contains all of the elements required under this section;

(ii) The agreement is expected to be effective in meeting its goals and objectives;

(iii) The agreement will restore, enhance or maintain northern spotted owl habitat in a manner that provides potential benefit to northern spotted owls.

In making its determination under this subsection, the department shall consider the direct, indirect, and cumulative effects, and the short-term and long-term effects of the agreement. If the department does not approve the agreement, or approves it over the objections of the department of fish and wildlife, the department shall set forth in writing a concise explanation of the reasons for its action.

(c) **Enforcement of CHEAs.** The department shall review all applications and notifications from the landowner, proposed within the agreement area, for consistency with the agreement. Any applications or notifications found to be inconsistent with the agreement shall be returned to the landowner for modification. After landowner review, applications and notifications which are not consistent with the agreement shall be classified based on the rules in effect at the time of application and without any of the benefits of the agreement.

**AMENDATORY SECTION** (Amending WSR 92-23-056, filed 11/17/92, effective 12/18/92)

**WAC 222-24-030 Road construction.** (1) **Right of way timber.** Merchantable right of way timber shall be removed or decked in suitable locations where the decks will not be covered by fill material or act as support for the fill or embankment.

\* (2) **Debris burial.**

(a) In permanent road construction, do not bury:

(i) Loose stumps, logs or chunks containing more than 5 cubic feet in the load-bearing portion of the road, except as puncheon across wetlands or for culvert protection.

(ii) Any significant amount of organic debris within the top 2 feet of the load-bearing portion of the road, except as puncheon across wetlands or for culvert protection.

(iii) Excessive accumulation of debris or slash in any part of the load-bearing portion of the road fill, except as puncheon across wetlands or for culvert protection.

(b) In the cases where temporary roads are being constructed across known areas of unstable soils and where possible construction failure would directly impact waters, the requirements in (a), (i), (ii) and (iii) of this subsection shall apply. A temporary road is a roadway which has been opened for the purpose of the forest practice operation in question, and thereafter will be an inactive or abandoned road.

(3) **Compact fills.** During road construction, fills or embankments shall be built up by layering. Each layer shall be compacted by operating the tractor or other construction equipment over the entire surface of the layer. Chemical compacting agents may be used in accordance with WAC 222-38-020.

\* (4) **Stabilize soils.** When soil, exposed by road construction, appears to be unstable or erodible and is so located that slides, slips, slumps, or sediment may reasonably be expected to enter Type 1, 2, 3 or 4 Water and thereby cause damage to a public resource, then such exposed soil areas shall be seeded with grass, clover, or other ground cover, or be treated by erosion control measures acceptable to the department. Avoid introduction of nonnative plant

species, as listed in the board manual, to wetlands and wetland management zones.

**\*(5) Channel clearance.** Clear stream channel of all debris and slash generated during operations prior to the removal of equipment from the vicinity, or the winter season, whichever is first.

**\*(6) Drainage.**

(a) All required ditches, culverts, cross drains, drainage dips, water bars, and diversion ditches shall be installed concurrently with the construction of the roadway.

(b) Uncompleted road construction to be left over the winter season or other extended periods of time shall be drained by outsliping or cross draining. Water bars and/or dispersion ditches may also be used to minimize eroding of the construction area and stream siltation. Water movement within wetlands must be maintained.

**\*(7) Moisture conditions.** Construction shall be accomplished when moisture and soil conditions are not likely to result in excessive erosion and/or soil movement, so as to avoid damage to public resources.

**\*(8) End haul/sidecasts.** End haul or overhaul construction is required where significant amounts of sidecast material would rest below the 50-year flood level of a Type 1, 2, 3, or 4 Water, within the boundary of a Type A or Type B Wetland or wetland management zones or where the department determines there is a potential for mass soil failure from overloading on unstable slopes or from erosion of side cast material causing damage to the public resources.

**\*(9) Waste disposal.** When spoil, waste and/or other debris is generated during construction, this material shall be deposited or wasted in suitable areas or locations and be governed by the following:

(a) Spoil or other debris shall be deposited above the 50-year flood level of Type 1, 2, 3, or 4 Waters or in other locations so as to prevent damage to public resources. The material shall be stabilized by erosion control measures as necessary to prevent the material from entering the waters.

(b) All spoils shall be located outside of Type A and Type B Wetlands and their wetland management zones. Spoils shall not be located within the boundaries of forested wetlands without written approval of the department and unless a less environmentally damaging location is unavailable. No spoil area greater than 0.5 acre in size shall be allowed within wetlands.

**(10) Disturbance avoidance.** Road construction, operation of heavy equipment and blasting within a SOSEA boundary shall not be allowed within 0.25 mile of a northern spotted owl site center between March 1 and August 31, provided that, this restriction shall not apply if:

(a) The landowner demonstrates that the owls are not actively nesting during the current nesting season; or

(b) The forest practice is operating in compliance with a plan or agreement developed for the protection of the northern spotted owl under WAC 222-16-080 (6)(a), (e), or (f).

**AMENDATORY SECTION** (Amending WSR 92-15-011, filed 7/2/92, effective 8/2/92)

**WAC 222-30-050 Felling and bucking.** **\*(1) Falling along water.**

(a) No trees will be felled into Type 1, 2 and 3 Waters, or Type A or B Wetlands except trees which cannot practically and safely be felled outside the stream, lake or pond using techniques in general use and these trees must then be removed promptly.

Such felling and removing in Type 1, 2 or 3 Waters shall comply with the hydraulic project approval of the departments of fisheries or wildlife.

(b) Within riparian management zones, and wetland management zones fall trees favorable to the lead consistent with safety standards to yard or skid away from the waters. The use of directional falling, lining, jacking and staged falling techniques are encouraged.

(c) Trees may be felled into Type 4 Water if logs are removed as soon thereafter as practical. See forest practices board manual guidelines for clearing slash and debris from Type 4 and 5 Water.

**\*(2) Bucking in water.**

(a) No bucking or limbing shall be done on trees or portions thereof lying between the banks of Type 1, 2 or 3 Waters or in open water areas of Type A Wetlands, except as necessary to remove the timber from the water.

(b) Where bucking or limbing is done between the banks of a Type 4 Water, care shall be taken to minimize accumulation of slash in the water.

**\*(3) Falling near riparian management zones, wetland management zones and setting boundaries.** Reasonable care shall be taken to avoid felling trees into riparian management zones, wetland management zones and areas outside the harvest unit.

**(4) Falling in selective and partial cuts.** Reasonable care shall be taken to fall trees in directions that minimize damage to residual trees.

**(5) Disturbance avoidance.** Felling and bucking within a SOSEA boundary shall not be allowed within 0.25 mile of a northern spotted owl site center between March 1 and August 31 provided that, this restriction shall not apply if:

(a) The landowner demonstrates that the owls are not actively nesting during the current nesting season; or

(b) The forest practice is operating in compliance with a plan or agreement developed for the protection of the northern spotted owl under WAC 222-16-080 (6)(a), (e), or (f).

**AMENDATORY SECTION** (Amending WSR 92-15-011, filed 7/2/92, effective 8/2/92)

**WAC 222-30-060 Cable yarding.** **\*(1) Type 1, 2 and 3 Waters.** No timber shall be cable yarded in or across a Type 1, 2 or 3 Waters except where the logs will not materially damage the bed of waters, banks or riparian management zones and removals from Type 1, 2 or 3 Water have hydraulic project approval of the departments of fisheries or wildlife.

**\*(2) Type A or B Wetlands.** No timber shall be cable yarded in or across Type A or B Wetlands without written approval from the department.

**\*(3) Deadfalls.** Any logs which are firmly embedded in the bed of a Type 1, 2, 3 and 4 Waters shall not be removed or unnecessarily disturbed without approval of the departments of fisheries or wildlife.



**\* (4) Yarding in riparian management zones and wetland management zones.** Where timber is yarded from or across a riparian management zone, or wetland management zone reasonable care shall be taken to minimize damage to the vegetation providing shade to the stream or open water areas and to minimize disturbance to understory vegetation, stumps and root systems. Where practical and consistent with good safety practices, logs shall be yarded in the direction in which they lie and away from Type A or B Wetlands or Type 1, 2 and 3 Waters until clear of the wetland management zone or riparian management zone.

**(5) Direction of yarding.**

(a) Uphill yarding is preferred.

(b) Where downhill yarding is used, reasonable care shall be taken to lift the leading end of the log to minimize downhill movement of slash and soils.

**\* (c)** When yarding parallel to a Type 1, 2 or 3 Water channel below the 50-year flood level or within the riparian management zone, reasonable care shall be taken to minimize soil disturbance and to prevent logs from rolling into the stream, lake, pond, or riparian management zone.

**(6) Disturbance avoidance.** The operation of heavy equipment within a SOSEA boundary shall not be allowed within 0.25 mile of a northern spotted owl site center between March 1 and August 31 provided that, this restriction shall not apply if:

(a) The landowner demonstrates that the owls are not actively nesting during the current nesting season; or

(b) The forest practice is operating in compliance with a plan or agreement developed for the protection of the northern spotted owl under WAC 222-16-080 (6)(a), (e), or (f).

**NEW SECTION**

**WAC 222-30-065 Helicopter yarding.** Helicopter operations within a SOSEA boundary shall not be allowed within 0.25 mile of a northern spotted owl site center between March 1 and August 31, provided that, this restriction shall not apply if:

(1) The landowner demonstrates that the owls are not actively nesting during the current nesting season; or

(2) The forest practice is operating in compliance with a plan or agreement developed for the protection of the northern spotted owl under WAC 222-16-080 (6)(a), (e), or (f).

**AMENDATORY SECTION** (Amending WSR 92-15-011, filed 7/2/92, effective 8/2/92)

**WAC 222-30-070 Tractor and wheeled skidding systems.** **\* (1) Typed waters and wetlands.**

(a) Tractor and wheeled skidders shall not be used in Type 1, 2 or 3 Water, except with approval by the department and with a hydraulic project approval of the departments of fisheries or wildlife.

(b) In order to maintain wetland water movement and water quality, and to prevent soil compaction, tractor or wheeled skidders shall not be used in Type A or B Wetlands without prior written approval of the department.

(c) Within all wetlands, tractors and wheeled skidder systems shall be limited to low impact harvest systems. Ground based logging systems operating in wetlands shall

only be allowed within wetlands during periods of low soil moisture or frozen soil conditions.

(d) Skidding across any flowing Type 4 Water shall be minimized and when done, temporary stream crossings shall be used, if necessary, to maintain stream bed integrity.

(e) Whenever skidding in or across any type water, the direction of log movement between stream banks shall be as close to right angles to the stream channel as is practical.

**\* (2) Riparian management zone.**

(a) Logging will be permitted within the zone. However, any use of tractors, wheeled skidders, or other yarding machines within the zone must be as described in an approved forest practices application or otherwise approved in writing by the department.

(b) Where skidding in or through the riparian management zone is necessary, the number of skidding routes through the zone shall be minimized.

(c) Logs shall be skidded so as to minimize damage to leave trees and vegetation in the riparian management zone, to the extent practical and consistent with good safety practices.

**\* (3) Wetlands management zones.**

(a) Logging will be permitted within wetland management zones.

(b) Where feasible logs shall be skidded at least with one end suspended from the ground so as to minimize soil disturbance and damage to leave trees and vegetation in the wetland management zone.

(c) Tractors, wheeled skidders, or other ground based harvesting systems shall not be used within the minimum WMZ width without written approval of the department.

**\* (4) Deadfalls.** Logs firmly embedded in the bed or bank of Type 1, 2, 3 or 4 Waters shall not be removed or unnecessarily disturbed without hydraulic project approval of the departments of fisheries or wildlife.

**\* (5) Moisture conditions.** Tractor and wheeled skidders shall not be used on exposed erodible soils or saturated soils when soil moisture content is so high that unreasonable soil compaction, soil disturbance, or wetland, stream, lake or pond siltation would result.

(6) **Protection of residual timber.** Reasonable care shall be taken to minimize damage from skidding to the stems and root systems of residual timber and to young reproduction.

**\* (7) Skid trail construction.**

(a) Skid trails shall be kept to the minimum feasible width.

(b) Reasonable care shall be taken to minimize the amount of sidecast required and shall only be permitted above the 50-year flood level.

(c) Skid trails shall be outsloped where practical, but be insloped where necessary to prevent logs from sliding or rolling downhill off the skid trail.

**\* (8) Skid trail maintenance.** Upon completion of use and termination of seasonal use, skid trails on slopes in exposed soils shall be water barred where necessary to prevent soil erosion.

**\* (9) Slope restrictions.** Tractor and wheeled skidders shall not be used on slopes where in the opinion of the department this method of operation would cause unnecessary or material damage to a public resource.

(10) Disturbance avoidance. The operation of heavy equipment within a SOSEA boundary shall not be allowed within 0.25 mile of a northern spotted owl site center between March 1 and August 31, provided that, this restriction shall not apply if:

(a) The landowner demonstrates that the owls are not actively nesting during the current nesting season; or

(b) The forest practice is operating in compliance with a plan or agreement developed for the protection of the northern spotted owl under WAC 222-16-080 (6)(a), (e), or (f).

AMENDATORY SECTION (Amending WSR 92-15-011, filed 7/2/92, effective 8/2/92)

**WAC 222-30-100 Slash disposal or prescribed burning.** (1) **Slash disposal techniques:**

\*(a) Any conventional method of slash disposal may be used, except in Type A or B Wetlands, wetland management zones, and riparian management zones and on sites where the department determines that a particular method would cause unreasonable risk to public resources or unreasonably damage site productivity. Conventional methods of slash disposal include the following: Controlled broadcast burning; pile or windrow and burn; pile or windrow without burning; mechanical scatter and compaction; scarification; chip, mulch or lop and scatter; burying; and physical removal from the forest lands: *Provided*, That on land shown to have low productivity potential the landowner or operator shall obtain the department's approval of its regeneration plan prior to utilizing controlled broadcast burning as a slash disposal technique. In riparian management zones, slash disposal shall be by hand, unless approved by the department. Scarification shall not be allowed within wetlands. Machine piling is discouraged in wetlands.

(b) All slash burning requires a burning permit from the department which provides for compliance with the smoke management plan and reasonable care to protect Type A and B Wetlands, wetland management zones, riparian management zones, soil, residual timber, public resources, and other property.

\*(c) Location of slash piles. Except where burning will be completed before the next ordinary high-water season, slash shall not be piled or windrowed below the 50-year flood level of any Type 1, 2, 3 or 4 Water or in locations from which it could be expected to enter any stream, lake or pond.

(2) **Slash isolation, reduction, or abatement** is required when the department determines there is an extreme fire hazard according to law (see WAC 332-24-360).

(3) **Slash disposal** is required where the forest landowner has applied for and been granted an extension of time for reforestation on the grounds that slash disposal is necessary or desirable before reforestation.

\*(4) **Removing slash and debris** from streams.

"Slash" or "debris" which can reasonably be expected to cause significant damage to the public resource shall be removed from Type 1, 2, 3 or 4 Waters, to above the 50-year flood level and left in a location or manner minimizing risk of re-entry into the stream, lake or pond and if substantial accumulations of slash exist below the 50-year flood level of Type 1, 2, 3 or 4 Waters, slash disposal is required.

See the forest practices board manual for "Guidelines for clearing slash and debris from Type 4 and 5 Waters."

\***(5) Fire trails.**

(a) Construct dips, water bars, cross drainage and ditches as needed to control erosion.

(b) Reasonable care shall be taken to minimize excavation during fire trail construction and sidecast shall only be permitted above the 50-year flood level.

(c) Fire trails shall not be located within Type A or B Wetlands, wetland management zones, or riparian zones without prior written approval of the department. Hand constructed fire trails are preferred within forested wetlands. When machine built fire trails are necessary for control of burning, trail width and excavation shall be minimized.

(6) Disturbance avoidance. Burning within a SOSEA boundary shall not be allowed within 0.25 mile of a northern spotted owl site center between March 1 and August 31, provided that, this restriction shall not apply if:

(a) The landowner demonstrates that the owls are not actively nesting during the current nesting season; or

(b) The forest practice is operating in compliance with a plan or agreement developed for the protection of the northern spotted owl under WAC 222-16-080 (6)(a), (e), or (f).

#### MARBLED MURRELET

#### OCCUPIED STAND APPROACH

Proposed by the Forest Practices Board - November 8, 1995  
(Supplemental Notice)

AMENDATORY SECTION (Amending WSR 94-17-033, filed 8/10/94, effective 8/13/94)

**WAC 222-16-010 General definitions.\*** Unless otherwise required by context, as used in these regulations: "Act" means the Forest Practices Act, chapter 76.09 RCW.

"Affected Indian tribe" means any federally recognized Indian tribe that requests in writing from the department information on forest practices applications and notification filed on specified areas.

"Appeals board" means the forest practices appeals board established in the act.

"Area of resource sensitivity" means areas identified in accordance with WAC 222-22-050 (2)(d) or 222-22-060(2).

"Board" means the forest practices board established by the act.

"Bog" means wetlands which have the following characteristics: Hydric organic soils (peat and/or muck) typically 16 inches or more in depth (except over bedrock or hardpan); and vegetation such as sphagnum moss, labrador tea, bog laurel, bog rosemary, sundews, and sedges; bogs may have an overstory of spruce, western Hemlock, lodgepole pine, cedar, whitepine, crabapple, or aspen, and may be associated with open water. This includes nutrient-poor fens. See the *Forest Practices Board Manual*.

**"Borrow pit"** shall mean an excavation site outside the limits of construction to provide material necessary to that construction, such as fill material for the embankments.

**"Chemicals"** means substances applied to forest lands or timber including pesticides, fertilizers, and other forest chemicals.

**"Clearcut"** means a harvest method in which the entire stand of trees is removed in one timber harvesting operation. Except as provided in WAC 222-30-110, an area remains clearcut until:

It meets the minimum stocking requirements under WAC 222-34-010(2) or 222-34-020(2); and

The largest trees qualifying for the minimum stocking levels have survived on the area for five growing seasons or, if not, they have reached an average height of four feet.

**"Commercial tree species"** means any species which is capable of producing a merchantable stand of timber on the particular site, or which is being grown as part of a Christmas tree or ornamental tree-growing operation.

**"Completion of harvest"** means the latest of:

Completion of removal of timber from the portions of forest lands harvested in the smallest logical unit that will not be disturbed by continued logging or an approved slash disposal plan for adjacent areas; or

Scheduled completion of any slash disposal operations where the department and the applicant agree within 6 months of completion of yarding that slash disposal is necessary or desirable to facilitate reforestation and agree to a time schedule for such slash disposal; or

Scheduled completion of any site preparation or rehabilitation of adjoining lands approved at the time of approval of the application or receipt of a notification: *Provided*, That delay of reforestation under this paragraph is permitted only to the extent reforestation would prevent or unreasonably hinder such site preparation or rehabilitation of adjoining lands.

**"Constructed wetlands"** means those wetlands voluntarily developed by the landowner. Constructed wetlands do not include wetlands created, restored, or enhanced as part of a mitigation procedure or wetlands inadvertently created as a result of current or past practices including, but not limited to: Road construction, landing construction, railroad construction, or surface mining.

**"Contamination"** means the introducing into the atmosphere, soil, or water, sufficient quantities of substances as may be injurious to public health, safety or welfare, or to domestic, commercial, industrial, agriculture or recreational uses, or to livestock, wildlife, fish or other aquatic life.

**"Conversion option harvest plan"** means a voluntary plan developed by the landowner and approved by the local government entity indicating the limits of harvest areas, road locations, and open space.

**"Conversion to a use other than commercial timber operation"** shall mean a bona fide conversion to an active use which is incompatible with timber growing.

**"Critical habitat (federal)"** means the habitat of any threatened or endangered species designated as critical habitat by the United States Secretary of the Interior under Sections 3 (5)(A) and 4 (a)(3) of the Federal Endangered Species Act.

**"Critical nesting season"** means for marbled murrelets - April 1 to August 31.

**"Critical wildlife habitat (state)"** means those habitats designated by the board in accordance with WAC 222-16-080.

**"Cultural resources"** means archaeological and historic sites and artifacts and traditional religious, ceremonial and social uses and activities of affected Indian tribes.

**"Cumulative effects"** means the changes to the environment caused by the interaction of natural ecosystem processes with the effects of two or more forest practices.

**"Daily peak activity"** means for marbled murrelets - one hour before official sunrise to two hours after official sunrise and one hour before official sunset to one hour after official sunset.

**"Debris"** means woody vegetative residue less than 3 cubic feet in size resulting from forest practice activities which would reasonably be expected to cause significant damage to a public resource.

**"Department"** means the department of natural resources.

**"Eastern Washington"** means the lands of the state lying east of an administrative line which approximates the change from the Western Washington timber types to the Eastern Washington timber types described as follows:

Beginning at the International Border and Okanogan National Forest boundary at the N1/4 corner Section 6, T. 40N, R. 24E., W.M., south and west along the Pasayten Wilderness boundary to the west line of Section 30, T. 37N, R. 19E.,

Thence south on range line between R. 18E. and R. 19E., to the Lake Chelan-Sawtooth Wilderness at Section 31, T. 35N, R. 19E.,

Thence south and east along the eastern wilderness boundary of Lake Chelan-Sawtooth Wilderness to the west line of Section 18, T. 31N, R. 19E. on the north shore of Lake Chelan,

Thence south on the range line between R. 18E. and R. 19E. to the SE corner of T. 28N, R. 18E.,

Thence west on the township line between T. 27N, and T. 28N to the NW corner of T. 27N, R. 17E.,

Thence south on range line between R. 16E. and R. 17E. to the Alpine Lakes Wilderness at Section 31, T. 26N, R. 17E.,

Thence south along the eastern wilderness boundary to the west line of Section 6, T. 22N, R. 17E.,

Thence south on range line between R. 16E. and R. 17E. to the SE corner of T. 22N, R. 16E.,

Thence west along township line between T. 21N, and T. 22N to the NW corner of T. 21N, R. 15E.,

Thence south along range line between R. 14E. and R. 15E. to SW corner of T. 20N, R. 15E.,

Thence east along township line between T. 19N, and T. 20N to the SW corner of T. 20N, R. 16E.,

Thence south along range line between R. 15E. and R. 16E. to the SW corner of T. 18N, R. 16E.,

Thence west along township line between T. 17N, and T. 18N to the SE corner of T. 18N, R. 14E.,

Thence south along range line between T. 14E. and R. 15E. to the SW corner of T. 14N, R. 15E.,

Thence south and west along Wenatchee National Forest Boundary to the NW corner of T. 12N, R. 14E.,

Thence south along range line between R. 13E. and R. 14E. to SE corner of T. 10N, R. 13E.,

Thence west along township line between T. 9N, and T. 10N to the NW corner of T. 9N, R. 12E.,

Thence south along range line between R. 11E. and R. 12E. to SE corner of T. 8N, R. 11E.,

Thence west along township line between T. 7N, and T. 8N to the Gifford Pinchot National Forest Boundary,

Thence south along Forest Boundary to SE corner of Section 33, T. 7N, R. 11E.,

Thence west along township line between T. 6N, and T. 7N to SE corner of T. 7N, R. 9E.,

Thence south along Skamania-Klickitat County line to Oregon-Washington state line.

**"End hauling"** means the removal and transportation of excavated material, pit or quarry overburden, or landing or road cut material from the excavation site to a deposit site not adjacent to the point of removal.

**"Erodible soils"** means those soils exposed or displaced by a forest practice operation, that would be readily moved by water.

**"Even-aged harvest methods"** means the following harvest methods:

Clearcuts;

Seed tree harvests in which twenty or fewer trees per acre remain after harvest;

Shelterwood regeneration harvests in which twenty or fewer trees per acre remain after harvest;

Group or strip shelterwood harvests creating openings wider than two tree heights, based on dominant trees;

Shelterwood removal harvests which leave fewer than one hundred fifty trees per acre which are at least five years old or four feet in average height;

Partial cutting in which fewer than fifty trees per acre remain after harvest;

Overstory removal when more than five thousand board feet per acre is removed and fewer than fifty trees per acre at least ten feet in height remain after harvest; and

Other harvesting methods designed to manage for multiple age classes in which six or fewer trees per acre remain after harvest.

Except as provided above for shelterwood removal harvests and overstory removal, trees counted as remaining after harvest shall be at least ten inches in diameter at breast height and have at least the top one-third of the stem supporting green, live crowns. Except as provided in WAC 222-30-110, an area remains harvested by even-aged methods until it meets the minimum stocking requirements under WAC 222-30-010(2) or 222-34-020(2) and the largest trees qualifying for the minimum stocking levels have survived on the area for five growing seasons or, if not, they have reached an average height of four feet.

**"Fen"** means wetlands which have the following characteristics: Peat soils 16 inches or more in depth (except over bedrock); and vegetation such as certain sedges, hardstem bulrush and cattails; fens may have an overstory of spruce and may be associated with open water.

**"Fertilizers"** means any substance or any combination or mixture of substances used principally as a source of plant food or soil amendment.

**"Fill"** means the placement of earth material or aggregate for road or landing construction or other similar activities. Fill does not include the growing or harvesting of timber including, but not limited to, slash burning, site

preparation, reforestation, precommercial thinning, intermediate or final harvesting, salvage of trees, brush control, or fertilization.

**"Flood level - 50 year."** For purposes of field interpretation of these regulations, the 50-year flood level shall be considered to refer to a vertical elevation measured from the ordinary high-water mark which is 1.25 times the vertical distance between the average stream bed and the ordinary high-water mark, and in horizontal extent shall not exceed 2 times the channel width measured on either side from the ordinary high-water mark, unless a different area is specified by the department based on identifiable topographic or vegetative features or based on an engineering computation of flood magnitude that has a 2 percent chance of occurring in any given year. The 50-year flood level shall not include those lands that can reasonably be expected to be protected from flood waters by flood control devices maintained by or under license from the federal government, the state, or a political subdivision of the state.

**"Forest land"** means all land which is capable of supporting a merchantable stand of timber and is not being actively used for a use which is incompatible with timber growing.

**"Forest land owner"** shall mean any person in actual control of forest land, whether such control is based either on legal or equitable title, or on any other interest entitling the holder to sell or otherwise dispose of any or all of the timber on such land in any manner: *Provided*, That any lessee or other person in possession of forest land without legal or equitable title to such land shall be excluded from the definition of "forest land owner" unless such lessee or other person has the right to sell or otherwise dispose of any or all of the timber located on such forest land.

**"Forest practice"** means any activity conducted on or directly pertaining to forest land and relating to growing, harvesting, or processing timber, including but not limited to:

Road and trail construction;

Harvesting, final and intermediate;

Precommercial thinning;

Reforestation;

Fertilization;

Prevention and suppression of diseases and insects;

Salvage of trees; and

Brush control.

"Forest practice" shall not include: Forest species seed orchard operations and intensive forest nursery operations; or preparatory work such as tree marking, surveying and road flagging; or removal or harvest of incidental vegetation from forest lands such as berries, ferns, greenery, mistletoe, herbs, mushrooms, and other products which cannot normally be expected to result in damage to forest soils, timber or public resources.

**"Forest trees"** excludes trees cultivated by agricultural methods in growing cycles shorter than ten years: *Provided*, That Christmas trees are forest trees and: *Provided further*, That this exclusion applies only to trees planted on land that was not in forest use immediately before the trees were planted and before the land was prepared for planting the trees.

**"Green recruitment trees"** means those trees left after harvest for the purpose of becoming future wildlife reserve trees under WAC 222-30-020(11).

**"Herbicide"** means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate any tree, bush, weed or algae and other aquatic weeds.

**"Historic site"** includes:

Sites, areas and structures or other evidence of human activities illustrative of the origins, evolution and development of the nation, state or locality; or

Places associated with a personality important in history; or

Places where significant historical events are known to have occurred even though no physical evidence of the event remains.

**"Identified watershed processes"** means the following components of natural ecological processes that may in some instances be altered by forest practices in a watershed:

Mass wasting;

Surface and road erosion;

Seasonal flows including hydrologic peak and low flows and annual yields (volume and timing);

Large organic debris;

Shading; and

Stream bank and bed stability.

**"Insecticide"** means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate any insect, other arthropods or mollusk pests.

**"Interdisciplinary team"** (ID Team) means a group of varying size comprised of individuals having specialized expertise, assembled by the department to respond to technical questions associated with a proposed forest practice activity.

**"Islands"** means any island surrounded by salt water in Kitsap, Mason, Jefferson, Pierce, King, Snohomish, Skagit, Whatcom, Island, or San Juan counties.

**"Limits of construction"** means the area occupied by the completed roadway or landing, including the cut bank, fill slope, and the area cleared for the purpose of constructing the roadway or landing.

**"Load bearing portion"** means that part of the road, landing, etc., which is supportive soil, earth, rock or other material directly below the working surface and only the associated earth structure necessary for support.

**"Local government entity"** means the governments of counties and the governments of cities and towns as defined in chapter 35.01 RCW.

**"Low impact harvest"** means use of any logging equipment, methods, or systems that minimize compaction or disturbance of soils and vegetation during the yarding process. The department shall determine such equipment, methods or systems in consultation with the department of ecology.

**"Merchantable stand of timber"** means a stand of trees that will yield logs and/or fiber:

Suitable in size and quality for the production of lumber, plywood, pulp or other forest products;

Of sufficient value at least to cover all the costs of harvest and transportation to available markets.

**"Notice to comply"** means a notice issued by the department pursuant to RCW 76.09.090 of the act and may require initiation and/or completion of action necessary to prevent, correct and/or compensate for material damage to public resources which resulted from forest practices.

**"Occupied marbled murrelet site"** means:

• A contiguous area of suitable marbled murrelet habitat where at least one of the following marbled murrelet behaviors or conditions occurs:

• A nest is located; or

• Downy chicks or eggs or egg shells are found; or

• Marbled murrelets are detected flying below, through, into or out of the forest canopy; or

• Birds calling from a stationary location within the area;

or

• Birds circling above the canopy; or

• A contiguous forested area which is not suitable marbled murrelet habitat in which any of the behaviors or conditions listed above has been documented by the department of fish and wildlife and which is distinguishable from the adjacent forest based on vegetative characteristics important to nesting marbled murrelets.

The outer perimeter of the occupied site shall be presumed to be the beginning of any gap greater than three hundred feet wide lacking one or more of the vegetative characteristics listed under "suitable marbled murrelet habitat." For sites defined in the above paragraph, it shall be the beginning of any gap greater than three hundred feet wide where one or more of the distinguishing vegetative characteristics important to murrelets is lacking.

The department shall rely upon the department of fish and wildlife for the determination of location of these occupied marbled murrelet sites.

**"Operator"** shall mean any person engaging in forest practices except an employee with wages as his/her sole compensation.

**"Ordinary high-water mark"** means the mark on the shores of all waters, which will be found by examining the beds and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation: *Provided*, That in any area where the ordinary high-water mark cannot be found, the ordinary high-water mark adjoining saltwater shall be the line of mean high tide and the ordinary high-water mark adjoining freshwater shall be the line of mean high-water.

**"Other forest chemicals"** means fire retardants when used to control burning (other than water), nontoxic repellents, oil, dust-control agents (other than water), salt, and other chemicals used in forest management, except pesticides and fertilizers, that may present hazards to the environment.

**"Park"** means any park included on the parks register maintained by the department pursuant to WAC 222-20-100(2). Developed park recreation area means any park area developed for high density outdoor recreation use.

**"Partial cutting"** means the removal of a portion of the merchantable volume in a stand of timber so as to leave an uneven-aged stand of well-distributed residual, healthy trees that will reasonably utilize the productivity of the soil. Partial cutting does not include seedtree or shelterwood or other types of regeneration cutting.

**"Pesticide"** means any insecticide, herbicide, fungicide, or rodenticide but does not include nontoxic repellents or other forest chemicals.

**"Plantable area"** is an area capable of supporting a commercial stand of timber excluding lands devoted to permanent roads, utility rights-of-way, that portion of

riparian management zones where scarification is not permitted, and any other area devoted to a use incompatible with commercial timber growing.

**"Power equipment"** means all machinery operated with fuel burning or electrical motors, including heavy machinery, chain saws, portable generators, pumps, and powered backpack devices.

**"Public resources"** means water, fish, and wildlife and in addition shall mean capital improvements of the state or its political subdivisions.

**"Rehabilitation"** means the act of renewing, or making usable and reforesting forest land which was poorly stocked or previously nonstocked with commercial species.

**"Relief culvert"** means a structure to relieve surface runoff from roadside ditches to prevent excessive buildup in water volume and velocity.

**"Resource characteristics"** means the following specific measurable characteristics of fish, water, and capital improvements of the state or its political subdivisions:

For fish and water:

Physical fish habitat, including temperature and turbidity;

Turbidity in hatchery water supplies; and

Turbidity and volume for areas of water supply.

For capital improvements of the state or its political subdivisions:

Physical or structural integrity.

If the methodology is developed and added to the manual to analyze the cumulative effects of forest practices on other characteristics of fish, water, and capital improvements of the state or its subdivisions, the board shall amend this list to include these characteristics.

**"Riparian management zone"** means a specified area alongside Type 1, 2 and 3 Waters where specific measures are taken to protect water quality and fish and wildlife habitat.

**"Rodenticide"** means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate rodents or any other vertebrate animal which the director of the state department of agriculture may declare by regulation to be a pest.

**"Salvage"** means the removal of snags, down logs, windthrow, or dead and dying material.

**"Scarification"** means loosening the topsoil and/or disrupting the forest floor in preparation for regeneration.

**"Shorelines of the state"** shall have the same meaning as in RCW 90.58.030 (Shoreline Management Act).

**"Side casting"** means the act of moving excavated material to the side and depositing such material within the limits of construction or dumping over the side and outside the limits of construction.

**"Site preparation"** means those activities associated with the removal of slash in preparing a site for planting and shall include scarification and/or slash burning.

**"Skid trail"** means a route used by tracked or wheeled skidders to move logs to a landing or road.

**"Slash"** means pieces of woody material containing more than 3 cubic feet resulting from forest practice activities.

**"Spoil"** means excess material removed as overburden or generated during road or landing construction which is not used within limits of construction.

**"Stop work order"** means the "stop work order" defined in RCW 76.09.080 of the act and may be issued by the department to stop violations of the forest practices chapter or to prevent damage and/or to correct and/or compensate for damages to public resources resulting from forest practices.

**"Suitable marbled murrelet habitat"** means:

• A contiguous forested area with all of the following characteristics:

• Within forty miles of marine waters;

• Containing at least eight trees per acre equal to or greater than 32 inches dbh;

• At least forty percent of the trees equal to or greater than thirty-two inches are Douglas-fir, western hemlock, western red cedar or sitka spruce; and

• Containing at least two nesting platforms per acre. Nesting platforms shall include any horizontal limb, tree structure, or deformity equal to or greater than seven inches in diameter and fifty feet or more in height above the ground.

**"Threatened or endangered species"** means all species of wildlife listed as "threatened" or "endangered" by the United States Secretary of the Interior, and all species of wildlife designated as "threatened" or "endangered" by the Washington wildlife commission.

**"Timber"** shall mean forest trees, standing or down, of a commercial species, including Christmas trees.

**"Water bar"** means a diversion ditch and/or hump in a trail or road for the purpose of carrying surface water runoff into the vegetation duff, ditch, or other dispersion area so that it does not gain the volume and velocity which causes soil movement and erosion.

**"Watershed administrative unit (WAU)"** means an area shown on the map specified in WAC 222-22-020(1).

**"Watershed analysis"** means, for a given WAU, the assessment completed under WAC 222-22-050 or 222-22-060 together with the prescriptions selected under WAC 222-22-070 and shall include assessments completed under WAC 222-22-050 where there are no areas of resource sensitivity.

**"Weed"** is any plant which tends to overgrow or choke out more desirable vegetation.

**"Western Washington"** means the lands of the state lying west of the administrative line described in the definition of Eastern Washington.

**"Wetland"** means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, such as swamps, bogs, fens, and similar areas. This includes wetlands created, restored, or enhanced as part of a mitigation procedure. This does not include constructed wetlands or the following surface waters of the state intentionally constructed from wetland sites: Irrigation and drainage ditches, grass lined swales, canals, agricultural detention facilities, farm ponds, and landscape amenities.

**"Wetland functions"** include the protection of water quality and quantity, providing fish and wildlife habitat, and the production of timber.

**"Wetland management zone"** means a specified area adjacent to Type A and B Wetlands where specific measures are taken to protect the wetland functions.

"**Wildlife**" means all species of the animal kingdom whose members exist in Washington in a wild state. The term "wildlife" includes, but is not limited to, any mammal, bird, reptile, amphibian, fish, or invertebrate, at any stage of development. The term "wildlife" does not include feral domestic mammals or the family Muridae of the order Rodentia (old world rats and mice).

"**Wildlife reserve trees**" means those defective, dead, damaged, or dying trees which provide or have the potential to provide habitat for those wildlife species dependent on standing trees. Wildlife reserve trees are categorized as follows:

Type 1 wildlife reserve trees are defective or deformed live trees that have observably sound tops, limbs, trunks, and roots. They may have part of the top broken out or have evidence of other severe defects that include: "Cat face," animal chewing, old logging wounds, weather injury, insect attack, or lightning strike. Unless approved by the landowner, only green trees with visible cavities, nests, or obvious severe defects capable of supporting cavity dependent species shall be considered as Type 1 wildlife reserve trees. These trees must be stable and pose the least hazard for workers.

Type 2 wildlife reserve trees are dead Type 1 trees with sound tops, limbs, trunks, and roots.

Type 3 wildlife reserve trees are live or dead trees with unstable tops or upper portions. Unless approved by the landowner, only green trees with visible cavities, nests, or obvious severe defects capable of supporting cavity dependent species shall be considered as Type 3 wildlife reserve trees. Although the roots and main portion of the trunk are sound, these reserve trees pose high hazard because of the defect in live or dead wood higher up in the tree.

Type 4 wildlife reserve trees are live or dead trees with unstable trunks or roots, with or without bark. This includes "soft snags" as well as live trees with unstable roots caused by root rot or fire. These trees are unstable and pose a high hazard to workers.

"**Windthrow**" means a natural process by which trees are uprooted or sustain severe trunk damage by the wind.

**AMENDATORY SECTION** (Amending WSR 93-12-001, filed 5/19/93, effective 6/19/93)

**WAC 222-16-080 Critical wildlife habitats (state) and critical habitat (federal) of threatened and endangered species.** (1) Critical wildlife habitats (state) of threatened or endangered species and specific forest practices designated as Class IV-Special are as follows:

(a) Bald eagle - harvesting, road construction, aerial application of pesticides, or site preparation within 0.5 mile of a known active nest site, documented by the department of wildlife, between the dates of January 1 and August 15 or 0.25 mile at other times of the year; and within 0.25 mile of a communal roosting site. Communal roosting sites shall not include refuse or garbage dumping sites.

(b) Gray wolf - harvesting, road construction, or site preparation within 1 mile of a known active den site, documented by the department of wildlife, between the dates of March 15 and July 30 or 0.25 mile from the den site at other times of the year.

(c) Grizzly bear - harvesting, road construction, aerial application of pesticides, or site preparation within 1 mile of a known active den site, documented by the department of wildlife, between the dates of October 1 and May 30 or 0.25 mile at other times of the year.

(d) Mountain caribou - harvesting, road construction, aerial application of pesticides, or site preparation within 0.25 mile of a known active breeding area, documented by the department of wildlife.

(e) Oregon silverspot butterfly - harvesting, road construction, aerial or ground application of pesticides, or site preparation within 0.25 mile of an individual occurrence, documented by the department of wildlife.

(f) Peregrine falcon - harvesting, road construction, aerial application of pesticides, or site preparation within 0.5 mile of a known active nest site, documented by the department of wildlife, between the dates of March 1 and July 30; or harvesting, road construction, or aerial application of pesticides within 0.25 mile of the nest site at other times of the year.

(g) Sandhill crane - harvesting, road construction, aerial application of pesticides, or site preparation within 0.25 mile of a known active nesting area, documented by the department of wildlife.

(h) Northern spotted owl - harvesting, road construction, or aerial application of pesticides on the 500 acres of suitable nesting, breeding, and foraging habitat surrounding the activity center of known Status 1, 2, or 3 spotted owls, documented by the department of wildlife.

This rule is intended to be interim and will expire on February 9, 1994. Prior to the above expiration date the forest practices board will reconsider the protection of spotted owls based on consideration of advancing science and increased data analysis, as well as the board's landscape planning for wildlife and would be influenced by the completion of the northern spotted owl recovery plan, rule making under the Federal Endangered Species Act, or other federal action, or other state actions.

The department shall rely upon the department of wildlife for the determination of status based on the following definitions:

Status 1 Pair or reproductive - the presence or response of two birds of the opposite sex where past or current reproductive activities have been documented.

Status 2 Two birds, pair status unknown - the presence or response of 2 birds of the opposite sex where pair status cannot be determined and where at least 1 member must meet the resident single requirements.

Status 3 Resident territorial single - the presence or response of a single owl within the same general area on 3 or more occasions within a breeding season with no response by an owl of the opposite sex after a complete survey; or multiple responses over several years (i.e., 2 responses in year one and 1 response in year two, for the same general area).

(i) Western pond turtle - harvesting, road construction, aerial application of pesticides, or site preparation within 0.25 mile of a known individual occurrence, documented by the department of wildlife.

(j) Marbled murrelet.

(i) Harvesting, other than removal of down trees outside of the critical nesting season, or road construction within an occupied marbled murrelet site.

(ii) Operation of heavy equipment, during the critical nesting season, within an occupied marbled murrelet site.

(iii) Use of aircraft below one thousand three hundred feet above ground level, during the critical nesting season, over an occupied marbled murrelet site or the required managed buffer zone adjacent to that site.

(iv) Harvesting within a three hundred foot wide managed buffer zone adjacent to an occupied marbled murrelet site that results in less than a residual stem stand density of seventy-five trees per acre greater than 6 inches dbh; provided that twenty-five of which shall be greater than 12 inches dbh including five trees greater than 20 inches dbh, where they exist. The primary consideration for the design of managed buffer zone widths and leave tree retention patterns shall be to mediate edge effects. The width of the buffer zone may be reduced in some areas to a minimum of two hundred feet and extended to maximum of four hundred feet as long as an average of three hundred feet is maintained.

(v) Blasting and slash burning, during the critical nesting season, within 0.25 mile of an occupied marbled murrelet site.

(vi) Harvesting, road construction, operation of heavy equipment, timber hauling, or use of aircraft below one thousand three hundred feet above ground level, during the daily peak activity periods within the critical nesting season, within 0.25 mile of an occupied marbled murrelet site.

(vii) Marbled murrelet critical wildlife habitat (state) shall not include habitat where a current marbled murrelet survey has been conducted and no use of the suitable marbled murrelet habitat by a bird has been detected. Surveys shall be conducted utilizing a survey protocol which is acceptable to the department of fish and wildlife.

(viii) Site status determination and completion of marbled murrelet surveys shall not be a landowner responsibility.

(ix) This rule is intended to be interim and shall be changed as necessary, such as upon completion of a state or federal recovery plan for the marbled murrelet or significant new information.

(2) A site specific special wildlife management plan, including a bald eagle site management plan under WAC 232-12-292, developed by the landowner is preferred and shall replace the critical wildlife habitats (state) listed in subsection (1) of this section when such a plan has been established in cooperation with, and approved by, the department of fish and wildlife.

(3) The following critical habitats (federal) designated by the United States Secretary of the Interior, or specific forest practices within those habitats, have been determined to not have the potential for a substantial impact on the environment:

None listed.

(4) For the purpose of identifying forest practices which have the potential for a substantial impact on the environment with regard to threatened or endangered species newly listed by the Washington wildlife commission and/or the United States Secretary of the Interior, the department shall after consultation with the department of wildlife, prepare

and submit to the board a proposed list of critical wildlife habitats (state) of threatened or endangered species. This list shall be submitted to the board within 15 days of the listing of the species. The department shall, at a minimum, consider potential impacts of forest practices on habitats essential to meeting the life requisites for each species listed as threatened or endangered. Those critical wildlife habitats (state) adopted by the board shall be added to the list in subsection (1) of this section. See WAC 222-16-050 (1)(b)(i).

(5) For the purpose of identifying any areas and/or forest practices within critical habitats (federal) designated by the United States Secretary of the Interior which do not have the potential for a substantial impact on the environment, the department shall, after consultation with the department of wildlife, submit to the board a proposed list of any forest practices and/or areas proposed for exclusion from Class IV - special forest practices. The department shall submit the list to the board within 120 days of the date the United States Secretary of the Interior publishes a final rule designating critical habitat (federal) in the Federal Register. Those critical habitats excluded by the board from Class IV - Special shall be added to the list in subsection (3) of this section. See WAC 222-16-050 (1)(b)(ii).

(6)(a) Except for bald eagles under subsection (1)(b) of this section, the critical wildlife habitats (state) of threatened and endangered species and specific forest practices designated in subsection (1) of this section are intended to be interim. These interim designations shall expire for a given species on the earliest of:

(i) The effective date of a regulatory system for wildlife protection referred to in (b) of this subsection or of substantive rules on the species.

(ii) The delisting of a threatened or endangered species by the Washington wildlife commission.

(b) The board shall examine current wildlife protection and department authority to protect wildlife and develop and recommend by May 1993 a regulatory system, including baseline rules for wildlife protection. To the extent possible, this system shall:

(i) Use the best science and management advice available;

(ii) Use a landscape approach to wildlife protection;

(iii) Be designed to avoid the potential for substantial impact to the environment;

(iv) Protect known populations of threatened and endangered species of wildlife from negative effects of forest practices consistent with RCW 76.09.010; and

(v) Consider and be consistent with recovery plans adopted by the department of wildlife pursuant to RCW 77.12.020(6) or habitat conservation plans or 16 U.S.C. 1533(d) rule changes of the Endangered Species Act.

(7) Regardless of any other provision in this section, the following are not critical wildlife habitats (state) or critical habitats (federal) for the particular species:

(a) Forest practices on lands covered by a conservation plan and permit for a particular species approved by the U.S. Fish and Wildlife Service pursuant to 16 U.S.C. 1539 (a)(2) consistent with that plan and permit; or

(b) Forest practices covered by a rule adopted by the U.S. Fish and Wildlife Service for the conservation of a particular threatened species pursuant to 16 U.S.C. 1533(d).



## MARBLED MURRELET

## WATERSHED ADMINISTRATIVE UNIT APPROACH

Proposed by the Forest Practices  
Board - November 8, 1995  
(Supplemental Notice)

AMENDATORY SECTION (Amending WSR 94-17-033,  
filed 8/10/94, effective 8/13/94)

**WAC 222-16-010 General definitions.\*** Unless otherwise required by context, as used in these regulations:

"**Act**" means the Forest Practices Act, chapter 76.09 RCW.

"**Affected Indian tribe**" means any federally recognized Indian tribe that requests in writing from the department information on forest practices applications and notification filed on specified areas.

"**Appeals board**" means the forest practices appeals board established in the act.

"**Area of resource sensitivity**" means areas identified in accordance with WAC 222-22-050 (2)(d) or 222-22-060(2).

"**Board**" means the forest practices board established by the act.

"**Bog**" means wetlands which have the following characteristics: Hydric organic soils (peat and/or muck) typically 16 inches or more in depth (except over bedrock or hardpan); and vegetation such as sphagnum moss, labrador tea, bog laurel, bog rosemary, sundews, and sedges; bogs may have an overstory of spruce, western Hemlock, lodgepole pine, cedar, whitepine, crabapple, or aspen, and may be associated with open water. This includes nutrient-poor fens. See the *Forest Practices Board Manual*.

"**Borrow pit**" shall mean an excavation site outside the limits of construction to provide material necessary to that construction, such as fill material for the embankments.

"**Chemicals**" means substances applied to forest lands or timber including pesticides, fertilizers, and other forest chemicals.

"**Clearcut**" means a harvest method in which the entire stand of trees is removed in one timber harvesting operation. Except as provided in WAC 222-30-110, an area remains clearcut until:

It meets the minimum stocking requirements under WAC 222-34-010(2) or 222-34-020(2); and

The largest trees qualifying for the minimum stocking levels have survived on the area for five growing seasons or, if not, they have reached an average height of four feet.

"**Commercial tree species**" means any species which is capable of producing a merchantable stand of timber on the particular site, or which is being grown as part of a Christmas tree or ornamental tree-growing operation.

"**Completion of harvest**" means the latest of:

Completion of removal of timber from the portions of forest lands harvested in the smallest logical unit that will not be disturbed by continued logging or an approved slash disposal plan for adjacent areas; or

Scheduled completion of any slash disposal operations where the department and the applicant agree within 6 months of completion of yarding that slash disposal is

necessary or desirable to facilitate reforestation and agree to a time schedule for such slash disposal; or

Scheduled completion of any site preparation or rehabilitation of adjoining lands approved at the time of approval of the application or receipt of a notification: *Provided*, That delay of reforestation under this paragraph is permitted only to the extent reforestation would prevent or unreasonably hinder such site preparation or rehabilitation of adjoining lands.

"**Constructed wetlands**" means those wetlands voluntarily developed by the landowner. Constructed wetlands do not include wetlands created, restored, or enhanced as part of a mitigation procedure or wetlands inadvertently created as a result of current or past practices including, but not limited to: Road construction, landing construction, railroad construction, or surface mining.

"**Contamination**" means the introducing into the atmosphere, soil, or water, sufficient quantities of substances as may be injurious to public health, safety or welfare, or to domestic, commercial, industrial, agriculture or recreational uses, or to livestock, wildlife, fish or other aquatic life.

"**Conversion option harvest plan**" means a voluntary plan developed by the landowner and approved by the local government entity indicating the limits of harvest areas, road locations, and open space.

"**Conversion to a use other than commercial timber operation**" shall mean a bona fide conversion to an active use which is incompatible with timber growing.

"**Critical habitat (federal)**" means the habitat of any threatened or endangered species designated as critical habitat by the United States Secretary of the Interior under Sections 3 (5)(A) and 4 (a)(3) of the Federal Endangered Species Act.

"**Critical nesting season**" means for marbled murrelets - April 1 to August 31.

"**Critical wildlife habitat (state)**" means those habitats designated by the board in accordance with WAC 222-16-080.

"**Cultural resources**" means archaeological and historic sites and artifacts and traditional religious, ceremonial and social uses and activities of affected Indian tribes.

"**Cumulative effects**" means the changes to the environment caused by the interaction of natural ecosystem processes with the effects of two or more forest practices.

"**Daily peak activity**" means for marbled murrelets - one hour before official sunrise to two hours after official sunrise and one hour before official sunset to one hour after official sunset.

"**Debris**" means woody vegetative residue less than 3 cubic feet in size resulting from forest practice activities which would reasonably be expected to cause significant damage to a public resource.

"**Department**" means the department of natural resources.

"**Eastern Washington**" means the lands of the state lying east of an administrative line which approximates the change from the Western Washington timber types to the Eastern Washington timber types described as follows:

Beginning at the International Border and Okanogan National Forest boundary at the N1/4 corner Section 6, T. 40N, R. 24E., W.M., south and west along the Pasayten

Wilderness boundary to the west line of Section 30, T. 37N, R. 19E.,

Thence south on range line between R. 18E. and R. 19E., to the Lake Chelan-Sawtooth Wilderness at Section 31, T. 35N, R. 19E.,

Thence south and east along the eastern wilderness boundary of Lake Chelan-Sawtooth Wilderness to the west line of Section 18, T. 31N, R. 19E. on the north shore of Lake Chelan,

Thence south on the range line between R. 18E. and R. 19E. to the SE corner of T. 28N, R. 18E.,

Thence west on the township line between T. 27N, and T. 28N to the NW corner of T. 27N, R. 17E.,

Thence south on range line between R. 16E. and R. 17E. to the Alpine Lakes Wilderness at Section 31, T. 26N, R. 17E.,

Thence south along the eastern wilderness boundary to the west line of Section 6, T. 22N, R. 17E.,

Thence south on range line between R. 16E. and R. 17E. to the SE corner of T. 22N, R. 16E.,

Thence west along township line between T. 21N, and T. 22N to the NW corner of T. 21N, R. 15E.,

Thence south along range line between R. 14E. and R. 15E. to SW corner of T. 20N, R. 15E.,

Thence east along township line between T. 19N, and T. 20N to the SW corner of T. 20N, R. 16E.,

Thence south along range line between R. 15E. and R. 16E. to the SW corner of T. 18N, R. 16E.,

Thence west along township line between T. 17N, and T. 18N to the SE corner of T. 18N, R. 14E.,

Thence south along range line between T. 14E. and R. 15E. to the SW corner of T. 14N, R. 15E.,

Thence south and west along Wenatchee National Forest Boundary to the NW corner of T. 12N, R. 14E.,

Thence south along range line between R. 13E. and R. 14E. to SE corner of T. 10N, R. 13E.,

Thence west along township line between T. 9N, and T. 10N to the NW corner of T. 9N, R. 12E.,

Thence south along range line between R. 11E. and R. 12E. to SE corner of T. 8N, R. 11E.,

Thence west along township line between T. 7N, and T. 8N to the Gifford Pinchot National Forest Boundary,

Thence south along Forest Boundary to SE corner of Section 33, T. 7N, R. 11E.,

Thence west along township line between T. 6N, and T. 7N to SE corner of T. 7N, R. 9E.,

Thence south along Skamania-Klickitat County line to Oregon-Washington state line.

**"End hauling"** means the removal and transportation of excavated material, pit or quarry overburden, or landing or road cut material from the excavation site to a deposit site not adjacent to the point of removal.

**"Erodible soils"** means those soils exposed or displaced by a forest practice operation, that would be readily moved by water.

**"Even-aged harvest methods"** means the following harvest methods:

Clearcuts;

Seed tree harvests in which twenty or fewer trees per acre remain after harvest;

Shelterwood regeneration harvests in which twenty or fewer trees per acre remain after harvest;

Group or strip shelterwood harvests creating openings wider than two tree heights, based on dominant trees;

Shelterwood removal harvests which leave fewer than one hundred fifty trees per acre which are at least five years old or four feet in average height;

Partial cutting in which fewer than fifty trees per acre remain after harvest;

Overstory removal when more than five thousand board feet per acre is removed and fewer than fifty trees per acre at least ten feet in height remain after harvest; and

Other harvesting methods designed to manage for multiple age classes in which six or fewer trees per acre remain after harvest.

Except as provided above for shelterwood removal harvests and overstory removal, trees counted as remaining after harvest shall be at least ten inches in diameter at breast height and have at least the top one-third of the stem supporting green, live crowns. Except as provided in WAC 222-30-110, an area remains harvested by even-aged methods until it meets the minimum stocking requirements under WAC 222-30-010(2) or 222-34-020(2) and the largest trees qualifying for the minimum stocking levels have survived on the area for five growing seasons or, if not, they have reached an average height of four feet.

**"Fen"** means wetlands which have the following characteristics: Peat soils 16 inches or more in depth (except over bedrock); and vegetation such as certain sedges, hardstem bulrush and cattails; fens may have an overstory of spruce and may be associated with open water.

**"Fertilizers"** means any substance or any combination or mixture of substances used principally as a source of plant food or soil amendment.

**"Fill"** means the placement of earth material or aggregate for road or landing construction or other similar activities. Fill does not include the growing or harvesting of timber including, but not limited to, slash burning, site preparation, reforestation, precommercial thinning, intermediate or final harvesting, salvage of trees, brush control, or fertilization.

**"Flood level - 50 year."** For purposes of field interpretation of these regulations, the 50-year flood level shall be considered to refer to a vertical elevation measured from the ordinary high-water mark which is 1.25 times the vertical distance between the average stream bed and the ordinary high-water mark, and in horizontal extent shall not exceed 2 times the channel width measured on either side from the ordinary high-water mark, unless a different area is specified by the department based on identifiable topographic or vegetative features or based on an engineering computation of flood magnitude that has a 2 percent chance of occurring in any given year. The 50-year flood level shall not include those lands that can reasonably be expected to be protected from flood waters by flood control devices maintained by or under license from the federal government, the state, or a political subdivision of the state.

**"Forest land"** means all land which is capable of supporting a merchantable stand of timber and is not being actively used for a use which is incompatible with timber growing.

**"Forest land owner"** shall mean any person in actual control of forest land, whether such control is based either on legal or equitable title, or on any other interest entitling

the holder to sell or otherwise dispose of any or all of the timber on such land in any manner: *Provided*, That any lessee or other person in possession of forest land without legal or equitable title to such land shall be excluded from the definition of "forest land owner" unless such lessee or other person has the right to sell or otherwise dispose of any or all of the timber located on such forest land.

"**Forest practice**" means any activity conducted on or directly pertaining to forest land and relating to growing, harvesting, or processing timber, including but not limited to:

- Road and trail construction;
- Harvesting, final and intermediate;
- Precommercial thinning;
- Reforestation;
- Fertilization;
- Prevention and suppression of diseases and insects;
- Salvage of trees; and
- Brush control.

"Forest practice" shall not include: Forest species seed orchard operations and intensive forest nursery operations; or preparatory work such as tree marking, surveying and road flagging; or removal or harvest of incidental vegetation from forest lands such as berries, ferns, greenery, mistletoe, herbs, mushrooms, and other products which cannot normally be expected to result in damage to forest soils, timber or public resources.

"**Forest trees**" excludes trees cultivated by agricultural methods in growing cycles shorter than ten years: *Provided*, That Christmas trees are forest trees and: *Provided further*, That this exclusion applies only to trees planted on land that was not in forest use immediately before the trees were planted and before the land was prepared for planting the trees.

"**Green recruitment trees**" means those trees left after harvest for the purpose of becoming future wildlife reserve trees under WAC 222-30-020(11).

"**Herbicide**" means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate any tree, bush, weed or algae and other aquatic weeds.

"**Historic site**" includes:

Sites, areas and structures or other evidence of human activities illustrative of the origins, evolution and development of the nation, state or locality; or

Places associated with a personality important in history; or

Places where significant historical events are known to have occurred even though no physical evidence of the event remains.

"**Identified watershed processes**" means the following components of natural ecological processes that may in some instances be altered by forest practices in a watershed:

- Mass wasting;
- Surface and road erosion;
- Seasonal flows including hydrologic peak and low flows and annual yields (volume and timing);
- Large organic debris;
- Shading; and
- Stream bank and bed stability.

"**Insecticide**" means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate any insect, other arthropods or mollusk pests.

"**Interdisciplinary team**" (ID Team) means a group of varying size comprised of individuals having specialized expertise, assembled by the department to respond to technical questions associated with a proposed forest practice activity.

"**Islands**" means any island surrounded by salt water in Kitsap, Mason, Jefferson, Pierce, King, Snohomish, Skagit, Whatcom, Island, or San Juan counties.

"**Limits of construction**" means the area occupied by the completed roadway or landing, including the cut bank, fill slope, and the area cleared for the purpose of constructing the roadway or landing.

"**Load bearing portion**" means that part of the road, landing, etc., which is supportive soil, earth, rock or other material directly below the working surface and only the associated earth structure necessary for support.

"**Local government entity**" means the governments of counties and the governments of cities and towns as defined in chapter 35.01 RCW.

"**Low impact harvest**" means use of any logging equipment, methods, or systems that minimize compaction or disturbance of soils and vegetation during the yarding process. The department shall determine such equipment, methods or systems in consultation with the department of ecology.

"**Marbled murrelet - watershed administrative units (MM-WAU)**" means those watershed administrative units containing an occupied marbled murrelet site or in which a marbled murrelet has been detected and documented by the department of fish and wildlife.

"**Merchantable stand of timber**" means a stand of trees that will yield logs and/or fiber:

Suitable in size and quality for the production of lumber, plywood, pulp or other forest products;

Of sufficient value at least to cover all the costs of harvest and transportation to available markets.

"**Notice to comply**" means a notice issued by the department pursuant to RCW 76.09.090 of the act and may require initiation and/or completion of action necessary to prevent, correct and/or compensate for material damage to public resources which resulted from forest practices.

"**Occupied marbled murrelet site**" means a stand of suitable marbled murrelet habitat where at least one of the following marbled murrelet behaviors or conditions occurs:

- Stands where a nest is located; or
- Stands where downy chicks or eggs or egg shells are found; or

- Stands where marbled murrelets are detected flying below, through, into or out of the forest canopy within or adjacent to a stand; or

- Birds calling from a stationary location within the stand; or

- Birds circling above the canopy.

The department shall rely upon the department of fish and wildlife for the determination of location of these occupied marbled murrelet sites.

"**Operator**" shall mean any person engaging in forest practices except an employee with wages as his/her sole compensation.

"**Ordinary high-water mark**" means the mark on the shores of all waters, which will be found by examining the beds and banks and ascertaining where the presence and

action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation: *Provided*, That in any area where the ordinary high-water mark cannot be found, the ordinary high-water mark adjoining saltwater shall be the line of mean high tide and the ordinary high-water mark adjoining freshwater shall be the line of mean high-water.

**"Other forest chemicals"** means fire retardants when used to control burning (other than water), nontoxic repellents, oil, dust-control agents (other than water), salt, and other chemicals used in forest management, except pesticides and fertilizers, that may present hazards to the environment.

**"Park"** means any park included on the parks register maintained by the department pursuant to WAC 222-20-100(2). Developed park recreation area means any park area developed for high density outdoor recreation use.

**"Partial cutting"** means the removal of a portion of the merchantable volume in a stand of timber so as to leave an uneven-aged stand of well-distributed residual, healthy trees that will reasonably utilize the productivity of the soil. Partial cutting does not include seedtree or shelterwood or other types of regeneration cutting.

**"Pesticide"** means any insecticide, herbicide, fungicide, or rodenticide but does not include nontoxic repellents or other forest chemicals.

**"Plantable area"** is an area capable of supporting a commercial stand of timber excluding lands devoted to permanent roads, utility rights-of-way, that portion of riparian management zones where scarification is not permitted, and any other area devoted to a use incompatible with commercial timber growing.

**"Power equipment"** means all machinery operated with fuel burning or electrical motors, including heavy machinery, chain saws, portable generators, pumps, and powered backpack devices.

**"Public resources"** means water, fish, and wildlife and in addition shall mean capital improvements of the state or its political subdivisions.

**"Rehabilitation"** means the act of renewing, or making usable and reforesting forest land which was poorly stocked or previously nonstocked with commercial species.

**"Relief culvert"** means a structure to relieve surface runoff from roadside ditches to prevent excessive buildup in water volume and velocity.

**"Resource characteristics"** means the following specific measurable characteristics of fish, water, and capital improvements of the state or its political subdivisions:

For fish and water:

Physical fish habitat, including temperature and turbidity;

Turbidity in hatchery water supplies; and

Turbidity and volume for areas of water supply.

For capital improvements of the state or its political subdivisions:

Physical or structural integrity.

If the methodology is developed and added to the manual to analyze the cumulative effects of forest practices on other characteristics of fish, water, and capital improvements of the state or its subdivisions, the board shall amend this list to include these characteristics.

**"Riparian management zone"** means a specified area alongside Type 1, 2 and 3 Waters where specific measures are taken to protect water quality and fish and wildlife habitat.

**"Rodenticide"** means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate rodents or any other vertebrate animal which the director of the state department of agriculture may declare by regulation to be a pest.

**"Salvage"** means the removal of snags, down logs, windthrow, or dead and dying material.

**"Scarification"** means loosening the topsoil and/or disrupting the forest floor in preparation for regeneration.

**"Shorelines of the state"** shall have the same meaning as in RCW 90.58.030 (Shoreline Management Act).

**"Side casting"** means the act of moving excavated material to the side and depositing such material within the limits of construction or dumping over the side and outside the limits of construction.

**"Site preparation"** means those activities associated with the removal of slash in preparing a site for planting and shall include scarification and/or slash burning.

**"Skid trail"** means a route used by tracked or wheeled skidders to move logs to a landing or road.

**"Slash"** means pieces of woody material containing more than 3 cubic feet resulting from forest practice activities.

**"Spoil"** means excess material removed as overburden or generated during road or landing construction which is not used within limits of construction.

**"Stop work order"** means the "stop work order" defined in RCW 76.09.080 of the act and may be issued by the department to stop violations of the forest practices chapter or to prevent damage and/or to correct and/or compensate for damages to public resources resulting from forest practices.

**"Suitable marbled murrelet habitat"** means:

• Timber stands with all of the following characteristics:

· Within forty miles of marine waters;

· Containing at least eight trees per acre equal to or greater than 32 inches dbh;

· At least forty percent of the trees equal to or greater than thirty-two inches are Douglas-fir, western hemlock, western red cedar or sitka spruce; and

· Containing at least two nesting platforms per acre. Nesting platforms shall include any horizontal limb, tree structure, or deformity equal to or greater than seven inches in diameter and 50 feet or more in height above the ground;

· At least (5) (10) (25) acres in size; or

· Any stand identified as an occupied marbled murrelet site documented by the department of fish and wildlife.

**"Threatened or endangered species"** means all species of wildlife listed as "threatened" or "endangered" by the United States Secretary of the Interior, and all species of wildlife designated as "threatened" or "endangered" by the Washington wildlife commission.

**"Timber"** shall mean forest trees, standing or down, of a commercial species, including Christmas trees.

**"Water bar"** means a diversion ditch and/or hump in a trail or road for the purpose of carrying surface water runoff into the vegetation duff, ditch, or other dispersion area

so that it does not gain the volume and velocity which causes soil movement and erosion.

"**Watershed administrative unit (WAU)**" means an area shown on the map specified in WAC 222-22-020(1).

"**Watershed analysis**" means, for a given WAU, the assessment completed under WAC 222-22-050 or 222-22-060 together with the prescriptions selected under WAC 222-22-070 and shall include assessments completed under WAC 222-22-050 where there are no areas of resource sensitivity.

"**Weed**" is any plant which tends to overgrow or choke out more desirable vegetation.

"**Western Washington**" means the lands of the state lying west of the administrative line described in the definition of Eastern Washington.

"**Wetland**" means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, such as swamps, bogs, fens, and similar areas. This includes wetlands created, restored, or enhanced as part of a mitigation procedure. This does not include constructed wetlands or the following surface waters of the state intentionally constructed from wetland sites: Irrigation and drainage ditches, grass lined swales, canals, agricultural detention facilities, farm ponds, and landscape amenities.

"**Wetland functions**" include the protection of water quality and quantity, providing fish and wildlife habitat, and the production of timber.

"**Wetland management zone**" means a specified area adjacent to Type A and B Wetlands where specific measures are taken to protect the wetland functions.

"**Wildlife**" means all species of the animal kingdom whose members exist in Washington in a wild state. The term "wildlife" includes, but is not limited to, any mammal, bird, reptile, amphibian, fish, or invertebrate, at any stage of development. The term "wildlife" does not include feral domestic mammals or the family Muridae of the order Rodentia (old world rats and mice).

"**Wildlife reserve trees**" means those defective, dead, damaged, or dying trees which provide or have the potential to provide habitat for those wildlife species dependent on standing trees. Wildlife reserve trees are categorized as follows:

Type 1 wildlife reserve trees are defective or deformed live trees that have observably sound tops, limbs, trunks, and roots. They may have part of the top broken out or have evidence of other severe defects that include: "Cat face," animal chewing, old logging wounds, weather injury, insect attack, or lightning strike. Unless approved by the landowner, only green trees with visible cavities, nests, or obvious severe defects capable of supporting cavity dependent species shall be considered as Type 1 wildlife reserve trees. These trees must be stable and pose the least hazard for workers.

Type 2 wildlife reserve trees are dead Type 1 trees with sound tops, limbs, trunks, and roots.

Type 3 wildlife reserve trees are live or dead trees with unstable tops or upper portions. Unless approved by the landowner, only green trees with visible cavities, nests, or obvious severe defects capable of supporting cavity dependent species shall be considered as Type 3 wildlife reserve

trees. Although the roots and main portion of the trunk are sound, these reserve trees pose high hazard because of the defect in live or dead wood higher up in the tree.

Type 4 wildlife reserve trees are live or dead trees with unstable trunks or roots, with or without bark. This includes "soft snags" as well as live trees with unstable roots caused by root rot or fire. These trees are unstable and pose a high hazard to workers.

"**Windthrow**" means a natural process by which trees are uprooted or sustain severe trunk damage by the wind.

**AMENDATORY SECTION** (Amending WSR 93-12-001, filed 5/19/93, effective 6/19/93)

**WAC 222-16-080 Critical wildlife habitats (state) and critical habitat (federal) of threatened and endangered species.** (1) Critical wildlife habitats (state) of threatened or endangered species and specific forest practices designated as Class IV-Special are as follows:

(a) Bald eagle - harvesting, road construction, aerial application of pesticides, or site preparation within 0.5 mile of a known active nest site, documented by the department of wildlife, between the dates of January 1 and August 15 or 0.25 mile at other times of the year; and within 0.25 mile of a communal roosting site. Communal roosting sites shall not include refuse or garbage dumping sites.

(b) Gray wolf - harvesting, road construction, or site preparation within 1 mile of a known active den site, documented by the department of wildlife, between the dates of March 15 and July 30 or 0.25 mile from the den site at other times of the year.

(c) Grizzly bear - harvesting, road construction, aerial application of pesticides, or site preparation within 1 mile of a known active den site, documented by the department of wildlife, between the dates of October 1 and May 30 or 0.25 mile at other times of the year.

(d) Mountain caribou - harvesting, road construction, aerial application of pesticides, or site preparation within 0.25 mile of a known active breeding area, documented by the department of wildlife.

(e) Oregon silverspot butterfly - harvesting, road construction, aerial or ground application of pesticides, or site preparation within 0.25 mile of an individual occurrence, documented by the department of wildlife.

(f) Peregrine falcon - harvesting, road construction, aerial application of pesticides, or site preparation within 0.5 mile of a known active nest site, documented by the department of wildlife, between the dates of March 1 and July 30; or harvesting, road construction, or aerial application of pesticides within 0.25 mile of the nest site at other times of the year.

(g) Sandhill crane - harvesting, road construction, aerial application of pesticides, or site preparation within 0.25 mile of a known active nesting area, documented by the department of wildlife.

(h) Northern spotted owl - harvesting, road construction, or aerial application of pesticides on the 500 acres of suitable nesting, breeding, and foraging habitat surrounding the activity center of known Status 1, 2, or 3 spotted owls, documented by the department of wildlife.

This rule is intended to be interim and will expire on February 9, 1994. Prior to the above expiration date the

forest practices board will reconsider the protection of spotted owls based on consideration of advancing science and increased data analysis, as well as the board's landscape planning for wildlife and would be influenced by the completion of the northern spotted owl recovery plan, rule making under the Federal Endangered Species Act, or other federal action, or other state actions.

The department shall rely upon the department of wildlife for the determination of status based on the following definitions:

- Status 1 Pair or reproductive - the presence or response of two birds of the opposite sex where past or current reproductive activities have been documented.
- Status 2 Two birds, pair status unknown - the presence or response of 2 birds of the opposite sex where pair status cannot be determined and where at least 1 member must meet the resident single requirements.
- Status 3 Resident territorial single - the presence or response of a single owl within the same general area on 3 or more occasions within a breeding season with no response by an owl of the opposite sex after a complete survey; or multiple responses over several years (i.e., 2 responses in year one and 1 response in year two, for the same general area).

(i) Western pond turtle - harvesting, road construction, aerial application of pesticides, or site preparation within 0.25 mile of a known individual occurrence, documented by the department of wildlife.

(j) Marbled murrelet.

(i) Harvesting, other than removal of down trees outside of the critical nesting season, or road construction within an occupied marbled murrelet site.

(ii) Harvesting, other than removal of down trees outside of the critical nesting season, or road construction in suitable marbled murrelet habitat within a MM-WAU, provided that, marbled murrelet critical wildlife habitat (state) shall not include suitable marbled murrelet habitat within a MM-WAU where a current marbled murrelet survey has been conducted and no use of the suitable marbled murrelet habitat by a bird has been detected. Surveys shall be conducted utilizing a survey protocol which is acceptable to the department of fish and wildlife.

(iii) Operation of heavy equipment, during the critical nesting season, within an occupied marbled murrelet site.

(iv) Use of aircraft below one thousand three hundred feet above ground level, during the critical nesting season, over an occupied marbled murrelet site or the required managed buffer zone adjacent to that site.

(v) Harvesting within a three hundred foot wide managed buffer zone adjacent to an occupied marbled murrelet site that results in less than a residual stem stand density of seventy-five trees per acre greater than 6 inches dbh; provided that twenty-five of which shall be greater than 12 inches dbh including five trees greater than 20 inches dbh, where they exist. The primary consideration for the design of managed buffer zone widths and leave tree retention patterns shall be to mediate edge effects. The width of the buffer zone may be reduced in some areas to a minimum of two hundred feet and extended to maximum of four hundred

feet as long as an average of three hundred feet is maintained.

(vi) Blasting and slash burning, during the critical nesting season, within 0.25 mile of an occupied marbled murrelet site.

(vii) Harvesting, road construction, operation of heavy equipment, timber hauling, or use of aircraft below one thousand three hundred feet above ground level, during the daily peak activity periods within the critical nesting season, within 0.25 mile of an occupied marbled murrelet site.

(viii) Site status determination and completion of marbled murrelet surveys shall not be a landowner responsibility.

(ix) This rule is intended to be interim and shall be changed as necessary, such as upon completion of a state or federal recovery plan for the marbled murrelet or significant new information.

(2) A site specific special wildlife management plan, including a bald eagle site management plan under WAC 232-12-292, developed by the landowner is preferred and shall replace the critical wildlife habitats (state) listed in subsection (1) of this section when such a plan has been established in cooperation with, and approved by, the department of fish and wildlife.

(3) The following critical habitats (federal) designated by the United States Secretary of the Interior, or specific forest practices within those habitats, have been determined to not have the potential for a substantial impact on the environment:

None listed.

(4) For the purpose of identifying forest practices which have the potential for a substantial impact on the environment with regard to threatened or endangered species newly listed by the Washington wildlife commission and/or the United States Secretary of the Interior, the department shall after consultation with the department of wildlife, prepare and submit to the board a proposed list of critical wildlife habitats (state) of threatened or endangered species. This list shall be submitted to the board within 15 days of the listing of the species. The department shall, at a minimum, consider potential impacts of forest practices on habitats essential to meeting the life requisites for each species listed as threatened or endangered. Those critical wildlife habitats (state) adopted by the board shall be added to the list in subsection (1) of this section. See WAC 222-16-050 (1)(b)(i).

(5) For the purpose of identifying any areas and/or forest practices within critical habitats (federal) designated by the United States Secretary of the Interior which do not have the potential for a substantial impact on the environment, the department shall, after consultation with the department of wildlife, submit to the board a proposed list of any forest practices and/or areas proposed for exclusion from Class IV - special forest practices. The department shall submit the list to the board within 120 days of the date the United States Secretary of the Interior publishes a final rule designating critical habitat (federal) in the Federal Register. Those critical habitats excluded by the board from Class IV - Special shall be added to the list in subsection (3) of this section. See WAC 222-16-050 (1)(b)(ii).

(6)(a) Except for bald eagles under subsection (1)(b) of this section, the critical wildlife habitats (state) of threatened

and endangered species and specific forest practices designated in subsection (1) of this section are intended to be interim. These interim designations shall expire for a given species on the earliest of:

(i) The effective date of a regulatory system for wildlife protection referred to in (b) of this subsection or of substantive rules on the species.

(ii) The delisting of a threatened or endangered species by the Washington wildlife commission.

(b) The board shall examine current wildlife protection and department authority to protect wildlife and develop and recommend by May 1993 a regulatory system, including baseline rules for wildlife protection. To the extent possible, this system shall:

(i) Use the best science and management advice available;

(ii) Use a landscape approach to wildlife protection;

(iii) Be designed to avoid the potential for substantial impact to the environment;

(iv) Protect known populations of threatened and endangered species of wildlife from negative effects of forest practices consistent with RCW 76.09.010; and

(v) Consider and be consistent with recovery plans adopted by the department of wildlife pursuant to RCW 77.12.020(6) or habitat conservation plans or 16 U.S.C. 1533(d) rule changes of the Endangered Species Act.

(7) Regardless of any other provision in this section, the following are not critical wildlife habitats (state) or critical habitats (federal) for the particular species:

(a) Forest practices on lands covered by a conservation plan and permit for a particular species approved by the U.S. Fish and Wildlife Service pursuant to 16 U.S.C. 1539 (a)(2) consistent with that plan and permit; or

(b) Forest practices covered by a rule adopted by the U.S. Fish and Wildlife Service for the conservation of a particular threatened species pursuant to 16 U.S.C. 1533(d).

**WSR 95-24-094**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Public Assistance)

[Filed December 5, 1995, 4:10 p.m.]

Continuance of WSR 95-22-042.

Preproposal statement of inquiry was filed as WSR 95-11-006.

Title of Rule: WAC 388-73-030 General qualifications of licenses, adoptive applicant, and persons on the premises; 388-150-090 License denial, suspension, or revocation; 388-151-090 License denial, suspension, or revocation; 388-155-090 License denial, suspension, or revocation; 388-160-090 General qualifications of licensee, applicant, and persons on the premises, 388-330-010 Purpose and authority; and 388-330-035 Appeal of disqualifications.

Purpose: Provides an appeal process for persons disqualified from employment in a child care facility because of findings or allegations of child abuse or neglect.

Assistance for Persons with Disabilities: Contact Jeanette Sevedge-App, TDD (360) 753-4542, or SCAN 234-4542.

Submit Written Comments to: Jeanette Sevedge-App, Acting Chief, Vendor Services, P.O. Box 45811, Olympia, WA 98504, Identify WAC Numbers, FAX (360) 586-8487, by January 18, 1996.

Date of Intended Adoption: January 19, 1995 [1996].

December 5, 1995

Sydney Doré

for Jeanette Sevedge-App

Acting Chief

Office of Vendor Services

**WSR 95-24-098**  
**PROPOSED RULES**  
**INSURANCE COMMISSIONER'S OFFICE**

[Filed December 6, 1995, 8:40 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-16-128.

Title of Rule: Recognizing conscientious objection to basic health services and ensuring access to all enrollees.

Purpose: To provide for the definition of processes through which health carriers may offer the basic health plan services to individuals and organizations where there is a religious or conscientious objection to certain of those services.

Other Identifying Information: Insurance Commissioner Matter No. R 95-9.

Statutory Authority for Adoption: RCW 48.02.060.

Statute Being Implemented: RCW 48.43.065.

Summary: This proposed rule requires health carriers who file the model plan (containing the basic health plans services) to provide to the commissioner a description of their procedure for recognizing employer and individuals' exercise of conscience in the purchase of the model plan in a way that does not affect other enrollees' access to services. Religiously sponsored carriers who elect not to provide certain services must describe how their enrollees will have unimpaired access to those services and how they will notify enrollees.

Reasons Supporting Proposal: This proposed rule maximizes flexibility and minimizes cost for carriers in complying with the new law, yet ensures that employers and individuals are able to exercise conscience in the purchase of the model plan in a way that does not affect nonobjecting enrollee access to all services.

Name of Agency Personnel Responsible for Drafting: Bethany Weidner, Insurance Building, Olympia, Washington, (360) 664-2532; Implementation and Enforcement: Patrick Musick, Insurance Building, Olympia, Washington, (360) 664-2093.

Name of Proponent: Deborah Senn, Insurance Commissioner, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This proposed rule requires health carriers who file the model plan (containing the basic health plans services) to provide to the commissioner a description of their procedure for recognizing employer and individuals' exercise of conscience in the purchase of the model plan in a way

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that does not affect other enrollees' access to services. Religiously sponsored carriers who elect not to provide certain services must describe how their enrollees will have unimpaired access to those services and how they will notify enrollees.

Proposal does not change existing rules.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

**Small Business Economic Impact Statement  
Insurance Commissioner Matter R 95-9  
"Conscience Clause" Rule**

**A.) Is the rule required by federal law or federal regulation?**

The proposed rule is not required by federal law or regulation.

**Is this rule the produce [product] of completed "pilot rule making"?**

The proposed rule is not a product of "pilot rule making."

**B.) What industry(ies) is (are) affected by the proposed rule?**

Accident and Health Insurance Companies (#6321)  
Hospital and Medical Service Plans (#6324)

**C.) List the specific parts of the proposed rules, based on the underlying statutory authority (RCW section) which may impose a cost to businesses.**

RCW 48.43.065 requires health carriers to recognize religious objections to specific services in a way that does not impair enrolled persons' access to covered services. This underlying statute lays out requirements that govern notice to enrollees by carriers exercising religious objections and requires the insurance commissioner to establish a mechanism that applies to religious carriers with respect to their statutory obligations; and to other carriers with respect to offering the model plan to employers and individuals.

The proposed rule would allow carriers flexibility in describing how they will comply with the law; the rule's cost impact on businesses will result from the requirement that they provide this description to the commissioner as part of their filing of the model plan. Carriers are required by law to file their model plan for review by the commissioner, who may disapprove plans not in compliance with the statute.

The rule also states that the commissioner will not disapprove processes that meet three listed criteria, covering the basic requirements of the law and specifying that the process must be consistent with actuarially sound principles for pricing insurance. In essence, this rule only requires that health carriers selling the model plan include new information in a filing they are already required by law to make.

**D.) What will be the compliance costs for industries affected?**

The compliance costs for this rule are unlikely to exceed \$600 per carrier. This represents a one-time expenditure equal to the cost of 16-20 hours of labor to produce this part of the plan to be filed with the commissioner. It is entirely possible that costs will be considerably less than this amount, particularly when mitigation steps described under (H) are utilized. Additionally, carriers who offer the state Basic Health Plan must have the same process available as

required by this rule; in such cases, this rule would not impose any additional costs upon those carriers.

**E.) What percentage of the industries in the four-digit standard industrial classification will be affected by the rule?**

100%  
 between 20% and 100%  
 less than 20%

The commissioner expects that close to 100% of such industries will be affected; however, some health carriers may not be required to offer the model plan containing the basic health plan services, and this rule only applies to those which offer such services.

**F.) Will the rules impose a proportionally higher economic burden on small businesses within the four-digit classification?**

Yes. The proposed rule was chosen over other options that could have imposed higher costs to accident and health insurance companies and hospital and medical service plans. The commissioner has identified one business (United Physicians) that will be affected by this rule and qualifies as a "small business" in the statute requiring this statement (chapter 19.85 RCW). The cost to any such small business will probably be proportionally greater than the cost to larger companies and plans.

**G.) Can mitigation be used to reduce the economic impact of the rule on small businesses and still meet the stated objective of the statutes which are the basis of the proposed rule?**

No  Yes (see H)

**H.) What steps will the commissioner take to reduce the costs of the rule on small businesses?**

The commissioner will offer technical assistance to reduce the disproportionate cost; this should be particularly useful to small businesses. A sample process will be described in a publication which will be published by the commissioner no later than the effective date of this rule. Carriers who use the model process can copy the relevant part of the bulletin for use with their model plan filing. If a small business is concerned about its labor cost, this assistance should reduce its cost and thereby relieve disproportionate cost impact.

**I.) Based upon the extent of disproportionate impact on small businesses, the commissioner shall (where legal and feasible in meeting that stated objectives of the statute upon which the rule is based) reduce the costs imposed by the rule on small businesses. Which methods to reduce the costs on small businesses were incorporated?**

Reduction, modification, or elimination of substantive regulatory requirements

The commissioner considered, and rejected, creating a specific mechanism for compliance and requiring all carriers to adopt the mechanism. The commissioner dismissed this alternative in part because it was potentially too rigid and too burdensome to affected businesses.

Simplification, reduction, or elimination of record-keeping and reporting requirements

The commissioner also rejected a possible requirement that carriers include a statement of policy and process in all contracts or benefit booklets. This was deemed too inflexi-



ble and burdensome because it would have required expenditures by all carriers to print and distribute materials to all certificate holders, even where no one invoked the legal provision relating to conscience. The commissioner also rejected as too burdensome a requirement that carriers report each instance of an employer or individual invoking the conscience clause in order to allow for enforcement of the law.

- Reduction in the frequency of inspections
- Delay of the compliance timetable
- Reduction or modification of fines for noncompliance

Other mitigation techniques, in brief detail

The commissioner will provide technical assistance as described in (H), above.

**J.) Which mitigation techniques were considered for incorporation into the proposed rule but were rejected, and why?**

Elimination of requirements for affected small businesses was considered, but not adopted. The proposed rule puts a premium on flexibility for carriers to devise plans, and including small businesses in the rule ensures that subscribers receive the benefits of the underlying statute in the same degree and time frame as those other carriers' subscribers. Again, technical assistance will be available in order to mitigate any disproportionate impact.

**K.) Briefly describe the reporting, record-keeping, and other compliance requirements of the proposed rule (include references to sections or subsections of the proposed rule).**

Filing - Carriers must file one copy of their process at time of filing master policy or plan with the commissioner, or a carrier may choose to amend a currently filed plan.

Record keeping - no record keeping is imposed by the proposed rule.

**L.) List the kinds of professional services that a small business is likely to need in order to comply with the reporting, record-keeping, and other compliance requirements of the proposed rule.**

Small carriers would need only existing personnel, the same persons who write the master policy or monitor its operation.

**M.) Analyze the cost of compliance, including, specifically:**

*Cost of equipment*

*Cost of supplies*

*Cost of labor*

*Cost of increased administration*

*Other*

Costs of compliance with the rule should be minimal. Having a process is a requirement of the law; the rule requires carriers to describe the process and file it with the commissioner. Some carriers also offer the state's Basic Health Plan, which has the same requirement by statute. It is anticipated that the only cost will be the additional cost of labor, sixteen to twenty total staff hours.

**N.) Compare the cost of compliance for small business with the cost of compliance for the 10 percent of businesses that are the largest businesses in the four-digit classification using one or more of the following:**

*cost per employee*

*cost per hour of labor*

*cost per \$100 of sales*

The only small business identified by the commissioner is quite new; it received its registration only in September of this year. The available data for comparison with the largest businesses would be cost per \$100 dollars in sales; however, the only identified small business is so new that accurate and meaningful data are not yet available.

**O.) Have businesses that will be affected been asked what the economic impact will be?**

Yes.

**P.) How did the commissioner involve small businesses in the development of the proposed rule?**

Survey of affected businesses

Unified Physicians was contacted directly, as were several other small medical service plans that do not fall under the definition of "small business" as stated in chapter 19.85 RCW; all were given the opportunity to comment and propose revisions to the proposed rules before filing of the proposed rule making.

**Q.) How and when were affected small businesses advised of the proposed rule?**

Direct notification of known interested small businesses or trade organizations affected by the proposed rule.

Direct notification of small businesses was employed twice in November 1995. Also, the Preproposal Statement of Inquiry (CR-101) was mailed in early August 1995, to domestic health care service contractors, health maintenance organizations, and disability insurers. The proposed rule was shared extensively with regulated businesses in a series of meetings after filing of the CR-101.

A copy of the statement may be obtained by writing to Kacy Brandeberry, P.O. Box 40255, Olympia, WA 98504-0255, phone (360) 664-3790, or FAX (360) 586-3535.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This proposed rule does not adopt substantive provisions of law, establish or revoke a qualification for a license or adopt a new regulatory program. The rule clarifies RCW 48.43.065, without changing the effect of that section.

Hearing Location: Insurance Commissioner's Office, 14th and Water, 2nd Floor Conference Room, Olympia, Washington 98504, on January 9, 1996, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Lori Malabed by January 5, 1996, TDD (360) 491-8503, or (800) 883-6384.

Submit Written Comments to: Kacy Brandeberry, P.O. Box 40255, Olympia, WA, Internet inscomr@aol.com, FAX (360) 586-3535, by January 5, 1996.

Date of Intended Adoption: January 10, 1996.

December 5, 1995

Krishna Fells  
Chief Deputy

**NEW SECTION**

**WAC 284-10-140 Recognizing the exercise of conscience by purchasers of basic health plan services and ensuring access for all enrollees to such services.** (1) All carriers required pursuant to law to offer and file with

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the commissioner a plan providing benefits identical to the basic health plan services (the model plan) shall file for such plan a full description of the process it will use to recognize an organization or individual's exercise of conscience based on a religious belief or conscientious objection to the purchase of coverage for a specific service. This process may not affect a nonobjecting enrollee's access to coverage for those services.

(2) A religiously sponsored carrier who elects, for reasons of religious belief, not to participate in the provision of certain services otherwise included in the model plan, shall file for such plan a full description of the process by which enrollees will have unimpaired access to all services in the model plan.

(3) The commissioner will not disapprove processes that meet the following criteria:

(a) Enrollee access to all basic health plan services is not affected or impaired in any way;

(b) The process meets notification requirements specified at RCW 48.43.065; and

(c) The process does not violate actuarial principles of risk distribution and rate making.

#### WSR 95-24-105

#### WITHDRAWAL OF PROPOSED RULES DEPARTMENT OF HEALTH

(By the Code Reviser's Office)

[Filed December 6, 1995, 9:10 a.m.]

WAC 246-851-080 and 246-851-480, proposed by the Department of Health in WSR 95-11-110, appearing in issue 95-11 of the State Register, which was distributed on June 7, 1995, 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 95-24-112

#### PROPOSED RULES

#### NOXIOUS WEED CONTROL BOARD

[Filed December 6, 1995, 11:59 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-13-089.

Title of Rule: Chapter 16-750 WAC, State noxious weed list and schedule of monetary penalties.

Purpose: The State Noxious Weed Control Board proposes amending the state noxious weed list to add species determined to be noxious, to change areas designated for control of some noxious weeds and to correct errors in common and scientific names. Additions and changes to this chapter are being proposed to provide for more effective statewide noxious weed control.

Statutory Authority for Adoption: RCW 17.10.080.

Statute Being Implemented: Chapter 17.10 RCW.

Summary: Proposed amendments to the state noxious weed list include the addition of two new Class A noxious

weeds and one new Class B noxious weeds, changes in designation for two noxious weeds and the correction of ten typographical, spelling or name errors.

Reasons Supporting Proposal: These nonnative species were found to be highly destructive, competitive or difficult to control and to pose a serious threat to the state.

Name of Agency Personnel Responsible for Drafting: Laurie Penders, Executive Secretary, 1851 South Central Place, Suite 211, Kent, 98031, (206) 872-2972; Implementation: Ray Fann, Chairman, Washington State Noxious Weed Control Board, 1851 South Central Place, Suite 211, Kent, 98031, (206) 872-2972; and Enforcement: K. Diane Dolstad, Assistant Director, Washington State Department of Agriculture, 1111 Washington Street, Olympia, (206) 902-2060.

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 provides the basis for noxious weed control efforts by county noxious weed control boards, weed districts, the State Weed Board and the Washington State Department of Agriculture, under the auspices of chapter 17.10 RCW. The effect of the state noxious weed list is to prioritize control of noxious weed species state wide, concentrating on prevention and early detection, while still allowing for local program flexibility.

Proposal Changes the Following Existing Rules: See amendatory sections below. The proposal adds three new species, changes the designation of two species and corrects typographical, spelling and naming errors.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

#### SMALL BUSINESS ECONOMIC IMPACT STATEMENT

Background: The Washington State Noxious Weed Control Board (WSNWCBC) is charged with the annual reviewing and updating the state noxious weed list, found in chapter 16-750 WAC, to be sure that it accurately reflects and prioritizes the noxious weeds threatening Washington.

The WSNWCBC issued a call for suggestions and recommendations on the content of the state noxious weed list in May of 1995 to all county noxious weed control boards and an extensive mailing list of agricultural and environmental organizations, state and federal agencies, county governments, and other parties who have asked to be notified of such opportunities. In June the preproposal statement was filed, notifying the general public that suggestions were being accepted on the 1996 state noxious weed list. A handout was available to the public with tips for making a successful recommendation. The WSNWCBC Noxious Weed Committee, which is composed of scientific advisors, county representatives, WSNWCBC representatives, and a representative from the Native Plant Society, first met in July of 1995 to review the suggestions received to date. Committee meetings are open to the public and suggestions can be presented in person. The committee then used the next two months to gather additional information that was needed to evaluate suggestions. This process includes field investigations, literature searches, interviews with scientists and weed specialists in other areas of the country or world, and additional interviews with persons making recommenda-

tions. The committee then met again in September 1995, in another meeting open to the public, to finish evaluation of suggestions and to review additional suggestions that had been submitted. The committee then developed a recommendation for changes to the state noxious weed list in 1996. This recommendation was informally submitted to the WSNWCB in September of 1995 and formally submitted in November of 1995. All meetings of the WSNWCB are open to the public and participation is encouraged. After discussion and review of the committee's recommendations, the WSNWCB adopted the recommended changes as their formal proposal in November 1995.

**Summary of Amendments:** The following changes are proposed to the state noxious weed list for 1996:

**WAC 16-750-005 State noxious weed list—Class A noxious weeds.**

Add two new nonnative species which are highly destructive, competitive, or difficult to control - fatoua (*Fatoua vilosa*) and hydrilla (*Hydrilla verticillata*). These two species are of extremely limited distribution and they pose a serious threat to the state.

Correct the spelling of the scientific name of one additional Class A noxious weed.

All landowners, including businesses of all sizes, are required to control Class A noxious weeds on their property, under the requirements of chapter 17.10 RCW.

**WAC 16-750-011 State noxious weed list—Class B noxious weeds.**

Add one new nonnative species that is highly destructive, competitive, or difficult to control - cabomba (*Cabomba caroliniana*). The distribution of this species is limited to one small region of the state and it poses a serious threat to the state.

Change the designation of one previously listed species - Eurasian watermilfoil (*Myriophyllum spicatum*). This species will now be designated in all water bodies with public access in Pend Oreille County. Correct a typographical error in the designation of one species. Correct the names of eight species - these corrections include changes to the official common names, scientific names, spelling, and spacing errors.

Class B noxious weeds are required to be controlled by all landowners in the areas where they are designated, under the authority of chapter 17.10 RCW. In the areas where they are not designated, landowners are only required to control Class B noxious weeds if they are placed on the county noxious weed control list, as a local priority for control.

**WAC 16-750-015 State noxious weed list—Class C noxious weeds.**

Move one species - sulfur cinquefoil (*Potentilla recta*) - to the Class B noxious weed list. This species is found to have limited distribution in some regions of the state, making control and containment feasible. Designation will be in all counties except Spokane, Pend Oreille, Stevens, and Klickitat.

Landowners are only required to control Class C noxious weeds if they are placed on the county noxious weed control list, as a local priority for control.

**Costs of Compliance:** The addition of new noxious weeds to the state noxious weed list or the designation of noxious weeds in new areas of the state impose potential

costs on all businesses that own or manage the property they are located on. These costs are only incurred if the listed species occur on the property. By definition, the noxious weeds that the state requires control of are of limited distribution and therefore only a relatively small number of businesses will actually incur noxious weed control costs in any one season.

The control of noxious weeds involves costs for the actual control strategy selected, as well as for some administrative time for record keeping, compliance correspondence, training, and safety education for some control strategies. The state's noxious weed law, chapter 17.10 RCW, does not mandate a specific method of control, rather it mandates a result - the prevention of all seed production in any one calendar year. The landowner can select the method they are most comfortable with, after consideration of site characteristics, cost, time, and effectiveness. Technical assistance in choosing a control strategy is available to landowners at no cost from the local county noxious weed control board, WSU Cooperative Extension, the Washington State Department of Agriculture, and the WSNWCB.

Control costs will vary widely, based on the noxious weed, the site environmental characteristics, weather, the extent of the vegetation, the surrounding land use, and the control strategy used.

Chemical control strategies involve costs for chemical (\$15 to \$100/acre), application strategy (spot spray with a premixed chemical \$0, hand-held sprayer \$15 to \$45, backpack sprayer \$60 to 100 to buy new - may be available for loan from county weed board, truck mounted spray rig and boom \$500 to \$5,000 not including vehicle, aerial spray \$150-250/hour), labor (in-house or contracted with a licensed applicator - who would handle equipment, licensing, permitting, and record keeping - \$20 to \$100 per hour per contracted applicator), protective equipment (goggles \$3 to \$10, chem resistant gloves \$5 to \$40, chem resistant boots \$20 to \$60, and tyvek coveralls \$3 to \$12; personal protective equipment costs will vary depending on the type of herbicide and the frequency and duration of use), licensing (application of most herbicides requires the applicator to be licensed by the state, \$21 to \$40 for test and study materials), and record keeping (15 minutes to 2 hours, depending on extent and variability of application).

Hand-pulling or mowing costs include labor (hand methods may require two to ten times more labor time than chemical control strategies), equipment (hand tools \$5 to \$40 each for shovels, hoes, weed whips; weed trimmers \$35 to \$250 for hand-held models), and disposal (bags 50 cents to \$4 each, burning, landfilling \$15 to \$100/ton) costs.

Other strategies like burning, steam, solarization, tillage, etc. may be appropriate for some sites, but the previous two methods are the most commonly utilized.

**Comparison of Cost - Small versus Large Employers:**

Administrative and control costs vary only with the control strategy selected and the type and extent of the noxious weed infestations. These costs on a per acre basis would be the same for small and large employees, but could be proportionately more per employee for small employers. The cost to outfit, equip, and train one employee for noxious weed control work would depend on the number of employees needed to conduct the control work, but this may represent a larger percentage of employees for small busi-

December 6, 1995  
 Ray Fann  
 Chairman  
 by Laurie Penders  
 Executive Secretary

nesses. Contracting for control work would cost more per hour of labor or per \$100 of sales for a small employer. Larger businesses would be expected, in general, to own or manage more land thus potentially incurring a higher total cost.

**Mitigation of Disproportionate Costs to Small Employers:** The state noxious weed law recognizes that the immediate prevention, control, and eradication of noxious weeds is practicable on some lands and that these activities should be extended over a period of time on other lands. RCW 17.10.154 allows county noxious weed control boards, at their discretion, to enter into agreements with local landowners to develop plans which allow for gradual containment and control of noxious weeds over a period of years on some sites for which this is appropriate. In some cases, this allows for small business flexibility to spread noxious weed control costs over time.

Mitigation of control requirements for small businesses may not always be possible, however, due to site conditions and infestation patterns. Noxious weeds do not recognize human political and ownership boundaries. Effective control statewide requires that all landowners fulfill the requirements to control and contain these species. This is an inherent part of all pest control programs. Through the prioritized state noxious weed list, the state has prioritized control efforts in Washington, concentrating landowner efforts on new infestations. Control of infestations when they are small and new to a region provides the most protection for the least cost. County noxious weed control boards limit landowner costs by conducting regular surveys so that infestations can be caught when small. Technical assistance is also available through several sources to assist landowners in devising the most effective and cost-efficient control program possible.

**Hearing Location:** The public hearing on this proposed rule making will be held on January 17, 1996, at the Natural Resources Building, Room 175, 1111 Washington Street, Olympia, WA 98504, from 10:00 a.m. to 12:00 noon.

**Submit written Comments to:** Laurie Penders, Executive Secretary, Washington State Noxious Weed Control Board, 1851 South Central Place, Suite 211, Kent, WA 98031, phone (206) 872-2972, FAX (206) 872-6320.

**Date of Intended Adoption:** January 17, 1996

A copy of the statement may be obtained by writing to Laurie Penders, Washington State Noxious Weed Control Board, 1851 South Central Place, Suite 211, Kent, WA 98031, phone (206) 872-2972, or FAX (206) 872-6320.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The Washington State Noxious Weed Control Board is not one of the agencies listed in the section.

**Hearing Location:** Natural Resources Building, Room 175, 1111 Washington Street, Olympia, WA 98504, on January 17, 1996, at 10 a.m. - 12 noon.

**Assistance for Persons with Disabilities:** Contact Laurie Penders by January 17, 1996, TDD (360) 902-1996, or (206) 872-2972.

**Submit Written Comments to:** Laurie Penders, FAX (206) 872-2972, by January 15, 1996.

**Date of Intended Adoption:** January 17, 1996.

**AMENDATORY SECTION** (Amending WSR 93-01-004, filed 12/2/92, effective 1/2/93)

**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
cordgrass, salt meadow	Spartina patens
crupina, common	Crupina vulgaris
<u>fatoua</u>	<u>Fatoua vilosa</u>
four o'clock, wild	Mirabilis nyctaginea
hawkweed, mouseear	Hieracium pilosella
hogweed, giant	Hieracleum mantegazzianum
<u>hydrilla</u>	<u>Hydrilla verticillata</u>
johnsongrass	Sorghum halepense
knapweed, bighead	Centaurea macrocephala
knapweed, Vochin	Centaurea nigrescens
mallow, Venice	Hibiscus trionum
nightshade, silverleaf	Solanum elaeagnifolium
peganum	Peganum harmala
sage, Mediterranean	Salvia (( <del>aethiopsis</del> )) aethiopsis
starthistle, purple	Centaurea calcitrapa
thistle, Italian	Carduus pycnocephalus
thistle, milk	Silybum marianum
thistle, slenderflower	Carduus tenuiflorus
unicorn-plant	Proboscidea louisianica
velvetleaf	Abutilon theophrasti
woad, dyers	Isatis tinctoria

**AMENDATORY SECTION** (Amending WSR 95-06-002, filed 2/16/95, effective 3/19/95)

**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 <i>Alopecurus myosuroides</i>	(a) regions 1,2,3,5,6,8,9,10 (b) Ferry, Stevens, Pend Oreille counties of region 4 (c) Adams County of region 7.
(2) blueweed <i>Echium vulgare</i>	(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 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

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- along West Shore Road to the Spokane River (Long Lake); thence southeasterly along the Spokane River to the point of beginning.
- (3) broom, Scotch  
*Cytisus scoparius*
- (4) bryony, white  
*Bryonia alba*
- (5) bugloss, common  
*Anchusa officinalis*
- (6) bugloss, annual  
*Anchusa arvensis*
- (7) cabomba  
*Cabomba caroliniana*
- (8) camelthorn  
*Alhagi* (~~*pseudalhagi*~~)  
*maurorum*
- ((8))
- (9) catsear, common  
*Hypochaeris radicata*
- (10) cinquefoil, sulfur  
*Potentilla recta*
- ((9))
- (11) Cordgrass, smooth  
*Spartina alterniflora*
- ((10))
- (12) cordgrass, common  
*Spartina anglica*
- ((11))
- (13) daisy, oxeye  
~~*Chrysanthemum leucanthemum*~~  
*Leucanthemum vulgare*
- ((12))
- (14) deadnettle, hybrid  
*Lamium hybridum*
- (a) regions 3,4,6,7,9,10.
- (a) regions 1,2,3,4,5,6,8,9  
(b) region 7 except Whitman County  
(c) Franklin County of region 10.
- (a) regions 1,2,3,5,6,8,9,10  
(b) region 4 except Stevens and Spokane counties  
(c) Lincoln, Adams, and Whitman counties of region 7.
- (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.
- (a) regions 1,2,3,4,5,6,7,9,10  
(b) region 8 except T8N, R3W of Cowlitz County.
- (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) Franklin, Columbia, Garfield, and Asotin counties of region 10  
(d) 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.
- (a) regions 3,4,6,7,9,10.
- (a) regions 1,2,3,5,6,8,10  
(b) region 7 except Spokane County  
(c) region 9 except Klickitat County.
- (a) regions 1,3,4,5,6,7,9,10  
(b) region 2 except bays and estuaries of Skagit County  
(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.
- (a) regions 7,10  
(b) region 9 except those areas lying within Klickitat and Yakima counties west of Range 13 East  
(c) region 6 except those areas lying within Yakima and Kittitas counties west of Range 13 E.
- (a) regions 1,3,4,5,6,7,8,9,10  
(b) region 2 except Skagit County.
- ((13))  
(15) elodea, Brazilian  
*Egeria densa*
- ((14))  
(16) fieldcress, Austrian  
*Rorippa austriaca*
- ((15))  
(17) gorse  
*Ulex europaeus*
- ((16))  
(18) hawkweed, orange  
*Hieracium aurantiacum*
- ((17))  
(19) hawkweed, yellow  
*Hieracium* (~~*pratense*~~)  
*caespitosum*
- ((18) ~~hedge parsley~~)  
(20) hedgeparsley  
*Torilis arvensis*
- ((19))  
(21) indigobush  
*Amorpha fruticosa*
- ((20))  
(22) knawweed, black  
*Centaurea nigra*
- ((21))  
(23) knawweed, brown  
*Centaurea jacea*
- ((22))  
(24) knawweed, diffuse  
*Centaurea diffusa*
- (a) regions 3,4,6,7,9,10  
(b) Lewis County of region 8.
- (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 3,4,6,7,9,10  
(b) Skagit County of region 2  
(c) Thurston and Pierce counties of region 5  
(d) Wahkiakum, Cowlitz, and Lewis counties of region 8.
- (a) regions 3,6,9,10  
(b) Ferry County of region 4  
(c) Thurston County of region 5  
(d) Lincoln and Adams counties of region 7.
- (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.
- (a) regions 1,2,3,4,5,6,7,8,10  
(b) Yakima, Benton, Franklin counties  
(c) Klickitat County except those lands lying within T4N, R10E, R11E, R12E, R13E, R14E; T3N, R10E, R11E, R12E, R13E; T2N, R12E, R13E.
- (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  
(c) regions 8, 9, and 10 except within 200 feet of the Columbia River.
- (a) regions 1,2,3,4,5,7,9,10  
(b) region 6 except Kittitas County  
(c) region 8 except Clark County.
- (a) regions 1,2,3,4,5,7,9,10  
(b) region 6 except Kittitas County  
(c) region 8 except Clark County.
- (a) regions 1,2,5,8  
(b) Grant County lying in 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 E; those portions of Townships 22 through 28N, Ranges 28 through 30 E.; those portions of Township 22 through 28N., Ranges 23 through 30E. lying in Grant County; all W.M.

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- (c) Adams County except those areas within T15N, R36E, Section 36; T15N, R37E, Sections 22,26,27,28, 31,32,33 and 34; T15N, R37E, western half of Sections 23, 24 and 25; T15N, R38E, Sections 2,10, 11,14,15,19 and 20; T16N, R38E, Sections 34 and 35; T17N, R37E, Sections 5 and 6
  - (d) Franklin County of regions 9 and 10.
  
- ~~((23))~~  
(25) knapweed, meadow  
*Centaurea jacea x nigra*

  - (a) regions 1,2,3,4,5,7,9,10
  - (b) region 6 except Kittitas County
  - (c) region 8 except Clark County.
  
- ~~((24))~~  
(26) knapweed, Russian  
*Acroptilon repens*

  - (a) regions 1,2,5,7,8
  - (b) region 4 except that area lying within the boundaries of the Colville Indian Reservation within Ferry County
  - (c) Adams County of region 6
  - (d) Intercounty Weed District No. 52
  - (e) region 10 except Franklin County.
  
- ~~((25))~~  
(27) knapweed, spotted  
*Centaurea ((maeułosa))  
biebersteinii*

  - (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.
  
- ~~((26))~~  
(28) lepyrodiclis  
*Lepyrodiclis ((holsteoides))  
holsteoides*

  - (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.
  
- ~~((27))~~  
(29) loosestrife, garden  
*Lysimachia vulgaris*

  - (a) regions 1,2,3,4,6,7,8,9,10
  - (b) region 5 except King County.
  
- ~~((28))~~  
(30) loosestrife, purple  
*Lythrum salicaria*

  - (a) regions 1,4,7,8
  - (b) region 2 except Snohomish County
  - (c) region 3 except within 100 feet of the ordinary highwater mark of the Okanogan River from the Canadian border south to Riverside
  - (d) region 5 except King County
  - (e) region 6 except that portion of Grant County 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
  - (f) region 9 except Benton County
  - (g) region 10 except Walla Walla County
  - (h) Intercounty Weed Districts No. 51 and No. 52.
  
- ~~((29))~~  
(31) loosestrife, wand  
*Lythrum virgatum*

  - (a) regions 1,4,7,8
  - (b) region 2 except Snohomish County
  - (c) region 3 except within 100 feet of the ordinary highwater mark of the Okanogan River from the Canadian border south to Riverside
  - (d) region 5 except King County
  - (e) region 6 except that portion of Grant County lying northerly of the Frenchmen Hills-O'Sullivan Dam
  
- ~~((30))~~  
(32) nutsedge, yellow  
*Cyperus esculentus*

  - (a) regions 1,2,3,4,5,7,8
  - (b) region 6 except those areas lying between State Highway 26 and State Highway 28, and westerly of Dodson Road in Grant County, and except S 1/2, Sec. 2, T20N, R25E., W.M. region 9 except:
    - (i) except those areas lying within the following boundary description within Yakima County: Beginning at the intersection of Highway 12 and Parker Heights Road and continuing easterly to Konnowac Pass Road follow said road north to the intersection of Konnowac Pass Road and Nightingale Road. The northern boundary shall be the Roza Canal, continuing from the established point at Nightingale Road. The boundaries will follow the Roza Canal easterly to the County Line Road. The east boundaries will be the Yakima/Benton County Line from a point beginning at the County Line and Highway 22 (near Byron) continuing westerly along Highway 22 (to near the city of Mabton) to the intersection of Highway 22 and the Reservation Boundary (Division Road) and continuing north to the Yakima River. Then it will follow the river northwest to the Wapato-Donald Road continuing north along said road to Highway 12 then Highway 12 to Parker Heights Road.
    - (ii) an area lying southerly of State Route ((4)) 14 and within T2N, Ranges 13 and 14 E of Klickitat County
  - (d) region 10 except Walla Walla County.
  
- ~~((31))~~  
(33) oxtongue, hawkweed  
*Picris hieracioides*

  - (a) regions 1,2,3,4,5,6,7,9,10
  - (b) region 8 except Skamania County.
  
- ~~((32))~~ parrot feather  
(34) parrotfeather  
*Myriophyllum ((brasilense))  
aquaticum*

  - (a) regions 1,2,3,4,5,6,7,9,10
  - (b) region 8 except Clark, Cowlitz, and Wahkiakum counties.
  
- ~~((33))~~  
(35) pepperweed, perennial  
*Lepidium latifolium*

  - (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
  - (d) Adams County of region 6.

~~((34))~~(36) ragwort, tansy  
*Senecio jacobaea*

- (a) regions 3,4,6,7,9,10
- (b) region 5, that portion of Pierce County lying south or east of a boundary beginning at the White River and State Highway 410, then west along State Highway 410 to intersection with State Highway 162 (Orting) to intersection with Orville Road, then south along Orville Road to intersection with Kapowsin Highway (304th Street East), then west following Kapowsin Highway to intersection with State Route 7, then south along State Route 7 to intersection with State Route 702, then west along State Route 702 to intersection with State Route 507, then southwest along State Route 507 to intersection with the Nisqually River.

~~((35))~~(37) sandbur, longspine  
*Cenchrus longispinus*

- (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.

~~((36))~~(38) skeletonweed, rush  
*Chondrilla juncea*

- (a) regions 1,2,3,5,8,9
- (b) Franklin County except T13N, R36E; and T14N, R36E
- (c) Adams County except those areas lying west of a line running north from Franklin County along the western boundary of Range 36 East to State Highway 26 then north on Sage Road until it intersects Lee Road, then due north until intersection with Providence Road, then east to State Highway 261, then north along State Highway 261 to its intersection with Interstate 90, henceforth on a due north line to intersection with Bauman Road, then north along Bauman Road to its terminus, then due north 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
- (e) Pend Oreille and Stevens counties north of Township 33 North
- (f) Ferry County
- (g) Asotin County of region 10
- (h) Garfield and Columbia counties south of Highway 12
- (i) 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.

~~((37))~~(39) sowthistle, perennial  
*Sonchus arvensis*  
*ssp. arvensis*

- (a) regions 1,2,3,4,5,7,8,9,10
- (b) Adams County of region 6.

~~((38))~~(40) spurge, leafy  
*Euphorbia esula*

- (a) regions 1,2,3,4,5,6,8,9,10
- (b) region 7 except as follows:
  - (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
  - (ii) T24N, R43E, Section 12, Qtr. Section 3, Parcel No. 9068 of Spokane County.

~~((39))~~(41) starthistle, yellow  
*Centaurea solstitialis*

- (a) regions 1,2,3,5,6,8
- (b) region 4 except those areas within Stevens County bounded by a line beginning at the intersection of State Highway 20 and State Highway 25, then north to intersection with Pinkston Creek Road, then east along Pinkston Creek Road to intersection with Highland Loop Road, then south along Highland Loop Road to intersection with State Highway 20, then west along State Highway 20 to intersection with State Highway 25
- (c) 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
- (d) Franklin County
- (e) region 9 except Klickitat County
- (f) 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, 28,29,30,31,32, 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.

~~((40))~~(42) Swainsonpea  
*Sphaerophysa salsula*

- (a) regions 1,2,3,4,5,7,8
- (b) Columbia, Garfield, Asotin, and Franklin counties
- (c) 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) Weed District No. 3 of Grant County
- (e) Adams County of region 6.

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- (((41)))  
(43) thistle, musk  
*Carduus nutans*
  - (((42)))  
(44) thistle, plumeless  
*Carduus acanthoides*
  - (((43)))  
(45) thistle, Scotch  
*Onopordum acanthium*
  - (((44)))  
(46) toadflax, Dalmatian  
~~((*Linaria genistifolia*  
*ssp. dalmatica*))~~  
*Linaria dalmatica*  
*ssp. dalmatica*
  - (((45)))  
(47) watermilfoil,  
Eurasian  
*Myriophyllum spicatum*
- (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, and Adams counties of region 6
  - (c) Intercounty Weed District No. 51
  - (d) Weed District No. 3 of Grant County
  - (e) Lincoln and Adams counties
  - (f) The western two miles of Spokane County of region 7
  - (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 1,9,10
  - (b) region 7 except Spokane County
  - (c) region 8 except within 200 feet of the Columbia River
  - (d) Adams County of region 6
  - (e) in all water bodies of public access in Pend Oreille County of region 4.
- nightshade, bitter
  - poison-hemlock
  - puncturevine
  - rocket, garden
  - rye, cereal
  - saltcedar
  - snapdragon, dwarf
  - spikeweed
  - St. Johnswort, common
  - tansy, common
  - toadflax, yellow
  - thistle, bull
  - thistle, Canada
  - whiteweed, hairy
  - wormwood, absinth
- Solanum dulcamara
  - Conium maculatum
  - Tribulus terrestris
  - Eruca vesicaria ssp. sativa
  - Secale cereale
  - Tamarix species
  - Chaenorrhinum minus
  - Hemizonia pungens
  - Hypericum perforatum
  - Tanacetum vulgare
  - Linaria vulgaris
  - Cirsium vulgare
  - Cirsium arvense
  - Cardaria pubescens
  - Artemisia absinthium

**AMENDATORY SECTION** (Amending WSR 95-06-002, filed 2/16/95, effective 3/19/95)

**WAC 16-750-015 State noxious weed list—Class C noxious weeds.**

Common Name	Scientific Name
babysbreath	<i>Gypsophila paniculata</i>
bindweed, field	<i>Convolvulus arvensis</i>
(((canary grass))) <u>canarygrass, reed</u>	<i>Phalaris arundinacea</i>
carrot, wild	<i>Daucus carota</i>
chervil, wild	<i>Anthriscus sylvestris</i>
(((cinquefoil, sulphur))) cockle, white	<del><i>Potentilla recta</i></del> <del>((<i>Lychnis alba</i>))</del> <i>Silene latifolia ssp. alba</i>
cocklebur, spiny	<i>Xanthium spinosum</i>
cress, hoary	<i>Cardaria draba</i>
dodder, smoothseed alfalfa	<i>Cuscuta approximata</i>
(((garden rocket))) goatgrass, jointed	<del><i>Eruca vesicaria ssp. sativa</i></del> <i>Aegilops cylindrica</i>
henbane, black	<i>Hyoscyamus niger</i>
houndstongue	<i>Cynoglossum officinale</i>
knotweed, Japanese	<i>Polygonum cuspidatum</i>
kochia	<i>Kochia scoparia</i>
mayweed, scentless	<del>((<i>Matricaria maritima var. agrostis</i>))</del> <i>Matricaria perforata</i>
mullein, common	<i>Verbascum thapsus</i>



**WSR 95-24-001**  
**PERMANENT RULES**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**

[Order R-435, Docket No. TV-941290—Filed November 22, 1995, 12:35 p.m.]

In the matter of amending chapter 480-12 WAC to repeal WAC 480-12-075, 480-12-082, 480-12-085, 480-12-090, 480-12-095, 480-12-105, 480-12-110, 480-12-131, 480-12-137, 480-12-140, 480-12-155, 480-12-160, 480-12-181, 480-12-195, 480-12-196, 480-12-205, 480-12-225, 480-12-230, 480-12-233, 480-12-240, 480-12-245, 480-12-253, 480-12-260, 480-12-305, 480-12-310, 480-12-321, 480-12-322, 480-12-380, 480-12-500, 480-12-510 and 480-12-520; to adopt WAC 480-12-001; and adopting chapter 480-14 WAC, relating to motor carriers.

This is a permanent rule-making proceeding that is designed to repeal, amend and adopt permanent rules relating to motor carriers.

The Washington Utilities and Transportation Commission takes this action under Notice No. WSR 95-17-125, filed with the code reviser on August 23, 1995. The commission brings this proceeding pursuant to RCW 80.01.040 and 34.05.350. 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 (chapter 43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

The facts leading to this rule making are as follows:

In August 1994, the President signed federal legislation preempting the states' rights to regulate most economic areas of intrastate motor carriage. This legislation became effective January 1, 1995. Because the commission's rules governing motor carriers, specifically chapter 480-12 WAC, includes economic regulation, it must revise those rules to be consistent with the federal law. Failure to make changes in commission rules would hamper the implementation of state laws that remain effective to govern motor carrier safety. The commission has adopted the rules on an emergency basis pending completion of this permanent rule making.

In order to remain in compliance with federal requirements, the Washington Utilities and Transportation Commission adopted emergency alternative motor carrier rules which are consistent with federal legislation that became effective on January 1, 1995. Washington statutory changes enacted and signed in the 1995 legislative session that are now effective diverted some commission jurisdiction over motor carriers to the Washington State Patrol. The commission completed extensive outreach among regulated industry and has consulted with the Washington State Patrol in adopting the rules in this proceeding.

The federal legislation did not change the regulatory structure for household goods carriers or intrastate common carrier brokers. This means that the commission needs two sets of motor carrier regulatory rules, one which includes economic regulation for those industries not affected by the federal legislation, and one which does not include economic regulation, for those industries preempted by the federal action. Because of this requirement, the commission is leaving chapter 480-12 WAC in place, repealing the sections that do not apply to household goods carriers and to brokers.

The commission is establishing new chapter 480-14 WAC, for all other intrastate motor carriers.

A workshop was held to discuss the proposal with stakeholders on September 22, 1995, in Kent, Washington. Eleven persons attended the workshop. The commission notes that stakeholder participation actually began in September 1994, with planning for emergency rules after the federal law was enacted. The commission expresses its appreciation for the extensive and consistent participation of affected interests in the rule making.

The commission scheduled this matter for oral comment and adoption under Notice No. WSR 95-17-125, for 9:00 a.m., Wednesday, November 8, 1995, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA. The notice provided interested persons the opportunity to submit written comments to the commission until September 27, 1995.

The rule change proposal was considered for adoption at the commission's regularly scheduled open public meeting on November 8, 1995, before Chairman Sharon L. Nelson, Commissioner Richard Hemstad and Commissioner William R. Gillis. Cathie Anderson of the commission staff made oral comments and presented a written memorandum, supporting the proposal and describing the need for the proposed rule amendments and for certain changes from the noticed proposal. She described the commission staff's discussions with industry representatives.

Commission staff recommended withdrawing four proposed sections: WAC 480-14-030, relating to interim permit effect, because the interim period has expired; WAC 480-14-270, relating to pseudo leasing and WAC 480-14-280, relating to diversion of freight, in response to stakeholder request, because the regulations are inconsistent with the present regulatory environment; WAC 480-14-330, because the commission will have no role in regulating private carriers; and WAC 480-14-410, because the reports required in the proposed rule are no longer required for commission regulatory responsibilities and the information is required by other agencies. The commission accepts the recommendations.

Commission staff also recommended deleting noticed section WAC 480-14-200 Temporary authority, because applications for "permanent" authority can be processed in the same time as applications for temporary authority and temporary authority is not needed for today's operational realities. Staff recommended substituting a new WAC 480-14-200 that would add safety requirements for carriers providing armored car service. The commission accepts the recommendation.

Other noneditorial changes that the commission makes from the text published in WSR 95-17-125 include the following:

In proposed WAC 480-14-060, adopting the most-current version of pertinent federal regulations;

In WAC 480-14-080, modifying the procedures for issuing rule books, notifying carriers of pending rule makings, and distribution of newly-adopted rules to conform with current practice and statutory requirements;

In WAC 480-14-090, to delete a fee for issuing a replacement permit, as the procedure is inexpensive and costs of fee processing may exceed the fee received;

In WAC 480-14-140, to reduce the fees for applications, reflecting updated analysis of actual costs incurred in processing applications;

In WAC 480-14-150, adding language to permit the commission to waive regulatory fees when the revenue is not required;

In WAC 480-14-170, to allow rather than mandate that the commission require annual reports, so that none would be required if the annual fee is waived under WAC 480-14-150;

In WAC 480-14-180, to clarify that permits are required before conducting carrier operations in the state;

In WAC 480-14-230, to delete references to safety education classes, as the function will be transferred to the state patrol;

In WAC 480-14-250, to reduce liability insurance requirements for certain vehicles to be consistent with federal requirements; and

In WAC 480-14-260, to delete a long list of requirements to be included in leases, as the elements are unnecessary in the current regulatory environment.

The commission received written comments from Andrew Shafer, attorney, on behalf of [of] Armored Car Dispatch; Andrew Shafer, attorney, on behalf of WTA (Washington Trucking Associations); Joshua Herington, Manager of Armored Truck Operations for Security Services, and from Martin Sangster, representing Loomis Armored, Inc. Mr. Shafer expressed opposition to including safety requirements at all in the proposal, inasmuch as safety jurisdiction is to be transferred to the Washington State Patrol. Because the proposed rules will be adopted by the patrol in the initial phases of jurisdictional transition, the objection was withdrawn informally and was not later expressed. Mr. Shafer also expressed opposition to the level of fees required (which the commission reduced in light of current projections and which it has made provision to waive if funds are not required).

Oral comments were also made by Martin Sangster and James Lonsberry, representing Loomis Armored, Inc., requesting amendment to staff-recommended WAC 480-14-200; Michael Duppenhaller, registered practitioner, representing Kenneth J. Kellar, Inc., supporting staff-proposed language in WAC 480-14-200; and from Donald G. Lewis, representing the Washington State Patrol, successor agency to the commission for enforcement of these rules after January 1, 1996, supporting staff language in WAC 480-14-200.

Mr. Sangster and Mr. Lonsberry in oral and written comments requested that the proposed language for armored cars be changed to include more high-value commodities and to lower the cash threshold for armored-car safety requirements. They cited safety to drivers, guards, and members of the public in support of their arguments. Mr. Duppenhaller supported the proposed language, pointing out that many carriers now transport high-value commodities without substantial problems and that broadening the rule could impose burdensome requirements on many general freight carriers. Mr. Lewis also supported the proposed language, pointing out that the Washington State Patrol could review the rules in light of industry experience and its own law enforcement and safety experience, and make changes if

needed. He stated that the patrol accepts the staff proposal as an appropriate beginning point.

The commission rejects the arguments for change to the staff proposal. The proposal appears to impose lower costs on industry and appears to be more workable in light of reasonable business requirements than would be required under the suggested changes. If experience proves that the proposal is insufficient, the Washington State Patrol can amend this regulation or promulgate its own requirements.

The commission staff memorandum presented to the commission for consideration at the November 8, 1995, adoption hearing, as supplemented by the text of this order, is adopted as the commission's concise explanatory statement of (1) the comments upon the proposal and the commission's response to those comments; (2) reasons for making changes from the text that was proposed; and (3) reasons for adopting the proposal.

This adoption of new rules, and repeal and amendment of existing rules, adversely affects no economic values and has no adverse environmental effect, in that the adopted rules, amendments, and repealers merely implement the changes required by federal law within the framework of existing Washington state statutes. The rule changes reduce the number and weight of requirements upon regulated industry.

In reviewing the entire record, the commission determines that it should amend chapter 480-12 WAC to adopt WAC 480-12-001 and to repeal WAC 480-12-075, 480-12-082, 480-12-085, 480-12-090, 480-12-095, 480-12-105, 480-12-110, 480-12-131, 480-12-137, 480-12-140, 480-12-155, 480-12-160, 480-12-181, 480-12-195, 480-12-196, 480-12-205, 480-12-225, 480-12-230, 480-12-233, 480-12-240, 480-12-253, 480-12-260, 480-12-305, 480-12-310, 480-12-321, 480-12-322, 480-12-380, 480-12-500, 480-12-510 and 480-12-520, and should adopt new chapter 480-14 WAC, to read as set forth in Appendix A, attached shown below and included in it by this reference, to be effective on the thirty-first day following filing with the code reviser, pursuant to chapter 34.05 RCW. These rule changes will allow the commission to comply with federal legislation.

Number of Sections Adopted in Order to Comply with Federal Statute: New 38, amended 0, repealed 31; Federal Rules or Standards: New 13, amended 0, repealed 13; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 2, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 38, amended 0, repealed 31.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

## ORDER

THE COMMISSION ORDERS That WAC 480-12-001, as set forth in Appendix A shown below, is amended, to take effect as a permanent rule of the Washington Utilities and

Transportation Commission pursuant to RCW 34.05.380(2) on the expiration of thirty days following the date of filing.

THE COMMISSION FURTHER ORDERS That chapter 480-14 WAC, as set forth in Appendix A shown below, is adopted, to take effect as permanent rules of the Washington Utilities and Transportation Commission pursuant to RCW 34.05.380(2) on the expiration of thirty days following the date of filing.

THE COMMISSION FURTHER ORDERS That WAC 480-12-075, 480-12-082, 480-12-085, 480-12-090, 480-12-095, 480-12-105, 480-12-110, 480-12-131, 480-12-137, 480-12-140, 480-12-155, 480-12-160, 480-12-181, 480-12-195, 480-12-196, 480-12-205, 480-12-225, 480-12-230, 480-12-233, 480-12-240, 480-12-245, 480-12-253, 480-12-260, 480-12-305, 480-12-310, 480-12-321, 480-12-322, 480-12-380, 480-12-500, 480-12-510 and 480-12-520, as set forth in Appendix A shown below, are repealed, to take effect pursuant to RCW 34.05.380(2) on the expiration of thirty days following the date of filing.

THE COMMISSION FURTHER ORDERS That this order and the rules set forth in Appendix A, shown below, after being first recorded in the order register of the Washington Utilities and Transportation Commission, be forwarded to the code reviser for filing pursuant to chapters 34.05 RCW and 1-21 WAC.

DATED at Olympia, Washington, this 22nd day of November 1995.

Washington Utilities and Transportation Commission  
 Sharon L. Nelson, Chairman  
 Richard Hemstad, Commissioner  
 William R. Gillis, Commissioner

**NEW SECTION**

**WAC 480-12-001 Supersession of this chapter.** Most intrastate carriers of property for hire have been exempted from state economic regulation by operation of federal law. The commission has established chapter 480-14 WAC to comply with federal law effective January 1, 1995. Only carriers of household goods and common carrier brokers continue to be regulated under this chapter.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- WAC 480-12-075 Permit phraseology defined.
- WAC 480-12-082 Terminal areas defined.
- WAC 480-12-085 Common or contract carrier may not act as private carrier.
- WAC 480-12-090 "Off-route points" defined.
- WAC 480-12-095 "Intermediate points" defined.
- WAC 480-12-105 Primary agricultural carriers.
- WAC 480-12-110 Permit, must abide by—"Tacking"—Extension.
- WAC 480-12-131 Interstate trip permits.
- WAC 480-12-137 Private carriers.
- WAC 480-12-140 Equipment, standby.
- WAC 480-12-155 Equipment—Interchange of.
- WAC 480-12-160 Disabled motor vehicles—Substitution.

- WAC 480-12-181 Pole trailers.
- WAC 480-12-195 Hazardous materials regulations.
- WAC 480-12-196 Transportation of radioactive materials—Driving and parking rules.
- WAC 480-12-205 Passengers—Carrying prohibited—Exceptions.
- WAC 480-12-225 Advertising on equipment.
- WAC 480-12-230 Service, scheduled, discontinuance of.
- WAC 480-12-233 Agreements for pooling of freight.
- WAC 480-12-240 Shipments on hand undelivered.
- WAC 480-12-245 Commissions.
- WAC 480-12-253 Continuing traffic study instituted—Requirements—Penalties.
- WAC 480-12-260 Bills of lading.
- WAC 480-12-305 Billing—Method to be used.
- WAC 480-12-310 Gross shipment weight.
- WAC 480-12-321 Log road classification—Must have.
- WAC 480-12-322 Log shipments—Intrastate rates—Applicability.
- WAC 480-12-380 Common carrier C.O.D. shipments—Bond required—Handling of shipments.
- WAC 480-12-500 Definitions concerning recovered materials.
- WAC 480-12-510 Application procedures for transportation of recovered materials.
- WAC 480-12-520 Reporting requirements for transportation of recovered materials.

**Chapter 480-14 WAC  
 MOTOR CARRIERS, EXCLUDING HOUSEHOLD  
 GOODS CARRIERS AND COMMON CARRIER  
 BROKERS**

**NEW SECTION**

**WAC 480-14-010 Purpose and application.** The federal government has preempted state economic regulation of motor carriers effective January 1, 1995, except for carriers of household goods and common carrier brokers. These rules are established to comply with federal law. This chapter supersedes chapter 480-12 WAC for all common and contract carriers previously regulated in that chapter except carriers of household goods and common carrier brokers, who continue to be regulated by that chapter.

**NEW SECTION**

**WAC 480-14-020 Rules, general application of rules—How changed.** (1) No rule contained in this chapter can be changed, altered or revised except by general order of the commission pursuant to the Washington state Administrative Procedure Act.

PERMANENT

(2) The rules in this chapter are for general application only, and are subject to such changes and modifications as the commission may deem advisable from time to time, and also to such exceptions as may be considered just and reasonable in individual cases.

(3) Application for exception to any of the rules and regulations of the commission shall be made in accordance with the following instructions:

(a) Application should be directed to the commission at its Olympia headquarters office. The application should be typewritten on 8-1/2 x 11 inch paper, on one side of the sheet only.

(b) The applicant must identify the rule from which exemption is sought and give a full explanation as to the reason(s) the exception is desired.

#### NEW SECTION

**WAC 480-14-040 Definitions.** As used in this chapter, the following definitions shall apply:

(1) The term "motor carrier" means "common carrier," "private carrier" and "exempt carrier," as herein defined.

(2) The term "common carrier" means any person who undertakes to transport property, including general commodities, materials transported by armored car service, and/or hazardous materials, for the general public by motor vehicle for compensation, including motor vehicle operations of other carriers by rail or water and of express or forwarding companies. For the purposes of chapter 480-12 WAC, the term "common carrier" also includes persons engaged in the business of transporting household goods as common carriers or of providing, contracting for, or undertaking to provide transportation of property for compensation over the public highways of the state of Washington as brokers or forwarders.

(3) The term "private carrier" means a person who, in its own vehicle, transports only property owned or being bought or sold by it in good faith and only when such transportation is purely an incidental adjunct to some established private business owned or operated by it in good faith.

(4) The term "exempt carrier" means any person operating a vehicle exempted from certain provisions of the act under RCW 81.80.040.

(5) The terms "registered carrier" and "registered exempt carrier" have the meanings set out in WAC 480-14-290.

(6) The term "carrier of hazardous materials" means any person who transports radioactive materials, hazardous waste, hazardous materials and hazardous substances as defined in Title 49 Code of Federal Regulations.

(7) The term "carrier of general commodities" means any person transporting the property of others for compensation, except persons performing the service of transporting household goods as defined in WAC 480-12-990.

(8) The term "armored car service" means carriers transporting property of very high value (gold, silver, currency, valuable securities, jewels and other property of very high value) using specially constructed armored trucks and providing policy protection to safeguard freight while it is being transported and delivered. It also means carriers which operate ordinary equipment in the carriage of high

value commodities when guards are necessary to accompany the shipment.

#### NEW SECTION

**WAC 480-14-050 Reference to other chapters.** (1) **Procedure.** Except as otherwise provided in this chapter, the commission's rules relating to procedure, chapter 480-09 WAC, shall govern the administrative practice and procedure in and before the commission in proceedings involving motor freight carriers.

(2) **Communications.** Except as provided in chapter 480-04 WAC, all written communications and documents should be addressed to the secretary, Washington utilities and transportation commission, at the headquarters office of the commission at Olympia, Washington, and not to individual members of the commission staff.

(a) Except as provided in chapter 480-04 WAC, all communications and documents are deemed to be officially received only when delivered at the office of the secretary.

(b) In addressing communications to the commission each permit holder must use the name shown upon its permit and indicate permit number.

(c) Except as provided in WAC 480-09-120 and 480-14-420, receipt in the commission's telefacsimile machine does not constitute filing with the commission.

(3) **Documents—When filed.** Except as provided in chapter 480-04 WAC, all petitions, complaints, applications for common carrier permits or extensions, or any other matter required to be served upon or filed with the Washington utilities and transportation commission shall be served or filed upon the commission at its headquarters office as shown in WAC 480-04-030, upon the secretary of the commission. Except as provided in chapter 480-04 WAC, any petition, complaint, application, or other matter required to be served upon or filed with the commission shall not be considered served or filed until it is received at the headquarters office of the commission at Olympia, Washington.

#### NEW SECTION

**WAC 480-14-060 Adoption by reference defined.** Where referred to in this chapter, the following definitions shall apply:

(1) "North American Uniform Out-of-Service Criteria" published by Commercial Vehicle Safety Alliance (CVSA) refers to the version in effect on May 1, 1995.

(2) "Title 49 Code of Federal Regulations," cited as 49 CFR, includes the regulations and all appendices and amendments in effect on April 1, 1995.

(3) The documents are available for public inspection at the commission branch of the Washington state library, located with the headquarters office of the commission. A copy of either document may be obtained upon request from the commission secretary, subject to any pertinent charge. The Code of Federal Regulations is also available from the Government Printing Office, Seattle office.

NEW SECTION

**WAC 480-14-070 Federal regulations, 49 CFR, Part 390—Adoption by reference.** (1) The provisions of Title 49, Code of Federal Regulations, Part 390, are adopted and prescribed by the commission, except carriers operating exclusively in intrastate commerce shall not be subject to the provisions of paragraph (c) of section 390.3, section 390.21, and for the purposes of application of federal regulations on intrastate commerce.

(2) With respect to section 390.5, the definitions shown for "exempt intracity zone," "farm to market agricultural transportation," "farm vehicle driver," "farmer," "private motor carrier of passengers," "private motor carrier of property," "school bus," and "school bus operation" shall not apply.

(3) Whenever the designation "commercial motor vehicle" is used, it shall mean a motor carrier as defined in RCW 81.80.010.

(4) "Exempt motor carrier," "motor carrier," "motor vehicle," and "private carrier" shall have the meanings subjoined to them by RCW 81.80.010.

(5) Whenever the designation "director" is used it shall mean the Washington utilities and transportation commission.

NEW SECTION

**WAC 480-14-080 Rule book fee—Updates—Notification of pending and adopted rule changes—Compliance with rules.** (1) The commission will publish and distribute a document containing the rules relating to motor freight transportation.

(a) The commission will give applicants for permit authority one copy of the rule book at no charge at the time the application is filed with the commission.

(b) The commission may charge a reasonable photocopy fee for multiple copies of the rule book requested by one person or entity.

(c) Interested persons may obtain a copy of the rule book by contacting the commission's Olympia offices.

(2) Rule books are not copyrighted materials and may be copied without commission approval or permission.

(3) The commission will send one annual update, containing rules becoming effective during the prior year, to each common carrier without charge. Persons desiring to keep their rulebooks current and up-to-date are encouraged to subscribe to the rule notification service noted below.

(4) Carriers must comply with all rules when they become effective, and rules become effective at various times throughout the year.

(a) The commission will notify carrier associations of potential and approved rule amendments, adoptions, and repealers.

(b) The commission will also notify each person who requests to be on its rule notification list for the topics desired.

(c) Proposed and adopted rules are also published in the *Washington State Register*, available at libraries throughout the state or by subscription from the Washington state code reviser, Olympia.

(d) The commission welcomes comments on proposed rules.

NEW SECTION

**WAC 480-14-090 Permits.** (1) **Location of original copy.** Permits must be kept at the main office of the carrier.

(2) **Copies required on power units.** Permit holders must carry a copy of operating authority issued by the Washington utilities and transportation commission on each power unit operated in intrastate operations.

NEW SECTION

**WAC 480-14-100 Operations must be under permit name.** Every common carrier shall conduct its operations under the name, corporate, trade, or assumed, that is described in its permit, and no carrier shall perform any carrier service, or hold itself out to perform such service, by advertisement or otherwise in any name other than that in which its permit is issued.

NEW SECTION

**WAC 480-14-110 Improper use of permit or registration receipt.** The use of a permit or registration receipt by any person or firm other than the carrier to whom it was issued is unlawful.

NEW SECTION

**WAC 480-14-120 Address, change of.** A carrier must immediately report to the commission in writing any change in the address of its principal place of business.

NEW SECTION

**WAC 480-14-130 Remittances.** (1) Remittances to the commission may be made by money order, bank draft, check, or certified check payable to the Washington utilities and transportation commission.

(2) Remittances in currency or coin are wholly at the risk of the remitter. The commission assumes no responsibility for loss of currency or coin sent by mail.

(3) All remittances must be made in U.S. funds.

NEW SECTION

**WAC 480-14-140 Fees.** Fees for applications shall be as follows:

Type of Application	Fee Applicable
Conversion of permits existing prior to January 1, 1995, to new permits .....	\$0
Change of name or business structure .....	\$50
Permanent common carrier operating authority	
Hazardous materials .....	\$275
General commodities .....	\$275
Armored car service .....	\$275
Extension of common carrier permit authority	
Hazardous materials .....	\$100
General commodities .....	\$100
Armored car service .....	\$100
Reinstatement of authority (within 10 months of cancellation)	
Hazardous materials .....	\$100
General commodities .....	\$100
Armored car service .....	\$100

PERMANENT

NEW SECTION

**WAC 480-14-150 Regulatory fee.** (1) Every common motor carrier operating in intrastate commerce shall, if requested by the commission, on or before the first day of May of each year, file with the commission with its periodic special report as defined in WAC 480-14-170, on a form provided by the commission, a statement on oath showing its gross operating revenue from intrastate operations during the prior calendar year.

(2) Each carrier shall submit with its statement of gross operating revenue the carrier's regulatory fee, calculated as 0.0025 times the stated gross operating revenue, unless that rate is reduced or waived by commission order.

NEW SECTION

**WAC 480-14-160 Procedures for contest of fees.** A person may contest any fee imposed by the authority of chapter 81.80 RCW under RCW 81.80.115 by the procedure set out in this section.

Any person on whom a fee is imposed by the authority of chapter 81.80 RCW shall pay the fee. The payor may petition for a refund of the fee paid, in writing, filed no later than six months after the fee is first due and payable.

The petition shall state the name of the payor/petitioner; the date and the amount paid, including a copy of any receipt, if available; the nature of the fee paid; the amount of the fee that is contested; the statute under which the fee is imposed, if known to the petitioner; and any reasons why the commission may not impose the fee.

The commission may grant the petition administratively or may set the petition for adjudication or for brief adjudication.

NEW SECTION

**WAC 480-14-170 Periodic reporting requirements.** The commission may require, on an annual basis, a special report from each common carrier who operated within the state during the prior calendar year. If requested by the commission, the report shall be due on or before the first day of May of each year, to cover the operations of the prior calendar year.

NEW SECTION

**WAC 480-14-180 Applications.** (1) **Intrastate authority.** No person shall conduct operations as a motor freight carrier in Washington intrastate commerce without having first obtained a permit from the commission to do so.

(a) Applications to acquire permanent common carrier authority, extension of permanent common carrier authority, or change of carrier name or business structure shall be made on forms furnished by the commission and shall contain all the information, documents, and exhibits called for in the form or the form's instructions. The commission may refuse to accept any application until all required information is supplied.

(b) No application will be accepted for filing unless it is accompanied by the required fee as shown in WAC 480-14-140.

(c) The commission's acceptance of an application for filing does not indicate the commission's approval, nor is the commission precluded from finding that the information presented in the application is insufficient.

(2) **Interstate authority.** Each carrier operating in interstate commerce on the public roads of the state of Washington shall apply to register its insurance with the commission pursuant to WAC 480-14-250. Every such application shall be granted if it contains all necessary information and documentation, if the information provided is true and correct, and if the required fee is paid.

(3) All exhibits or papers submitted with an application must be legibly written or typed on one side only of 8 1/2 by 11 inch paper.

(4) Applications for permits and for registration shall require that the applicant certify the truth of all information submitted with the application, under penalties of perjury. False, misleading, or incomplete information may subject the applicant to prosecution, to civil penalties, or to revocation or suspension of authority.

NEW SECTION

**WAC 480-14-190 Permanent common carrier permits.** (1) For the purposes of this rule, applications for authority shall include applications for original or extended common carrier authority for general commodities (excluding household goods), materials transported by armored car, and/or hazardous materials.

(2) A common carrier permit shall be issued to any applicant satisfying the following requirements:

(a) Filing an application satisfying the requirements of WAC 480-14-180.

(b) Filing, or causing to be filed, insurance in accordance with the requirements of WAC 480-14-250.

(c) Passing a safety fitness review of the applicant's knowledge and ability to conform with the motor carrier safety and/or hazardous materials regulations. The safety fitness review may be waived if the applicant can furnish a copy of a U.S. Department of Transportation "satisfactory" safety rating issued within twenty-four months before the date of the application. The commission may require an on-site safety compliance review to satisfy the safety fitness review requirements prior to issuing any permit.

(3) An application may be dismissed for failure to complete needed steps and it may be dismissed, denied, or granted in part based upon the satisfactory compliance with this chapter. The applicant may request a review of dismissal or full or partial denial through a brief adjudicative proceeding, pursuant to WAC 480-09-500.

NEW SECTION

**WAC 480-14-200 Armored car service.** Motor carriers defined as providing "armored car service" under WAC 480-14-040(8), when transporting cash or coin with a value exceeding one hundred thousand dollars, are subject to the following provisions:

(1) The vehicle must be accompanied by at least two armed security guards qualified under chapter 18.170 RCW and chapter 308-18 WAC.

(2) When the vehicle is located in an unsecured area, one guard must remain within the area.

(3) Those portions of the vehicle surrounding the cargo and personnel must have a UL 752 Testing Certification to Level 1 Medium Powered Small Arms (MPSA); except that, any vehicle owned by an armored car service and operated as an armored car prior to the effective date of this rule, is exempt from this regulation.

#### NEW SECTION

**WAC 480-14-210 Change of carrier name and business structure.** (1) For the purposes of this rule, applications to change carrier name or business structure means the following:

(a) Change of the carrier's registered name, with no change in ownership or business structure.

(b) Change of business structure from individual to corporation to incorporate an individual's business, when the individual is the majority stockholder, or by an individual to a partnership, when the individual is the majority partner, or from a corporation to a proprietorship of the majority shareholder, or by a partnership to a proprietorship of the majority partner.

(c) Change of name resulting from a change in business structure from a partnership to a corporation established to incorporate the partnership business, when the partners are the majority stockholders in the same proportionate ownership.

(d) Change of name resulting from a change in business structure from a corporation to another corporation where both corporations are wholly owned by the same stockholders in the same proportions.

(2) A new permanent common carrier application is required, rather than a change of name, when the resulting business entity does more or less than assume all of the existing business. If the transaction involves the sale or acquisition of assets other than the property of the acquired or substituted business, or the conduct of different activities, a new permit must be applied for.

#### NEW SECTION

**WAC 480-14-220 Permits, cancelled—New application.** When a permit is cancelled by the commission either for cause, or on request of the carrier, the carrier may secure a new permit by correcting the cause of cancellation, satisfying any outstanding fees or filings, and submitting the appropriate application with the pertinent application fee within ten months after date of cancellation.

If not filed within ten months, the application will be considered in all respects as a new application and must be accompanied by full fees and subject to all provisions of WAC 480-14-180.

#### NEW SECTION

**WAC 480-14-230 Operation of equipment by a cancelled or suspended carrier; voluntary cancellation; involuntary suspension and cancellation.** (1) The operation of its equipment in any manner by a carrier whose permit has been cancelled or suspended is unlawful. Carrier

permits may be suspended or cancelled by the commission under the following circumstances.

(2) **Voluntary cancellation.** A carrier may request that its permit be cancelled. Cancellation will be effective upon entry of an order of voluntary cancellation by the commission secretary. The commission will reinstate any permit that has been voluntarily cancelled by order of the secretary upon application of the carrier and payment of the required fee within ten months after the order of cancellation, provided the permit holder meets current entry requirements.

(3) **Policy regarding compliance activities; penalties; remediation; involuntary suspension or cancellation.** It is the policy of the commission that the purpose for the regulations implemented in this chapter is to secure compliance with laws and rules protecting the public health and safety, and that the commission shall direct its efforts toward education to the end that voluntary compliance is achieved.

(a) Penalties are intended as a tool of enforcement and remediation and may be assessed upon violations in the manner the commission believes will best assure future compliance by the responding carrier and other carriers.

(b) Involuntary suspension and cancellation are intended for circumstances in which the commission believes education and penalties have not been or will not be effective to secure compliance and for serious actions such as fraud, misrepresentation, and willful violation of legal requirements.

(4) **Involuntary suspension.**

(a) The commission may suspend a carrier permit for cause. Cause includes, but is not limited to, the following circumstances:

(i) The carrier has failed to maintain evidence that it has the required level of insurance in effect for its operations.

(ii) The carrier fails or refuses to participate in compliance education or conferences, or fails or refuses to comply with rules or other requirements protecting the public health or safety following commission staff instructions regarding compliance.

(iii) The carrier commits or allows to exist an infraction of rule or law that poses an immediate danger to the public health or safety, when putting one or more vehicles out of service will not protect the public health or safety.

(b) The commission will provide to the carrier such notice as is feasible of a commission action suspending a permit, weighing the potential threat to the public health, safety or welfare and the effect of the suspension on the carrier.

(i) The commission will make a good faith effort to notify a carrier that its evidence of insurance is likely to become invalid, but will suspend any carrier who fails to maintain evidence of current insurance on file with the commission, whether or not it is able to provide advance notice.

(ii) The commission may suspend a carrier permit, effective with the service of notice, when it believes that the carrier's continued operations pose an imminent danger to the public health, safety or welfare.

(c) The commission may suspend a permit without prior hearing when the action is needed to protect the public health, safety or welfare and there is insufficient time for a suspension hearing. A carrier whose permit is suspended may secure reinstatement of the permit by correcting conditions leading to suspension. A carrier may contest

suspension by requesting a brief adjudication or an adjudication.

(5) **Cancellation for cause.** The commission may cancel a permit for cause. Cause includes, but is not limited to, the following circumstances:

- (a) Failure to pay the required regulatory fee or fees.
- (b) Failure to demonstrate that the carrier has corrected the conditions leading to suspension within the time defined in the order of suspension.

(c) Committing or allowing to exist violations of pertinent requirements of law or rule affecting the public health or safety when the commission has reason to believe that the carrier would not comply following a period of suspension.

(d) Repeated failure or refusal of the carrier to comply with regulatory requirements or to provide information, or the submission of false, misleading, or inaccurate information of a sort that is necessary to the commission for performance of its functions.

(6) **Cancellation hearing prior to.** The commission will hold a hearing prior to canceling a carrier's authority, pursuant to RCW 81.80.280, except when cancellation results from failure to correct causes of a suspension in which an adjudication or brief adjudication was held or was available to the carrier. A carrier whose permit is cancelled may apply for reinstatement under WAC 480-14-220, or may apply for a new permit under WAC 480-14-180, if the causes of cancellation are corrected.

**NEW SECTION**

**WAC 480-14-240 Inactive status of permits during military service.** (1) When the holder of a common carrier permit is called into or enters the military service of the United States and must cease operation over the public highways, the commission will upon application place that carrier's permit in an inactive file for the period of military service.

(2) The carrier shall file with the commission a written, informal application which lists:

- (a) The applicant's name and permit number;
- (b) The branch of military service the applicant is to enter;
- (c) The date upon which the applicant requests the inactive status to begin;
- (d) A statement that the applicant will not permit its equipment to be operated under inactive status.

(3) Application for reinstatement of a permit placed on inactive status during military service shall be made within six months after such military service has terminated. The commission shall, at no charge, grant reinstatement upon a showing of compliance with the requirements of the law governing operation over the public highways.

**NEW SECTION**

**WAC 480-14-250 Insurance requirements; cause for suspension or cancellation.** (1) **Requirements.** Each applicant for common carrier authority, and each common carrier, shall file with the commission evidence of currently effective liability and property damage insurance written by a company authorized to write such insurance in the state of

Washington, covering each motor vehicle as defined in RCW 81.80.010 used or to be used under the permit granted.

(a) For vehicles with gross vehicle weight ratings of ten thousand pounds or more, filings shall be for the amount shown on the following table:

Category of Carrier Operation	Filing Required
1. Property (nonhazardous) . . . . .	\$750,000
2. Hazardous substances, as defined in 49 CFR 171.8 transported in cargo tanks, portable tanks, or hopper-type vehicles with capacities in excess of 3,500 water gallons; or in bulk Class A or B explosives, poison gas (Poison A), liquified compressed gas or compressed gas; or highway route controlled quantity radioactive materials as defined in 49 CFR 173.455 . . . . .	\$5,000,000
3. Oil listed in 49 CFR 172.101; hazardous waste, hazardous materials and hazardous substances defined in 49 CFR 171.8 and listed in 49 CFR 172.101, but not mentioned in 2. above or in 4. below . . . . .	\$1,000,000
4. Any quantity of Class A or B explosives; any quantity of poison gas (Poison A); or highway route controlled quantity radioactive materials as defined in 49 CFR 173.455 . . . . .	\$5,000,000

(b) For vehicles with gross vehicle weight ratings less than ten thousand pounds, filings shall be for the amounts shown on the following table:

Category of Carrier Operation	Filing Required
1. Property (nonhazardous) . . . . .	\$300,000
2. Property (hazardous); any quantity of Class A or B explosives; any quantity of poison gas (Poison A); or highway route controlled quantity radioactive materials as defined in 49 CFR 173.455 . . . . .	\$5,000,000

(c) For taxicabs whose only operation subject to commission jurisdiction is the operation of small parcel general freight service under a permit issued pursuant to chapter 81.80 RCW shall comply with the provisions of RCW 46.72.040 and 46.72.050 in lieu of the above. Such carriers must comply with the reporting requirements of this section.

(d) Carriers registering under WAC 480-14-300 as registered interstate carriers may provide evidence of insurance in the amount prescribed by the Interstate Commerce Commission or its successor agency written by a company authorized to write insurance in any state.

(e) Failure to file and keep such insurance in full force and effect shall be cause for dismissal of an application or cancellation of a permit.

(f) Evidence of insurance shall be submitted either on a uniform motor carrier bodily injury and property damage liability certificate of insurance, filed in triplicate with the commission, or a written binder issued by an insurance agent or insurance company evidencing the coverages as required above. If a binder is submitted, it shall be effective for not longer than sixty days, during which time the carrier must file the required evidence of insurance.

(2) **Insurance, continuation of.** Proper evidence of continued insurance shall be filed with the commission not less than ten days prior to termination date of insurance then

PERMANENT



on file in order that there shall be no question of continuous coverage as required by law.

(3) **Insurance endorsement.** All liability and property damage insurance policies issued to motor freight carriers shall carry a "uniform motor carrier bodily injury and property damage liability endorsement."

(4) **Insurance termination.** All insurance policies issued under the requirements of chapter 81.80 RCW shall provide that the same shall continue in full force and effect unless and until canceled by at least thirty days' written notice served on the insured and the Washington utilities and transportation commission by the insurance company, with the thirty days' notice to commence to run from the date notice is actually received by the commission, except for binders which may be cancelled on ten days' written notice.

Notice of cancellation or expiration shall be submitted in duplicate on forms prescribed by the commission and shall not be submitted more than sixty days before the desired termination date, except binders which may be cancelled by written notification from the insurance agency or the insurance company on ten days' written notice.

No common carrier may operate upon the public highways of this state without insurance as required in this section. The permit of any common carrier who fails to maintain evidence on file that its insurance is in current force and effect as required herein shall be suspended by operation of law beginning with the time of the failure, until the permit is canceled or the cause of the suspension is cured and the permit is reinstated. The commission will make a good faith effort to notify carriers of impending suspension for failure to maintain evidence of insurance and will make a good faith effort to enter a timely order of suspension, but failure to do so shall not invalidate the suspension.

#### NEW SECTION

**WAC 480-14-260 Leasing.** Common carriers may perform transportation in or with equipment which they do not own only in accordance with this leasing rule.

(1) **Lease requirements.** The lease shall:

(a) Be made between the common carrier and the owner of the equipment;

(b) Be in writing and signed by the parties;

(c) Specify the time and date on which the lease begins and ends;

(d) Provide for the exclusive possession, control and use of the equipment and for the complete assumption of responsibility by the lessee while under the dispatch of the lessee or for the duration of said lease;

(e) Control of permit operations using the leased equipment must clearly reside with the lessee, and the manner in which the responsibility for expenses is allocated must clearly show such control. However, under any lease arrangement, the lessee shall assume full responsibility for compliance with all applicable safety rules and regulations pertaining to the operation of leased vehicles subject to this rule, and shall provide insurance as specified in WAC 480-14-250;

(f) Specify the compensation to be paid by the lessee to the lessor.

(2) **Identification.** The common carrier using equipment under this rule shall identify the equipment as being

operated by the lessee during the period of the lease in accordance with the requirements of WAC 480-14-340.

(3) **Rental of equipment with drivers.** Common carriers shall not rent equipment with drivers to private carriers or shippers except pursuant to their common carrier authority.

#### NEW SECTION

**WAC 480-14-290 Interstate operations; requirements; definitions.** It shall be unlawful for any carrier to perform any interstate transportation service for compensation upon the public roads of this state without first having secured appropriate authority from the Interstate Commerce Commission or its successor agency, if that authority is required, and without possessing valid insurance and valid evidence that it has registered as specified in these rules.

(1) **Registered carriers.** Carriers operating in interstate or foreign commerce under authority issued by the Interstate Commerce Commission or its successor agency are "registered carriers."

(2) **Registered exempt carriers.** Carriers operating in interstate or foreign commerce under the exemptions of the Federal Motor Carrier Act without interstate authority issued by the Interstate Commerce Commission or its successor agency are "registered exempt carriers."

(3) **Compliance required.** Registered and registered exempt carriers in the conduct of interstate operations must comply with the laws and rules that apply to that activity and to equipment in which it is conducted. Interstate carriers conducting Washington intrastate operations must, as to the intrastate activity, comply with the laws and rules applicable to the activity and to equipment in which it is conducted.

#### NEW SECTION

**WAC 480-14-300 Registered carriers.** (1) It shall be unlawful for a carrier operating under authority issued by the Interstate Commerce Commission or its successor agency to operate a vehicle in interstate commerce on the public roads of this state without having first secured valid insurance as required by the Interstate Commerce Commission or its successor agency, registered with a base state as required in 49 CFR Part 1023, paid the required Washington state registration fee for that vehicle, and without having in the vehicle a legible receipt showing base state registration. The receipt shall be subject to inspection at all times by the law enforcement agents and the commission's representatives.

(2) The registration fee for registered carriers in Washington state is ten dollars for each vehicle operated within the state.

(3) **Washington-based carriers.** Washington is a participant in the base state insurance registration program established in 49 USC § 11506 and 49 CFR Part 1023. Any carrier whose base state as defined in federal regulation is Washington state shall register for interstate operations as follows:

(a) Between August 1 and November 30 of each year, each such Washington-based interstate carrier shall apply to the commission to register for the following year.

(b) The registering carrier shall state the number of vehicles to be operated in each participating state, provide

other required information, and submit the registration fee established by that state for each such vehicle.

(c) The commission within thirty days will provide to the carrier a receipt or receipts showing, at a minimum, the carrier's name and address, its Interstate Commerce Commission or successor agency permit number, and the names of the states for which it has registered.

(d) The carrier shall place a receipt or an authorized copy in each vehicle for which it has paid the required fee.

(e) Any Washington-based carrier that begins interstate operations in a state for which it has not registered may register for that state at any time, stating the number of vehicles to be operated in each state and submitting the required information and registration fee for each vehicle. The commission will provide a new receipt, if the carrier has not previously registered, or supplemental receipt, if it has registered, showing the states for which the carrier has registered.

(4) No carrier may operate a vehicle in Washington state that is not registered as specified in this rule unless it is registered for interstate exempt traffic under WAC 480-14-320.

#### NEW SECTION

**WAC 480-14-320 Registered exempt carriers.** (1) No carrier may operate any vehicle or combination of vehicles upon the public roads of this state in interstate commerce under the exemptions of the Federal Motor Carrier Act or its successor without first registering with the commission and having available within the cab of the motive power vehicle a valid receipt showing that the carrier has provided Washington state with proof of insurance and paid the per-vehicle fee established by order of the commission. The receipt shall be subject to inspection by law enforcement agents and the commission's representatives at all times.

(2) Each carrier conducting interstate exempt operations in interstate commerce within the state may apply to register its insurance between August 1 and November 30 of each year, or at any time thereafter when it begins interstate exempt operations within the state or when it identifies additional vehicles as operating in the state. Each application shall be on forms furnished by the commission and accompanied by the required fee.

(3) All receipts issued for a calendar year expire December 31 of that year. A receipt may be issued for the ensuing calendar year on or after the first day of the preceding August.

(4) All delinquent fees or penalties which are due and payable by the carrier to the commission must be paid at the time an application is made. The commission may refuse to issue a receipt until all such fees are paid.

#### NEW SECTION

**WAC 480-14-340 Equipment—Identification.** (1) All motor vehicles, except those defined as exempt under RCW 81.80.040 and those operated by private carriers that singly or in combination are less than thirty-six thousand pounds gross vehicle weight, shall display a permanent marking identifying the carrier's name or number, or both, on each side of each power unit in the manner specified in this rule.

(2) Common carriers, private carriers, or leased carriers adding, modifying, or renewing identification markings after the effective date of this rule must display on the driver and passenger doors of power units identification markings as specified below. The markings must be clearly legible, with letters no less than three inches high, in a color that contrasts with the surrounding body panel. Leased vehicles may display either permanent markings or placards on the driver and passenger doors of the power unit.

(a) Motor vehicles operated by or under lease to a common carrier must display the name of the permittee as registered with the commission and the permit number. Provided however, common carriers holding both intrastate and interstate authority may display either the Interstate Commerce Commission or its successor agency certificate number, commission permit number, or both.

(b) Motor vehicles operated by or under lease to a private carrier must display the name and address of either the business operating the vehicle or the registered owner.

#### NEW SECTION

##### **WAC 480-14-350 Equipment, lawful operation of.**

(1) Every "motor carrier" shall comply with the motor vehicle laws of the state relative to the operation of, inspection of and maintenance of all equipment operated.

(2) Failure of any permit holder to obey and comply with all motor vehicle safety laws of the state shall be grounds for cancellation of permit.

#### NEW SECTION

**WAC 480-14-360 Equipment—Inspection—Ordered out-of-service for repairs.** (1) All motor vehicles operated under chapter 81.80 RCW shall be maintained in a safe and sanitary condition. They shall at all times be subject to inspection by the commission and its duly authorized representatives who shall have power to order out of service any vehicle meeting the out-of-service criteria standards contained in the *North American Uniform Out-of-Service Criteria*, or which is not being operated in compliance with state laws in regard to equipment or method.

(2) Equipment standards. The purpose of this section is to identify critical vehicle inspection items and provide criteria for placing a vehicle(s) in an out-of-service category subsequent to a safety inspection. The criteria for out-of-service condition are those defined in the *North American Uniform Out-of-Service Criteria*. Copies of this document may be viewed at the commission branch of the Washington state library, located with the commission headquarters office, and are available from the commission upon request.

(3) Out-of-service condition. When any vehicle(s) is in out-of-service condition, no motor carrier shall require nor shall any person operate such motor vehicle declared and marked "out-of-service" until all required repairs have been satisfactorily completed.

#### NEW SECTION

**WAC 480-14-370 Equipment—Drivers—Safety.** In addition to other laws and regulations of this state, all motor vehicles operating under chapter 81.80 RCW shall comply with the following:

(1) Adoption of United States Department of Transportation motor carrier safety regulations. The rules and regulations governing motor carrier safety prescribed by the United States Department of Transportation in Title 49, Code of Federal Regulations, part 392; part 393; part 396; part 397; as well as and including all appendices and amendments thereto are adopted and prescribed by the commission to be observed by all common, private, registered, and registered exempt carriers operating under chapter 81.80 RCW. Exceptions: Carriers operating exclusively in intrastate commerce are not subject to provisions of 49 CFR, part 392.2 and with respect to 49 CFR, part 396.11, no driver vehicle inspection report need be filed if no defects are found.

(2) Whenever the designations "director, office of motor carrier safety," "director, regional motor carrier safety office," "regional highway administrator," and "federal highway administration" are used in the respective parts of Title 49, Code of Federal Regulations, as described in subsection (1) of this section, such designations for the purpose of this rule shall mean the "Washington utilities and transportation commission."

(3) **Safety chains or other load fastening devices.** Any motor truck, truck tractor, trailer, semi-trailer, or any combination thereof, transporting logs upon a public highway where binder devices are required, shall have the load thereon securely fastened and protected as follows:

(a) Placement and number of wrappers required on log trucks using stakes.

(i) In the hauling of one log loads, one wrapper chain or cable shall be required and it shall be secured to the rear bunk and the log shall be properly blocked or secured in a manner which will prevent it from rolling or shifting. An additional wrapper, secured to the front bunk, is optional.

(ii) In the hauling of two log loads, not less than two wrapper chains or cables shall be used to secure the load. The logs shall be properly blocked to prevent them from rolling or shifting.

(iii) On loads consisting of three or four logs not over forty-four feet in length, the load shall be secured by not less than two properly spaced wrapper chains or cables. Ends of short logs not secured by such wrappers shall be secured with extra wrappers. If any log is over forty-four feet in length, the load shall be secured by not less than three properly spaced wrappers.

(iv) Loads consisting of five or more logs, when the logs are all seventeen feet or less in length, shall be secured by not less than two properly spaced wrappers. Loads consisting of five or more logs, when any log is over seventeen feet in length, shall be secured by not less than three properly spaced wrappers.

(b) Placement and number of wrappers required on log trucks using chock blocks.

(i) In the hauling of one log load, one wrapper chain or cable shall be required and secured to the rear bunk and the log shall be properly blocked in a manner to prevent it from rolling or shifting.

(ii) One additional wrapper chain or cable shall be required on log trucks using chock blocks over and above the requirements in (a)(iii) and (iv) of this subsection.

(c) Placement and number of wrappers required on crosswise loaded trucks, trailers, etc. In the case of short

logs loaded crosswise, the following method of securing the load shall be used if the truck trailer is not provided with solid ends of a height sufficient to prevent any log in the load from rolling off: Not less than two chock blocks shall be used at each open end of the vehicle and the load shall be held with at least two wrapper chains or cables. The wrappers shall be firmly attached to the end of the truck or trailer. Rigid standards or stakes may be used in lieu of chock blocks but each such standard or stake shall be either rigidly connected to the bed of the truck or trailer or shall be placed in a tight fitting socket at least twelve inches in depth. Other means furnishing equivalent security may be acceptable.

(d) Wrapper placement. When two wrappers are required, they shall be applied within six feet of the front and rear bunks. When more than two wrappers are required, the front and back binder shall be applied within six feet of the front and rear bunks.

(e) Short logs. To properly secure short logs, binders shall be placed near the end, not less than twelve inches from the end of the log.

(f) Log on top or in outside saddle. No log loaded on top or in outside saddles of a load shall be transported unless secured by not less than two wrapper chains or cables, one of which shall be placed near each end of such log.

(g) Fasten in place. All wrappers and binders shall be fastened in place prior to tightening to prevent the displacement of logs on the top of the load.

(h) Surround load. All wrapper chains or cables, except in the case of one log loads, shall entirely surround the load. This does not apply to gut-wrappers.

(i) Gut-wrappers. Gut-wrappers, when used, shall be adjusted so as to be tightened by, but not carry the weight of the logs above them.

(j) Wrappers and binders to be placed before leaving immediate loading area. Wrappers and binders shall be placed and tightened around the completed load before the truck leaves the immediate loading area.

(k) Construction of wrappers and binders. Wrapper chains or cables, binders, fasteners, or attachments thereof, used for any purpose as required by these standards, shall have a minimum breaking strength of not less than fifteen thousand pounds and shall be rigged so that it can be safely released.

(l) Bundle straps or banding. For the purposes of this standard, applied bundle straps or banding are not acceptable as wrappers and binders.

(m) Loose ends secured. All loose ends of wrapper chains or cables shall be securely fastened so as to prevent their swinging free in a manner that will create a hazard.

(n) Trucks in sorting yards. Trucks and trailers used around sorting yards, etc., which travel at slow speeds, will not be required to use wrappers providing all logs are contained by and lie below the height of the stakes and there are no persons on the ground exposed to such traffic.

(o) Binder hook design. Binders for securing wrappers on logging trucks shall be fitted with hooks of proper size and design for the wrapper chain being used.

(p) Defective wrappers. Wrappers shall be removed from service when any of the following conditions exist:

- (i) Excessively worn links on chains;
- (ii) Deformed or stretched chain links;

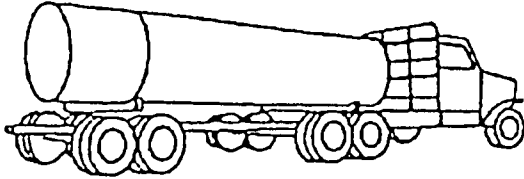
- (iii) Cracked chain links;
- (iv) Frayed, stranded, knotted, or otherwise defective wire rope.
- (q) Binder extensions. Pipe extension handles (swedes) for tightening or securing binders shall be limited to not

longer than thirty-six inches. Care shall be taken that a sufficient amount of the pipe extends over the binder handle.  
 (r) Defective binders. Defective binders shall be immediately removed from service.

Note: See the following Diagrams for illustrations of placement and number of load fastening devices.

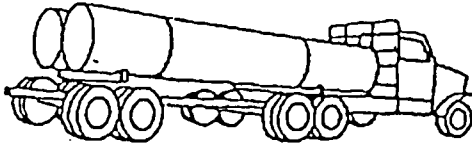
**PLACEMENT AND NUMBER OF WRAPPERS**

One log load



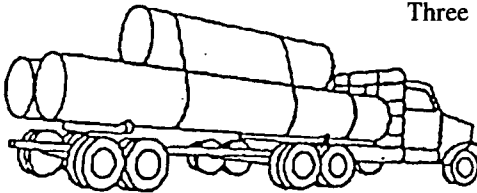
One wrapper required which shall be secured to the rear bunk. Log shall be blocked or secured in a manner to prevent it from rolling or shifting. A second wrapper secured to the front bunk is optional.

Two log load



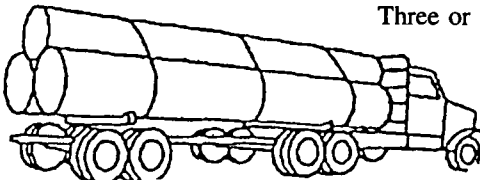
A minimum of two wrappers required. Logs shall be blocked to prevent them from rolling or shifting.

Three or four log load forty-four feet or less



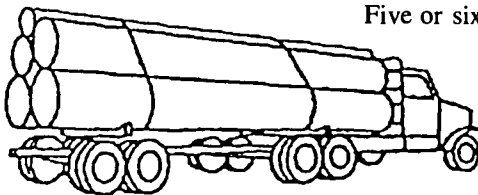
A minimum of two wrappers required.

Three or four log loads more than forty-four feet



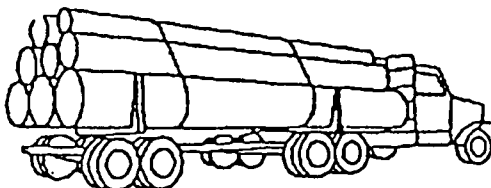
A minimum of three wrappers required.

Five or six log load all logs seventeen feet or less



A minimum of two wrappers required.

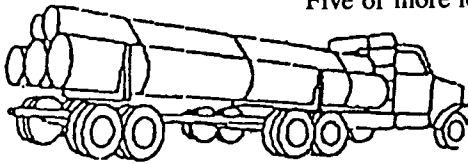
Seven or more log load all logs seventeen feet or less



A minimum of two wrappers required.

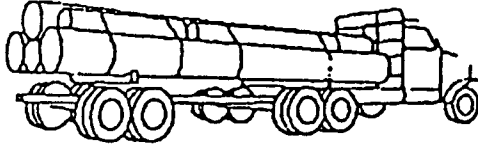
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Five or more log load if any logs are more than seventeen feet



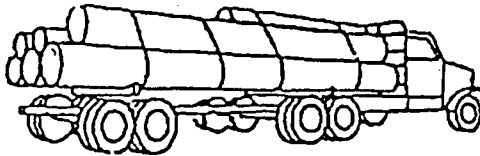
A minimum of three wrappers required.

Outside logs or top logs



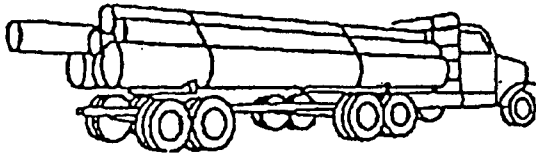
All outside or top logs shall be secured by a binder near but not within 12 inches of each end.

A wrapper shall be near each bunk



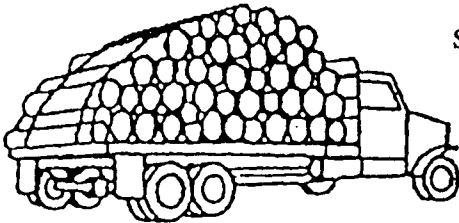
Each load shall be secured by having a wrapper within 6 feet of each bunk except on one log loads.

Proper support for logs



Not more than approximately one-third the weight of any log shall extend beyond the end of the logs or bunk supporting it.

Short logs loaded crosswise



A minimum of two wrappers are required and two chocks or stakes shall be used on the open end of the truck.

Note: All loads of logs on logging trucks equipped with chock blocks instead of stakes, shall have at least one additional wrapper over and above the requirements for trucks equipped with stakes, excepting on one and two log loads and trucks with short logs loaded crosswise.

(4) **Approved load fastening devices.** The following binder devices are hereby approved for purposes of transporting logs as referred to in subsection (3) of this section, provided that they meet a breaking strength of at least fifteen thousand pounds:

- (a) Three-eighths inch high-test steel chain;
- (b) One-half inch diameter steel cable; and
- (c) Steel strapping not less than two inches by fifty one-thousandths inches in dimension.

(5) **Anti-spray devices.** Every vehicle shall be equipped with a device adequate to effectively reduce the wheel spray or splash of water from the roadway to the rear thereof. All such devices shall be as wide as the tires behind which they are mounted and extend downward at least to the center of the axle.

(6) **Pole trailers.**

(a) **Welded reach extension prohibited.** No motor carrier shall operate a pole trailer that has had the length of its reach extended by welding or any other means, except that a telescopic reach manufactured and designed to extend by using an inner and outer reach with securing clamp shall be permissible. In addition to the securing clamp on a telescopic reach there must be a secondary device to keep the inner and outer reach from separating. The term "reach" as used in this rule means the steel tube that joins the axle(s) of the pole trailer to the rear of the power unit towing the trailer.

(b) **Damaged reach.** No motor carrier shall operate a pole trailer that has sustained cracks to the reach nor shall it be permissible to operate a trailer that has had welded repair or repair of any kind made to cracks in the reach.

(c) **Empty pole trailers.** Any empty pole trailer loaded upon any truck-tractor (except pole trailers that straddle the truck-tractor bunks) shall be fastened to the truck-tractor by not less than one 5/16 inch, grade seven or better chain and one tensioning or locking device in such a manner as to

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prevent the pole trailer from falling or shifting while in transit. The chain shall be securely fastened between the forward point on the reach tunnel and a point on the truck-tractor frame or from either axle of the pole trailer to a point directly below on the truck-tractor frame or crossmember.

(7) **Qualifications of drivers.** Adoption of United States Department of Transportation motor carrier safety regulations. The rules and regulations governing qualifications of drivers prescribed by the United States Department of Transportation in Title 49, Code of Federal Regulations, part 382, part 383, and part 391, as well as and including all appendices and amendments thereto, are adopted and prescribed by the commission to be observed by all common, private, registered, and registered exempt carriers operating under chapter 81.80 RCW except carriers operating exclusively in intrastate commerce:

(a) The minimum age requirement for drivers prescribed in subparagraph (1) of paragraph 391.11(b) shall be eighteen years of age.

(b) With respect to the limited exemption prescribed in section 391.61, the time period identified therein shall be the period of time prior to October 20, 1979.

(c) With respect to the limited exemptions prescribed in sections 391.65 and 391.71, the time periods identified in these sections shall have as a starting date October 20, 1979.

(d) Sections 391.21, 391.23, 391.25, 391.27, 391.31, 391.33, 391.35, and 391.37 shall not apply to a single vehicle owner driver private carrier, or to a single vehicle owner driver common carrier when operating under its own permit.

(e) Section 391.49 shall not apply when a driver has obtained from the department of licensing the proper drivers license endorsement and restrictions (if any) for the operation of the motor vehicle the person is driving.

(f) The provisions of paragraphs (a) and (b) of section 391.2, section 391.69, subparagraph (2) of paragraph 391.71(a), and subparagraph (4) of paragraph 391.71(b) shall not apply.

(g) Carriers operating vehicles with a manufacturer's gross vehicle weight rating (GVWR) of less than ten thousand pounds shall not be subject to the provisions of part 391 unless the vehicle is being used to transport hazardous materials of a type or quantity that requires the vehicle to be marked or placarded in accordance with WAC 480-14-390.

(8) **Out-of-service criteria.** All drivers operating motor vehicles under chapter 81.80 RCW shall do so in compliance with the safety rules and regulations defined therein. Duly authorized personnel of the commission shall have the power to order out-of-service any driver found to be operating in violation of those rules and regulations. The criteria for conditions under which a driver may be ordered out-of-service are those defined in the *North American Uniform Out-of-Service Criteria*. Copies of this document are available from the commission upon request.

(9) Whenever the designation "director, office of motor carrier safety" is used in the respective parts of Title 49, Code of Federal Regulations, as described in subsection (6) of this section, such designation for the purpose of this rule shall mean the "Washington utilities and transportation commission," located in Olympia, Washington.

#### NEW SECTION

**WAC 480-14-380 Hours of service—On duty—Adoption of federal safety regulations.** The rules and regulations adopted by the United States Department of Transportation in Title 49, Code of Federal Regulations, part 395 are adopted and prescribed by the commission to be observed by all common, private, registered and registered exempt carriers operating under chapter 81.80 RCW, except:

(1) A driver who is driving a motor vehicle in the hauling of logs from the point of production or in dump truck operations, exclusively in intrastate commerce, shall not drive nor be permitted to drive more than twelve hours following eight consecutive hours off duty. Such driver shall not be on duty nor be permitted to be on duty more than ninety hours in any period of seven consecutive days.

(2) A driver who is driving a motor vehicle in the hauling of agricultural products from the point of production on farms, exclusively in intrastate commerce, shall not drive nor be permitted to drive more than twelve hours following eight consecutive hours off duty. Such driver shall not be on duty nor be permitted to be on duty more than ninety hours in any period of seven consecutive days.

(3) The rules and regulations governing driver's daily logs prescribed in Title 49, Code of Federal Regulations, section 395.8 and adopted in this section, do not apply to a driver who drives exclusively in intrastate commerce and wholly within a radius of one hundred miles of the terminal or garage at which he or she reports for work, if the motor carrier who employs the driver maintains and retains for a period of one year accurate and true records showing the total number of hours of driving time and the time that the driver is on duty each day and the time at which the driver reports for, and is released from, duty each day. A tacograph showing the required driver hourly information may be substituted for the required records.

(4) Carriers operating exclusively in intrastate commerce operating vehicles with a manufacturer's gross vehicle weight rating (GVWR) of less than ten thousand one pounds shall not be subject to the provisions of part 395 unless the vehicle is being used to transport hazardous materials of a type or quantity that requires the vehicle to be marked or placarded in accordance with WAC 480-14-390.

#### NEW SECTION

**WAC 480-14-390 Hazardous materials regulations.**

(1) The rules and regulations governing hazardous materials prescribed by the United States Department of Transportation in Title 49, Code of Federal Regulations, parts 170-189, as well as and including all appendices and amendments thereto, are adopted and prescribed by the commission to define hazardous materials for motor vehicle transportation purposes, and to state the precautions that must be observed in storage, packaging, loading, and unloading such materials, and in maintaining, placarding, marking, and certifying motor vehicles and equipment used in transporting such materials, and in the maintenance of shipping papers prepared in conjunction with transporting such materials. The rules and regulations adopted and prescribed by this rule shall be observed by all common and registered carriers operating in this state.

(2) In addition to any accident reporting requirement now or hereafter prescribed by the commission, every common and registered carrier operating in this state who reports to the United States Department of Transportation any incidents occurring in this state involving hazardous materials, shall send a copy of any such report to the commission.

**(3) Out-of-service criteria.**

(a) All motor vehicles operated under chapter 81.80 RCW shall be operated in compliance with the rules and regulations governing the transportation of hazardous materials. They shall at all times be subject to inspection by the commission and its duly authorized representatives who shall have power to order out-of-service any vehicle meeting the standards set forth in this section, or is not being operated in compliance with laws in regard to equipment or method.

(b) Standards. The purpose of this section is to identify critical hazardous materials inspection items and provide criteria for placing a vehicle(s) in an out-of-service or restricted service category subsequent to an inspection. The criteria for out-of-service condition or restricted service condition are those defined in the *North American Uniform Out-of-Service Criteria*. Copies of this document are available from the commission upon request.

(i) Out-of-service condition. No motor carrier shall require nor shall any person operate a motor vehicle(s) when an out-of-service condition is found to exist. The vehicle shall not be allowed to continue in operation until the unsafe condition is corrected and the shipment thereon complies with applicable laws, rules, and regulations: *Provided*, That if safety may be jeopardized by an out-of-service action at the inspection site, the vehicle(s) may be escorted to a safer location.

**NEW SECTION**

**WAC 480-14-400 Transportation of radioactive materials—Driving and parking rules.** (1) Attendance and surveillance of motor vehicles.

(a) Except as provided in (b) of this subsection, a motor vehicle containing an amount of radioactive material requiring highway route control pursuant to CFR part 173.403 must be attended at all times by its driver or a qualified representative of the motor carrier that operates it.

(b) Subdivision (a) of this subsection shall not apply if all of the following conditions exist:

(i) The vehicle is located on the property of the motor carrier, on the property of a shipper or consignee of the radioactive material, or in a safe haven; and

(ii) The lawful bailee of the radioactive material is aware of the nature of the radioactive material the vehicle contains and has been instructed in the procedures that must be followed in emergencies; and

(iii) The vehicle is within the bailee's unobstructed field of view.

(c) For purposes of this section:

(i) A motor vehicle is attended when the person in charge of the vehicle is on the vehicle, awake, and not in a sleeper berth, or is within one hundred feet of the vehicle with an unobstructed field of view;

(ii) A qualified representative of a motor carrier is a person who:

(A) Has been designated by the carrier to attend the vehicle;

(B) Is aware of the nature of the radioactive materials contained in the vehicle;

(C) Has been instructed in the procedures to be followed in emergencies; and

(D) Is authorized to move the vehicle and has the means and ability to do so.

(d) A safe haven is an area specifically approved in writing by local, state or federal government authorities for the parking of unattended vehicles containing highway route controlled quantities of radioactive material.

(e) The rules in this section do not relieve a driver from any obligation imposed by law relating to the placing of warning devices when a motor vehicle is stopped on the public street or highway.

(2) Parking. A motor vehicle which contains an amount of radioactive material requiring highway route control must not be parked:

(a) On or within five feet of the traveled portion of a public street or highway;

(b) On private property (including premises of a fueling or eating facility) without the knowledge and consent of the person who is in charge of the property and who is aware of the nature of the hazardous materials the vehicle contains; or

(c) Within three hundred feet of a bridge, tunnel, dwelling, building, or place where people work, congregate, or assemble, except for brief periods when the necessities of operation require the vehicle to be parked and make it impracticable to park the vehicle in any other place.

**NEW SECTION**

**WAC 480-14-420 Optional provisions.** (1) Carriers of general commodities, materials transported by armored cars and hazardous materials may, but are not required to, participate in the optional programs identified in this subsection.

(a) Uniform Bill of Lading. The commission adopts as the appropriate uniform bill of lading:

(i) The Uniform Straight Bill shown in Appendix A of this chapter, or in the alternative,

(ii) Carriers subscribing to the National Motor Freight Classification shall use the form of the bill of lading for shipments as shown in the National Motor Freight Classification in effect on May 28, 1994, and may modify its terms as indicated within the terms shown thereon. Adoption by the commission does not supersede the publisher's copyright in the document nor authorize its use by persons not entitled thereto. It is available from the Traffic Department, American Trucking Association, 2200 Mill Road, Alexandria, Virginia 22314.

(b) Uniform freight classification. The commission adopts as the appropriate uniform freight classification the National Motor Freight Classification published by the American Trucking Association, effective May 28, 1994.

(i) The uniform freight classification is available for inspection in the utilities and transportation branch of the Washington state library, located with the headquarters office of the commission. It is available from the Traffic Depart-

ment, American Trucking Association, 2200 Mill Road, Alexandria, Virginia 22314.

(ii) Subscribing carriers shall use the uniform freight classification for intrastate shipments. Adoption by the commission does not supersede the publisher's copyright in the document nor authorize its use by persons not entitled thereto.

(c) Standard mileage guide. The commission adopts as the standard mileage guide for shipments in the state of Washington, the *Official State Highway Map* published by the Washington state department of transportation.

(i) Mileage between points not designated on the map shall be calculated by using the indicated map mileage for as much of the traveled route as is possible and then adding to that mileage the actual odometer mileage to or from the unnamed point.

(ii) The map is available for inspection in the utilities and transportation branch of the Washington state library, located with the headquarters office of the commission, and it is available from the Washington State Department of Transportation, WSDOT Public Affairs Office, P. O. Box 47322, Olympia, Washington 98504-7322.

(2) A carrier may opt-in to any of these programs at any time by completing a form at the time it applies for authority, at the time it submits a periodic report of operations, or at any other time by filing written notice with the commission.

(a) A carrier who has opted-in may advertise its option status and must disclose to shippers its option status before accepting a shipment.

(b) A carrier who has opted-in must act in conformity with its option until it has completed steps necessary to opt-out of the program. Carriers may not subscribe selectively for some shipments or shippers but not for others.

(3) Opting out. All carriers will be assumed to have opted-out of participating in any of the optional programs until such time as they officially notify the commission that they have opted-in to one or more of the programs.

(a) No carrier who has opted-out of any program may represent that it subscribes to the program. Carriers who have opted-out of any program may advertise or represent that they do not participate in the program.

(b) A carrier may choose to opt-out of any optional program at any time by:

(i) Filing with the commission its written notice that it opts-out of the program;

(ii) Advising the shippers it has served within the past year that it has opted-out; and

(iii) Withdrawing any advertising it may have for dissemination to the public that states its optional participation.

(4) For the purposes of this rule only, the term "written notice" may also include filing via notification through the commission's telefacsimile machine.

(5) Violations. It shall be a violation of rule for a carrier to advertise or represent to the public or to any shipper that it is an option participant in any program when it has not opted-in, and to advertise or represent to the public or any shipper that it is not an option participant when it is.



**NEW SECTION**

**WAC 480-14-900 Appendix A.**

**UNIFORM STRAIGHT BILL OF LADING Original--Not Negotiable--Domestic**

Shipper's No.

Carrier

Agent's No.

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Bill of Lading.

at 19 from \_\_\_\_\_  
 the property described below, in apparent good order, except as noted (content and condition of contents of packages unknown) marked, consigned, and destined as show below, which said company (the word company being understood throughout this contract as meaning any person or corporation in possession of the property under contract) agrees to carry to its usual place of delivery at said destination, if on its own railroad, water line, highway route or routes, or within the territory of its highway operations, otherwise deliver to another carrier on the route to said destination. It is mutually agreed, as to each carrier of all or any of said property over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the conditions not prohibited by law, whether printed or written, herein contained, including the conditions on the back hereof, which are hereby agreed to by the shipper and acceptor for himself and his assigns.

Consigned to \_\_\_\_\_  
 Destination \_\_\_\_\_ State of \_\_\_\_\_ Zip Code \_\_\_\_\_ County Of \_\_\_\_\_  
 Routing \_\_\_\_\_ Delivering Carrier \_\_\_\_\_ Vehicle or Car Initial \_\_\_\_\_ No. \_\_\_\_\_

Collect on Delivery \$ \_\_\_\_\_ and remit to: \_\_\_\_\_  
 Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

C.O.D. charge to be paid by:  Shipper  Consignee

Subject to Section 7 of conditions, if this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statements:  
 The carrier shall not make delivery of this shipment without payment of freight and all other lawful charges.  
 (Signature of Consignor) \_\_\_\_\_

If charges are to be prepaid, write or stamp here "TO BE PREPAID."

Received: \_\_\_\_\_ to apply to prepayment of the charges on the property described hereon.  
 Agent or Cashier \_\_\_\_\_

Per \_\_\_\_\_  
 (The signature here acknowledges only the amount Prepaid.)

Charges Advanced: \$ \_\_\_\_\_

\*If the shipment moves between two ports by a carrier by water, the law requires that the bill of lading shall state whether it is "carrier's or shipper's weight." NOTE--Where the rate is dependent on value shippers are required to state specifically in writing the agreed or declared value of the property. The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding: \$ \_\_\_\_\_ per \_\_\_\_\_

Mark with "X" to designate Hazardous Materials as defined in the Department of Transportation Regulations governing the transportation of hazardous materials.

This is to certify that the above-named materials are properly classified, packed, marked and labeled hereon in proper condition for transportation according to the applicable regulations of the Department of Transportation.  
 Agent of \_\_\_\_\_

\_\_\_\_\_, Shipper, Per \_\_\_\_\_ Agent, Per \_\_\_\_\_

Permanent post-office address of shipper, \_\_\_\_\_ page ①

(This Bill of Lading is to be signed by the shipper and agent of the carrier issuing same.)

**CONTRACT TERMS AND CONDITIONS**

Sec. 1.(a) The carrier or party in possession of any of the property herein described shall be liable as at common law for any loss thereof or damage thereto, except as hereinafter provided.

(b) No carrier or party in possession of all or any of the property herein described shall be liable for any loss thereof or damage thereto or delay caused by the Act of God, the public enemy, the authority of law, or the act or default of the shipper or owner, or for natural shrinkage. The carrier's

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liability shall be that of warehouseman, only, for loss, damage, or delay caused by fire occurring after the expiration of the free time (if any) allowed by tariffs lawfully on file (such free time to be computed as therein provided) after notice of the arrival of the property at destination or at the port of export (if intended for export) has been duly sent or given, and after placement of the property for delivery at destination, or tender of delivery of the property to the party entitled to receive it, has been made. Except in case of negligence of the carrier or party in possession (and the burden to prove freedom from such negligence shall be on the carrier or party in possession), the carrier or party in possession shall not be liable for loss, damage, or delay occurring while the property is stopped and held in transit upon the request of the shipper, owner, or party, entitled to make such request, or resulting from a defect or vice in the property, or for country damage to cotton, or from riots or strikes. Except in case of carrier's negligence, no carrier or party in possession of all or any of the property herein described shall be liable for delay caused by highway obstruction, faulty or impassable highway, or lack of capacity of any highway, bridge or ferry, and the burden to prove freedom from such negligence shall be on the carrier or party in possession.

(c) In case of quarantine the property may be discharged at risk and expense of owners into quarantine depot or elsewhere, as required by quarantine regulations or authorities, or for the carrier's dispatch at nearest available point in carrier's judgement, and in any such case carrier's responsibility shall cease when property is so discharged, or property may be returned by carrier at owner's expense to shipping point, earning freight both ways. Quarantine expenses of whatever nature or kind upon or in respect to property shall be borne by the owners of the property or be in lien thereon. The carrier shall not be liable for loss or damage occasioned by fumigation or disinfection or other acts required or done by quarantine regulations or authorities even though the same may have been done by carrier's officers, agents, or employees, nor for detention, loss, or damage of any kind occasioned by quarantine or the enforcement thereof. No carrier shall be liable, except in case of negligence, for any mistake or inaccuracy in any information furnished by the carrier, its agents, or officers, as to quarantine laws or regulations. The shipper shall hold the carriers harmless from any expense they may incur, or damages they may be required to pay, by reason of the introduction of the property covered by this contract into any place against the quarantine laws or regulations in effect at such place.

**Sec. 2.(a)** No carrier is bound to transport said property by any particular schedule, train, vehicle, or vessel, or in time for any particular market or otherwise than with reasonable dispatch. Every carrier shall have the right in case of physical necessity to forward said property by any carrier or route between the point of shipment and the point of destination. In all cases not prohibited by law, where a lower value than actual value has been represented in writing by the shipper or has been agreed upon in writing as the released value of the property as determined by the classification or tariffs upon which the rate is based, such lower value plus freight charges if paid shall be the maximum amount to be recovered, whether or not such loss or damage occurs from negligence.

(b) As a condition precedent to recovery, claims must be filed in writing with the receiving or delivering carrier, or carrier issuing this bill of lading, or carrier on whose line the loss, damage, injury or delay occurred, or carrier in possession of the property when the loss, damage, injury or delay occurred, within nine months after delivery of the property (or, in the case of export traffic, within nine months after delivery at port of export) or, in case of failure to make delivery, then within nine months after a reasonable time for delivery has elapsed; and suits shall be instituted against any carrier only within two years and one day from the day when notice in writing is given by the carrier to the claimant that the carrier has disallowed the claim or any part or parts thereof specified in the notice. Where claims are not filed or suits are not instituted thereon in accordance with the foregoing provisions, no carrier shall be liable, and such claims will not be paid.

(c) Any carrier or party liable on account of loss of or damage to any of said property shall have the full benefit of any insurance that may have been effected upon or on account of said property, so far as this shall not avoid the policies or contracts of insurance: **PROVIDED**, That the carrier reimburse the claimant for the premium paid thereon.

**Sec. 3.** Except where such service is required as the result of carrier's negligence, all property shall be subject to necessary cooerage and baling at owner's cost. Each carrier over whose route cotton or cotton linters is to be transported hereunder shall have the privilege, at its own cost and risk, of compressing the same for greater convenience in handling or forwarding, and shall not be held responsible for deviation or unavoidable delays in procuring such compression. Grain in bulk consigned to a point where there is a railroad, public or licensed elevator, may (unless otherwise expressly noted herein, and then if it is not promptly unloaded) be there delivered, and placed with other grain of the same kind and grade without respect to ownership (and prompt notice thereof shall be given to the consignor), and if so delivered shall be subject to a lien for elevator charges in addition to all other charges hereunder.

**Sec. 4.(a)** Property not removed by the party entitled to receive it within the free time (if any) allowed by tariffs, lawfully on file (such free time to be computed as therein provided), after notice of the arrival of the property at destination or at the port of export (if intended for export) has been duly sent or given, and after placement of the property for delivery at destination has been made, or property not received, at time tender of delivery of the property to the party entitled to receive it has been made, may be kept in vessel, vehicle, car, depot, warehouse or place of business of the carrier, subject to the tariff charge for storage and to carrier's responsibility as warehouseman, only, or at the option of the carrier, may be removed to and stored in a public or licensed warehouse at the point of delivery or at other available point, or if no such warehouse is available at point of delivery or at other available point, then in other available storage facility; at cost of the owner, and there held without liability on the part of the carrier, and subject to a lien for all freight and other lawful charges, including a reasonable charge for storage. In the event consignee cannot be found at address given for delivery, then in that event, notice of the placing of such goods in warehouse shall be mailed to the address given for delivery and

mailed to any other address given on the bill of lading for notification, showing the warehouse in which such property has been placed, subject to the provisions of this paragraph.

(b) Where nonperishable property which has been transported to destination hereunder is refused by consignee or the party entitled to receive it upon tender of delivery, or said consignee or party entitled to receive it fails to receive or claim it within 15 days after notice of arrival shall have been duly sent or given, the carrier may sell the same at public auction to the highest bidder, at such place as may be designated by the carrier.

PROVIDED, That the carrier shall have first mailed, sent, or given to the consignor notice that the property has been refused or remains unclaimed, as the case may be, and that it will be subject to sale under the terms of the bill of lading if disposition be not arranged for, and shall have published notice containing a description of the property, the name of the party to whom consigned, or, if shipped order notify, the name of the party to be notified, and the time and place of sale, once a week for two successive weeks, in a newspaper of general circulation at the place of sale or nearest place where such newspaper is published. PROVIDED, That 30 days shall have elapsed before publication of notice of sale after said notice that the property was refused or remains unclaimed was mailed, sent or given.

(c) Where perishable property which has been transported hereunder to destination is refused by consignee or party entitled to receive it, or said consignee or party entitled to receive it shall fail to receive it promptly, the carrier, may, in its discretion, to prevent deterioration or further deterioration, sell the same to the best advantage at private or public sale: PROVIDED, That if time serves for notification to the consignor or owner the refusal of the property or the failure to receive it and request for disposition of the property, such notification shall be given, in such manner as the exercise of due diligence requires, before the property is sold.

(d) Where the procedure provided for in the two paragraphs last preceding is not possible, it is agreed that nothing contained in said paragraphs shall be constituted to abridge the right of the carrier at its option to sell the property under such circumstances and in such manner as may be authorized by law.

(e) The proceeds of any sale made under this section shall be applied by the carrier to the payment of freight, demurrage, storage, and any other lawful charges and the expense of notice, advertisement, sale, and other necessary expense and of caring for and maintaining the property, if proper care of same requires special expense, and should there be a balance it shall be paid to the owner of the property sold hereunder.

(f) Property destined to or taken from a station, wharf, landing or other place at which there is no regularly appointed freight agent, shall be entirely at risk of owner after unloaded from cars, vehicles or vessels or until loaded into cars, vehicles, or vessels, and, except in case of carrier's negligence, when received from or delivered to such stations, wharfs, landings, or other places, shall be at owner's risk until the cars are attached to and after they are detached from locomotive or train or until loaded into and after unloaded from vessels, or if property is transported in motor vehicle trailers or semi-trailers, until such trailers or semi-trailers are attached to and after they are detached from

power units. Where a carrier is directed to unload or deliver property transported by motor vehicle at a particular location where consignee or consignee's agent is not regularly located, the risk after unloading, or delivery, shall be that of the owner.

Sec. 5. No carrier hereunder will carry or be liable in any way for any documents, specie, or for any articles of extraordinary value not specifically rated in the published classifications or tariffs unless a special agreement to do so and a stipulated value of the articles are endorsed hereon.

Sec. 6. Every party, whether principal or agent, shipping explosives or dangerous goods, without previous full written disclosure to the carrier of their nature, shall be liable for and indemnify the carrier against all loss or damage caused by such goods, and such goods may be warehoused at owner's risk and expense or destroyed without compensation.

Sec. 7. The owner or consignee shall pay the freight and average, if any, and all other lawful charges accruing on said property; but, except in those instances where it may lawfully be authorized to do so, no carrier shall deliver or relinquish possession at destination of the property covered by this bill of lading until all tariff rates and charges thereon have been paid. The consignor shall be liable for the freight and all other lawful charges, except that if the consignor stipulates, by signature, in the space provided for that purpose on the face of this bill of lading that the carrier shall not make delivery without requiring payment of such charges, and the carrier, contrary to such stipulation shall make delivery without requiring such payment, the consignor (except as hereinafter provided) shall not be legally liable for such charges. PROVIDED, That, where the carrier has been instructed by the shipper or consignor to deliver said property to a consignee other than the shipper or consignor, such consignee shall not be legally liable for transportation charges in respect of the transportation of said property (beyond those billed against him at the time of delivery for which he is otherwise liable) which may be found to be due after the property has been delivered to him, if the consignee (a) is an agent only and has no beneficial title in said property, and (b) prior to delivery of said property has notified the delivering carrier in writing of the fact of such agency and absence of beneficial title, and, in the case of a shipment reconsigned or diverted to a point other than that specified in the original bill of lading, has also notified the delivering carrier in writing of the name and address of the beneficial owner of said property; and, in such cases the shipper or consignor, or, in the case of a shipment so reconsigned or diverted, the beneficial owner shall be liable for such additional charges. If the consignee has given to the carrier erroneous information as to who the beneficial owner is, such consignee shall himself be liable for such additional charges. Nothing herein shall limit the right of the carrier to require at time of shipment the prepayment or guarantee of the charges. If upon inspection it is ascertained that the articles shipped are not those described in this bill of lading, the freight charges must be paid upon the articles actually shipped.

Sec. 8. If this bill of lading is issued on the order of the shipper, or his agent, in exchange or in substitution for another bill of lading, the shipper's signature to the prior bill of lading as to the statement of value or otherwise, or

election of common law or bill of lading liability, in or in connection with such prior bill of lading, shall be considered a part of this bill of lading as fully as if the same were written or made in or in connection with this bill of lading.

**Sec. 9. (a)** If all or any part of said property is carried by water over any part of said route, such water carriage shall be performed subject to all the terms and provisions of, and all the exemptions from liability contained in, the Act of the Congress of the United States, approved on February 13, 1893, and entitled "An act relating to the navigation of vessels, etc." and of other statutes of the United States according carriers by water the protection of limited liability, and to the conditions contained in this bill of lading not inconsistent therewith or with this section.

**(b)** No such carrier by water shall be liable for any loss or damage resulting from any fire happening to or on board the vessel, or from explosion, bursting of boilers or breakage of shafts, unless caused by the design or neglect of such carrier.

**(c)** If the owner shall have exercised due diligence in making the vessel in all respects seaworthy and properly manned, equipped and supplied, no such carrier shall be liable for any loss or damage resulting from the perils of the lakes, seas, or other waters, or from latent defects in hull, machinery, or appurtenances whether existing prior to, at the time of, or after sailing, or from collision, stranding, or other accidents of navigation, or from prolongation of the voyage. And, when for any reason it is necessary, any vessel carrying any or all of the property herein described shall be at liberty to call at any port or ports, in or out of the customary route, to tow and be towed, to transfer, trans-ship, or lighter, to load and discharge goods at any time, to assist vessels in distress, to deviate for the purpose of saving life or property, and for docking and repairs. Except in case of negligence such carrier shall not be responsible for any loss or damage to property if it be necessary or is usual to carry the same upon deck.

**(d)** General Average shall be payable according to the York-Antwerp Rules of 1924, Section 1 to 15, inclusive, and Sections 17 to 22, inclusive, and as to matters not covered thereby according to the laws and usages of the Port of New York. If the owners shall have exercised due diligence to make the vessel in all respects seaworthy and properly manned, equipped and supplied, it is hereby agreed that in case of danger, damage or disaster resulting from faults or errors in navigation, or in the management of the vessel, or from any latent or other defects in the vessel, her machinery or appurtenances, or from unseaworthiness, whether existing at the time of shipment or at the beginning of the voyage (provided the latent or other defects or the unseaworthiness was not discoverable by the exercise of due diligence), the shippers, consignees and/or owners of the cargo shall nevertheless pay salvage and any special charges incurred in respect of the cargo, and shall contribute with the shipowner in general average to the payment of any sacrifices, losses or expenses of a general average nature that may be made or incurred for the common benefit or to relieve the adventure from any common peril.

**(e)** If the property is being carried under a tariff which provides that any carrier or carriers party thereto shall be liable for loss from perils of the sea, then as to such carrier or carriers the provisions of this section shall be modified in

accordance with the tariff provisions, which shall be regarded as incorporated into the conditions of this bill of lading.

**(f)** The term "water carriage" in this section shall not be construed as including lighterage in or across rivers, harbors, or lakes, when performed by or on behalf of carriers other than water.

**Sec. 10.** Any alteration, addition, or erasure in this bill of lading which shall be made without the special notation hereon of the agent of the carrier issuing this bill of lading, shall be without effect, and this bill of lading shall be enforceable according to its original tenor.

This Shipping Order Must be legibly filled in, in ink, in indelible Pencil, or in Carbon and retained by the Agent.

Shipper's No. \_\_\_\_\_

Carrier \_\_\_\_\_

Agent's No. \_\_\_\_\_

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Bill of Lading.

at \_\_\_\_\_ 19 \_\_\_\_\_ from \_\_\_\_\_  
 the property described below, in apparent good order, except as noted (content and condition of contents of packages unknown) marked, consigned, and destined as show below, which said company (the word company being understood throughout this contract as meaning any person or corporation in possession of the property under contract) agrees to carry to its usual place of delivery at said destination, if on its own railroad, water line, highway route or routes, or within the territory of its highway operations, otherwise deliver to another carrier on the route to said destination. It is mutually agreed, as to each carrier of all or any of said property over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the conditions not prohibited by law, whether printed or written, herein contained, including the conditions on the back hereof, which are hereby agreed to by the shipper and acceptor for himself and his assigns.

Consigned to \_\_\_\_\_  
 Destination \_\_\_\_\_ State of \_\_\_\_\_ Zip Code \_\_\_\_\_ County Of \_\_\_\_\_  
 Routing \_\_\_\_\_ Vehicle or Carrier \_\_\_\_\_ Car Initial \_\_\_\_\_ No. \_\_\_\_\_

Collect on Delivery \$ \_\_\_\_\_ and remit to: \_\_\_\_\_  
 Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

C.O.D. charge to be paid by:  Shipper  Consignee

Subject to Section 7 of conditions, if this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statements:  
 The carrier shall not make delivery of this shipment without payment of freight and all other lawful charges.

No. Packages	HM	Description of Articles, Special Marks, and Exceptions	*Weight (Sub. to Car.)	Class or Rate	Check Column

(Signature of Consignor)

If charges are to be prepaid, write or stamp here "TO BE PREPAID."

Received \$ \_\_\_\_\_ to apply to prepayment of the charges on the property described hereon.  
 Agent or Cashier \_\_\_\_\_

Per \_\_\_\_\_  
 (The signature here acknowledges only the amount Prepaid.)

\*If the shipment moves between two ports by a carrier by water, the law requires that the bill of lading shall state whether it is "carrier's or shipper's weight." NOTE--Where the rate is dependent on value shippers are required to state specifically in writing the agreed or declared value of the property. The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding: \$ \_\_\_\_\_ per \_\_\_\_\_

Charges Advanced: \$ \_\_\_\_\_

Mark with "X" to designate Hazardous Materials as defined in the Department of Transportation Regulations governing the transportation of hazardous materials.

This is to certify that the above-named materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation according to the applicable regulations of the Department of Transportation.

Agent of Shipper \_\_\_\_\_

\_\_\_\_\_ Shipper, Per \_\_\_\_\_ Agent must detach and retain this shipping Order And must sign the Original Bill of Lading.

Permanent post-office address of shipper. \_\_\_\_\_ page ②

(This Bill of Lading is to be signed by the shipper and agent of the carrier issuing same.)

CONTRACT TERMS AND CONDITIONS

Sec. 1.(a) The carrier or party in possession of any of the property herein described shall be liable as at common law for any loss thereof or damage thereto, except as hereinafter provided.  
 (b) No carrier or party in possession of all or any of the property herein described shall be liable for any loss thereof or damage thereto or delay caused by the Act of God, the

public enemy, the authority of law, or the act or default of the shipper or owner, or for natural shrinkage. The carrier's liability shall be that of warehouseman, only, for loss, damage, or delay caused by fire occurring after the expiration of the free time (if any) allowed by tariffs lawfully on file (such free time to be computed as therein provided) after notice of the arrival of the property at destination or at the

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port of export (if intended for export) has been duly sent or given, and after placement of the property for delivery at destination, or tender of delivery of the property to the party entitled to receive it, has been made. Except in case of negligence of the carrier or party in possession (and the burden to prove freedom from such negligence shall be on the carrier or party in possession), the carrier or party in possession shall not be liable for loss, damage, or delay occurring while the property is stopped and held in transit upon the request of the shipper, owner, or party, entitled to make such request, or resulting from a defect or vice in the property, or for country damage to cotton, or from riots or strikes. Except in case of carrier's negligence, no carrier or party in possession of all or any of the property herein described shall be liable for delay caused by highway obstruction, faulty or impassable highway, or lack of capacity of any highway, bridge or ferry, and the burden to prove freedom from such negligence shall be on the carrier or party in possession.

(c) In case of quarantine the property may be discharged at risk and expense of owners into quarantine depot or elsewhere, as required by quarantine regulations or authorities, or for the carrier's dispatch at nearest available point in carrier's judgement, and in any such case carrier's responsibility shall cease when property is so discharged, or property may be returned by carrier at owner's expense to shipping point, earning freight both ways. Quarantine expenses of whatever nature or kind upon or in respect to property shall be borne by the owners of the property or be in lien thereon. The carrier shall not be liable for loss or damage occasioned by fumigation or disinfection or other acts required or done by quarantine regulations or authorities even though the same may have been done by carrier's officers, agents, or employees, nor for detention, loss, or damage of any kind occasioned by quarantine or the enforcement thereof. No carrier shall be liable, except in case of negligence, for any mistake or inaccuracy in any information furnished by the carrier, its agents, or officers, as to quarantine laws or regulations. The shipper shall hold the carriers harmless from any expense they may incur, or damages they may be required to pay, by reason of the introduction of the property covered by this contract into any place against the quarantine laws or regulations in effect at such place.

**Sec. 2.(a)** No carrier is bound to transport said property by any particular schedule, train, vehicle, or vessel, or in time for any particular market or otherwise than with reasonable dispatch. Every carrier shall have the right in case of physical necessity to forward said property by any carrier or route between the point of shipment and the point of destination. In all cases not prohibited by law, where a lower value than actual value has been represented in writing by the shipper or has been agreed upon in writing as the released value of the property as determined by the classification or tariffs upon which the rate is based, such lower value plus freight charges if paid shall be the maximum amount to be recovered, whether or not such loss or damage occurs from negligence.

(b) As a condition precedent to recovery, claims must be filed in writing with the receiving or delivering carrier, or carrier issuing this bill of lading, or carrier on whose line the loss, damage, injury or delay occurred, or carrier in possession of the property when the loss, damage, injury or delay

occurred, within nine months after delivery of the property (or, in the case of export traffic, within nine months after delivery at port of export) or, in case of failure to make delivery, then within nine months after a reasonable time for delivery has elapsed; and suits shall be instituted against any carrier only within two years and one day from the day when notice in writing is given by the carrier to the claimant that the carrier has disallowed the claim or any part or parts thereof specified in the notice. Where claims are not filed or suits are not instituted thereon in accordance with the foregoing provisions, no carrier shall be liable, and such claims will not be paid.

(c) Any carrier or party liable on account of loss of or damage to any of said property shall have the full benefit of any insurance that may have been effected upon or on account of said property, so far as this shall not avoid the policies or contracts of insurance: PROVIDED, That the carrier reimburse the claimant for the premium paid thereon.

**Sec. 3.** Except where such service is required as the result of carrier's negligence, all property shall be subject to necessary cooperage and baling at owner's cost. Each carrier over whose route cotton or cotton linters is to be transported hereunder shall have the privilege, at its own cost and risk, of compressing the same for greater convenience in handling or forwarding, and shall not be held responsible for deviation or unavoidable delays in procuring such compression. Grain in bulk consigned to a point where there is a railroad, public or licensed elevator, may (unless otherwise expressly noted herein, and then if it is not promptly unloaded) be there delivered, and placed with other grain of the same kind and grade without respect to ownership (and prompt notice thereof shall be given to the consignor), and if so delivered shall be subject to a lien for elevator charges in addition to all other charges hereunder.

**Sec. 4.(a)** Property not removed by the party entitled to receive it within the free time (if any) allowed by tariffs, lawfully on file (such free time to be computed as therein provided), after notice of the arrival of the property at destination or at the port of export (if intended for export) has been duly sent or given, and after placement of the property for delivery at destination has been made, or property not received, at time tender of delivery of the property to the party entitled to receive it has been made, may be kept in vessel, vehicle, car, depot, warehouse or place of business of the carrier, subject to the tariff charge for storage and to carrier's responsibility as warehouseman, only, or at the option of the carrier, may be removed to and stored in a public or licensed warehouse at the point of delivery or at other available point, or if no such warehouse is available at point of delivery or at other available point, then in other available storage facility; at cost of the owner, and there held without liability on the part of the carrier, and subject to a lien for all freight and other lawful charges, including a reasonable charge for storage. In the event consignee cannot be found at address given for delivery, then in that event, notice of the placing of such goods in warehouse shall be mailed to the address given for delivery and mailed to any other address given on the bill of lading for notification, showing the warehouse in which such property has been placed, subject to the provisions of this paragraph.

(b) Where nonperishable property which has been transported to destination hereunder is refused by consignee

or the party entitled to receive it upon tender of delivery, or said consignee or party entitled to receive it fails to receive or claim it within 15 days after notice of arrival shall have been duly sent or given, the carrier may sell the same at public auction to the highest bidder, at such place as may be designated by the carrier.

**PROVIDED**, That the carrier shall have first mailed, sent, or given to the consignor notice that the property has been refused or remains unclaimed, as the case may be, and that it will be subject to sale under the terms of the bill of lading if disposition be not arranged for, and shall have published notice containing a description of the property, the name of the party to whom consigned, or, if shipped order notify, the name of the party to be notified, and the time and place of sale, once a week for two successive weeks, in a newspaper of general circulation at the place of sale or nearest place where such newspaper is published. **PROVIDED**, That 30 days shall have elapsed before publication of notice of sale after said notice that the property was refused or remains unclaimed was mailed, sent or given.

(c) Where perishable property which has been transported hereunder to destination is refused by consignee or party entitled to receive it, or said consignee or party entitled to receive it shall fail to receive it promptly, the carrier, may, in its discretion, to prevent deterioration or further deterioration, sell the same to the best advantage at private or public sale: **PROVIDED**, That if time serves for notification to the consignor or owner the refusal of the property or the failure to receive it and request for disposition of the property, such notification shall be given, in such manner as the exercise of due diligence requires, before the property is sold.

(d) Where the procedure provided for in the two paragraphs last preceding is not possible, it is agreed that nothing contained in said paragraphs shall be constituted to abridge the right of the carrier at its option to sell the property under such circumstances and in such manner as may be authorized by law.

(e) The proceeds of any sale made under this section shall be applied by the carrier to the payment of freight, demurrage, storage, and any other lawful charges and the expense of notice, advertisement, sale, and other necessary expense and of caring for and maintaining the property, if proper care of same requires special expense, and should there be a balance it shall be paid to the owner of the property sold hereunder.

(f) Property destined to or taken from a station, wharf, landing or other place at which there is no regularly appointed freight agent, shall be entirely at risk of owner after unloaded from cars, vehicles or vessels or until loaded into cars, vehicles, or vessels, and, except in case of carrier's negligence, when received from or delivered to such stations, wharfs, landings, or other places, shall be at owner's risk until the cars are attached to and after they are detached from locomotive or train or until loaded into and after unloaded from vessels, or if property is transported in motor vehicle trailers or semi-trailers, until such trailers or semi-trailers are attached to and after they are detached from power units. Where a carrier is directed to unload or deliver property transported by motor vehicle at a particular location where consignee or consignee's agent is not regularly located, the risk after unloading, or delivery, shall be that of the owner.

**Sec. 5.** No carrier hereunder will carry or be liable in any way for any documents, specie, or for any articles of extraordinary value not specifically rated in the published classifications or tariffs unless a special agreement to do so and a stipulated value of the articles are endorsed hereon.

**Sec. 6.** Every party, whether principal or agent, shipping explosives or dangerous goods, without previous full written disclosure to the carrier of their nature, shall be liable for and indemnify the carrier against all loss or damage caused by such goods, and such goods may be warehoused at owner's risk and expense or destroyed without compensation.

**Sec. 7.** The owner or consignee shall pay the freight and average, if any, and all other lawful charges accruing on said property; but, except in those instances where it may lawfully be authorized to do so, no carrier shall deliver or relinquish possession at destination of the property covered by this bill of lading until all tariff rates and charges thereon have been paid. The consignor shall be liable for the freight and all other lawful charges, except that if the consignor stipulates, by signature, in the space provided for that purpose on the face of this bill of lading that the carrier shall not make delivery without requiring payment of such charges, and the carrier, contrary to such stipulation shall make delivery without requiring such payment, the consignor (except as hereinafter provided) shall not be legally liable for such charges. **PROVIDED**, That, where the carrier has been instructed by the shipper or consignor to deliver said property to a consignee other than the shipper or consignor, such consignee shall not be legally liable for transportation charges in respect of the transportation of said property (beyond those billed against him at the time of delivery for which he is otherwise liable) which may be found to be due after the property has been delivered to him, if the consignee (a) is an agent only and has no beneficial title in said property, and (b) prior to delivery of said property has notified the delivering carrier in writing of the fact of such agency and absence of beneficial title, and, in the case of a shipment reconsigned or diverted to a point other than that specified in the original bill of lading, has also notified the delivering carrier in writing of the name and address of the beneficial owner of said property; and, in such cases the shipper or consignor, or, in the case of a shipment so reconsigned or diverted, the beneficial owner shall be liable for such additional charges. If the consignee has given to the carrier erroneous information as to who the beneficial owner is, such consignee shall himself be liable for such additional charges. Nothing herein shall limit the right of the carrier to require at time of shipment the prepayment or guarantee of the charges. If upon inspection it is ascertained that the articles shipped are not those described in this bill of lading, the freight charges must be paid upon the articles actually shipped.

**Sec. 8.** If this bill of lading is issued on the order of the shipper, or his agent, in exchange or in substitution for another bill of lading, the shipper's signature to the prior bill of lading as to the statement of value or otherwise, or election of common law or bill of lading liability, in or in connection with such prior bill of lading, shall be considered a part of this bill of lading as fully as if the same were written or made in or in connection with this bill of lading.

**Sec. 9. (a)** If all or any part of said property is carried by water over any part of said route, such water carriage shall be performed subject to all the terms and provisions of, and all the exemptions from liability contained in, the Act of the Congress of the United States, approved on February 13, 1893, and entitled "An act relating to the navigation of vessels, etc." and of other statutes of the United States according carriers by water the protection of limited liability, and to the conditions contained in this bill of lading not inconsistent therewith or with this section.

**(b)** No such carrier by water shall be liable for any loss or damage resulting from any fire happening to or on board the vessel, or from explosion, bursting of boilers or breakage of shafts, unless caused by the design or neglect of such carrier.

**(c)** If the owner shall have exercised due diligence in making the vessel in all respects seaworthy and properly manned, equipped and supplied, no such carrier shall be liable for any loss or damage resulting from the perils of the lakes, seas, or other waters, or from latent defects in hull, machinery, or appurtenances whether existing prior to, at the time of, or after sailing, or from collision, stranding, or other accidents of navigation, or from prolongation of the voyage. And, when for any reason it is necessary, any vessel carrying any or all of the property herein described shall be at liberty to call at any port or ports, in or out of the customary route, to tow and be towed, to transfer, trans-ship, or lighter, to load and discharge goods at any time, to assist vessels in distress, to deviate for the purpose of saving life or property, and for docking and repairs. Except in case of negligence such carrier shall not be responsible for any loss or damage to property if it be necessary or is usual to carry the same upon deck.

**(d)** General Average shall be payable according to the York-Antwerp Rules of 1924, Section 1 to 15, inclusive, and Sections 17 to 22, inclusive, and as to matters not covered thereby according to the laws and usages of the Port of New York. If the owners shall have exercised due diligence to make the vessel in all respects seaworthy and properly manned, equipped and supplied, it is hereby agreed that in case of danger, damage or disaster resulting from faults or errors in navigation, or in the management of the vessel, or from any latent or other defects in the vessel, her machinery or appurtenances, or from unseaworthiness, whether existing at the time of shipment or at the beginning of the voyage (provided the latent or other defects or the unseaworthiness was not discoverable by the exercise of due diligence), the shippers, consignees and/or owners of the cargo shall nevertheless pay salvage and any special charges incurred in respect of the cargo, and shall contribute with the shipowner in general average to the payment of any sacrifices, losses or expenses of a general average nature that may be made or incurred for the common benefit or to relieve the adventure from any common peril.

**(e)** If the property is being carried under a tariff which provides that any carrier or carriers party thereto shall be liable for loss from perils of the sea, then as to such carrier or carriers the provisions of this section shall be modified in accordance with the tariff provisions, which shall be regarded as incorporated into the conditions of this bill of lading.

**(f)** The term "water carriage" in this section shall not be construed as including lightering in or across rivers, harbors,

or lakes, when performed by or on behalf of carriers other than water.

**Sec. 10.** Any alteration, addition, or erasure in this bill of lading which shall be made without the special notation hereon of the agent of the carrier issuing this bill of lading, shall be without effect, and this bill of lading shall be enforceable according to its original tenor.



This Memorandum is an acknowledgement that a Bill of Lading has been issued and is not the Original Bill of Lading, nor a copy or duplicate, covering the property named herein, and is intended solely for filing or record.

Shipper's No. \_\_\_\_\_

Carrier \_\_\_\_\_

Agent's No. \_\_\_\_\_

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Bill of Lading,

at \_\_\_\_\_ 19\_\_\_\_ from \_\_\_\_\_

the property described below, in apparent good order, except as noted (content and condition of contents of packages unknown) marked, consigned, and destined as show below, which said company (the word company being understood throughout this contract as meaning any person or corporation in possession of the property under contract) agrees to carry to its usual place of delivery at said destination, if on its own railroad, water line, highway route or routes, or within the territory of its highway operations, otherwise deliver to another carrier on the route to said destination. It is mutually agreed, as to each carrier of all or any of said property over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the conditions not prohibited by law, whether printed or written, herein contained, including the conditions on the back hereof, which are hereby agreed to by the shipper and acceptor for himself and his assigns.

Consigned to \_\_\_\_\_

Destination \_\_\_\_\_ State of \_\_\_\_\_ Zip Code \_\_\_\_\_ County Of \_\_\_\_\_

Routing \_\_\_\_\_ Delivering Vehicle or Carrier \_\_\_\_\_ Car Initial \_\_\_\_\_ No. \_\_\_\_\_

Collect on Delivery \$ \_\_\_\_\_ and remit to: \_\_\_\_\_

C.O.D. charge to be paid by:  Shipper  Consignee

Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

No. Packages	HM	Description of Articles, Special Marks, and Exceptions	*Weight (Sub. to Cor.)	Class or Rate	Check Column

Subject to Section 7 of conditions, if this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statements:  
The carrier shall not make delivery of this shipment without payment of freight and all other lawful charges.

(Signature of Consignor) \_\_\_\_\_

If charges are to be prepaid, write or stamp here "TO BE PREPAID."

Received \$ \_\_\_\_\_ to apply to prepayment of the charges on the property described hereon.  
Agent or Cashier \_\_\_\_\_

Per \_\_\_\_\_  
(The signature here acknowledges only the amount Prepaid.)

\*If the shipment moves between two ports by a carrier by water, the law requires that the bill of lading shall state whether it is "carrier's or shipper's weight." NOTE--Where the rate is dependent on value shippers are required to state specifically in writing the agreed or declared value of the property.  
The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding: \$ \_\_\_\_\_ per \_\_\_\_\_

Charges Advanced: \$ \_\_\_\_\_

Mark with "X" to designate Hazardous Materials as defined in the Department of Transportation Regulations governing the transportation of hazardous materials.

This is to certify that the above-named materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation according to the applicable regulations of the Department of Transportation.  
Agent of Shipper \_\_\_\_\_

\_\_\_\_\_, Shipper, Per \_\_\_\_\_ Agent, Per \_\_\_\_\_

Permanent post-office address of shipper, \_\_\_\_\_

page ③

(This Bill of Lading is to be signed by the shipper and agent of the carrier issuing same.)

CONTRACT TERMS AND CONDITIONS

Sec. 1.(a) The carrier or party in possession of any of the property herein described shall be liable as at common law for any loss thereof or damage thereto, except as hereinafter provided.

(b) No carrier or party in possession of all or any of the property herein described shall be liable for any loss thereof or damage thereto or delay caused by the Act of God, the

public enemy, the authority of law, or the act or default of the shipper or owner, or for natural shrinkage. The carrier's liability shall be that of warehouseman, only, for loss, damage, or delay caused by fire occurring after the expiration of the free time (if any) allowed by tariffs lawfully on file (such free time to be computed as therein provided) after notice of the arrival of the property at destination or at the

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port of export (if intended for export) has been duly sent or given, and after placement of the property for delivery at destination, or tender of delivery of the property to the party entitled to receive it, has been made. Except in case of negligence of the carrier or party in possession (and the burden to prove freedom from such negligence shall be on the carrier or party in possession), the carrier or party in possession shall not be liable for loss, damage, or delay occurring while the property is stopped and held in transit upon the request of the shipper, owner, or party, entitled to make such request, or resulting from a defect or vice in the property, or for country damage to cotton, or from riots or strikes. Except in case of carrier's negligence, no carrier or party in possession of all or any of the property herein described shall be liable for delay caused by highway obstruction, faulty or impassable highway, or lack of capacity of any highway, bridge or ferry, and the burden to prove freedom from such negligence shall be on the carrier or party in possession.

(c) In case of quarantine the property may be discharged at risk and expense of owners into quarantine depot or elsewhere, as required by quarantine regulations or authorities, or for the carrier's dispatch at nearest available point in carrier's judgement, and in any such case carrier's responsibility shall cease when property is so discharged, or property may be returned by carrier at owner's expense to shipping point, earning freight both ways. Quarantine expenses of whatever nature or kind upon or in respect to property shall be borne by the owners of the property or be in lien thereon. The carrier shall not be liable for loss or damage occasioned by fumigation or disinfection or other acts required or done by quarantine regulations or authorities even though the same may have been done by carrier's officers, agents, or employees, nor for detention, loss, or damage of any kind occasioned by quarantine or the enforcement thereof. No carrier shall be liable, except in case of negligence, for any mistake or inaccuracy in any information furnished by the carrier, its agents, or officers, as to quarantine laws or regulations. The shipper shall hold the carriers harmless from any expense they may incur, or damages they may be required to pay, by reason of the introduction of the property covered by this contract into any place against the quarantine laws or regulations in effect at such place.

**Sec. 2.(a)** No carrier is bound to transport said property by any particular schedule, train, vehicle, or vessel, or in time for any particular market or otherwise than with reasonable dispatch. Every carrier shall have the right in case of physical necessity to forward said property by any carrier or route between the point of shipment and the point of destination. In all cases not prohibited by law, where a lower value than actual value has been represented in writing by the shipper or has been agreed upon in writing as the released value of the property as determined by the classification or tariffs upon which the rate is based, such lower value plus freight charges if paid shall be the maximum amount to be recovered, whether or not such loss or damage occurs from negligence.

(b) As a condition precedent to recovery, claims must be filed in writing with the receiving or delivering carrier, or carrier issuing this bill of lading, or carrier on whose line the loss, damage, injury or delay occurred, or carrier in possession of the property when the loss, damage, injury or delay

occurred, within nine months after delivery of the property (or, in the case of export traffic, within nine months after delivery at port of export) or, in case of failure to make delivery, then within nine months after a reasonable time for delivery has elapsed; and suits shall be instituted against any carrier only within two years and one day from the day when notice in writing is given by the carrier to the claimant that the carrier has disallowed the claim or any part or parts thereof specified in the notice. Where claims are not filed or suits are not instituted thereon in accordance with the foregoing provisions, no carrier shall be liable, and such claims will not be paid.

(c) Any carrier or party liable on account of loss of or damage to any of said property shall have the full benefit of any insurance that may have been effected upon or on account of said property, so far as this shall not avoid the policies or contracts of insurance: PROVIDED, That the carrier reimburse the claimant for the premium paid thereon.

**Sec. 3.** Except where such service is required as the result of carrier's negligence, all property shall be subject to necessary cooperage and baling at owner's cost. Each carrier over whose route cotton or cotton linters is to be transported hereunder shall have the privilege, at its own cost and risk, of compressing the same for greater convenience in handling or forwarding, and shall not be held responsible for deviation or unavoidable delays in procuring such compression. Grain in bulk consigned to a point where there is a railroad, public or licensed elevator, may (unless otherwise expressly noted herein, and then if it is not promptly unloaded) be there delivered, and placed with other grain of the same kind and grade without respect to ownership (and prompt notice thereof shall be given to the consignor), and if so delivered shall be subject to a lien for elevator charges in addition to all other charges hereunder.

**Sec. 4.(a)** Property not removed by the party entitled to receive it within the free time (if any) allowed by tariffs, lawfully on file (such free time to be computed as therein provided), after notice of the arrival of the property at destination or at the port of export (if intended for export) has been duly sent or given, and after placement of the property for delivery at destination has been made, or property not received, at time tender of delivery of the property to the party entitled to receive it has been made, may be kept in vessel, vehicle, car, depot, warehouse or place of business of the carrier, subject to the tariff charge for storage and to carrier's responsibility as warehouseman, only, or at the option of the carrier, may be removed to and stored in a public or licensed warehouse at the point of delivery or at other available point, or if no such warehouse is available at point of delivery or at other available point, then in other available storage facility; at cost of the owner, and there held without liability on the part of the carrier, and subject to a lien for all freight and other lawful charges, including a reasonable charge for storage. In the event consignee cannot be found at address given for delivery, then in that event, notice of the placing of such goods in warehouse shall be mailed to the address given for delivery and mailed to any other address given on the bill of lading for notification, showing the warehouse in which such property has been placed, subject to the provisions of this paragraph.

(b) Where nonperishable property which has been transported to destination hereunder is refused by consignee

or the party entitled to receive it upon tender of delivery, or said consignee or party entitled to receive it fails to receive or claim it within 15 days after notice of arrival shall have been duly sent or given, the carrier may sell the same at public auction to the highest bidder, at such place as may be designated by the carrier.

**PROVIDED**, That the carrier shall have first mailed, sent, or given to the consignor notice that the property has been refused or remains unclaimed, as the case may be, and that it will be subject to sale under the terms of the bill of lading if disposition be not arranged for, and shall have published notice containing a description of the property, the name of the party to whom consigned, or, if shipped order notify, the name of the party to be notified, and the time and place of sale, once a week for two successive weeks, in a newspaper of general circulation at the place of sale or nearest place where such newspaper is published. **PROVIDED**, That 30 days shall have elapsed before publication of notice of sale after said notice that the property was refused or remains unclaimed was mailed, sent or given.

(c) Where perishable property which has been transported hereunder to destination is refused by consignee or party entitled to receive it, or said consignee or party entitled to receive it shall fail to receive it promptly, the carrier, may, in its discretion, to prevent deterioration or further deterioration, sell the same to the best advantage at private or public sale: **PROVIDED**, That if time serves for notification to the consignor or owner the refusal of the property or the failure to receive it and request for disposition of the property, such notification shall be given, in such manner as the exercise of due diligence requires, before the property is sold.

(d) Where the procedure provided for in the two paragraphs last preceding is not possible, it is agreed that nothing contained in said paragraphs shall be constituted to abridge the right of the carrier at its option to sell the property under such circumstances and in such manner as may be authorized by law.

(e) The proceeds of any sale made under this section shall be applied by the carrier to the payment of freight, demurrage, storage, and any other lawful charges and the expense of notice, advertisement, sale, and other necessary expense and of caring for and maintaining the property, if proper care of same requires special expense, and should there be a balance it shall be paid to the owner of the property sold hereunder.

(f) Property destined to or taken from a station, wharf, landing or other place at which there is no regularly appointed freight agent, shall be entirely at risk of owner after unloaded from cars, vehicles or vessels or until loaded into cars, vehicles, or vessels, and, except in case of carrier's negligence, when received from or delivered to such stations, wharfs, landings, or other places, shall be at owner's risk until the cars are attached to and after they are detached from locomotive or train or until loaded into and after unloaded from vessels, or if property is transported in motor vehicle trailers or semi-trailers, until such trailers or semi-trailers are attached to and after they are detached from power units. Where a carrier is directed to unload or deliver property transported by motor vehicle at a particular location where consignee or consignee's agent is not regularly located, the risk after unloading, or delivery, shall be that of the owner.

**Sec. 5.** No carrier hereunder will carry or be liable in any way for any documents, specie, or for any articles of extraordinary value not specifically rated in the published classifications or tariffs unless a special agreement to do so and a stipulated value of the articles are endorsed hereon.

**Sec. 6.** Every party, whether principal or agent, shipping explosives or dangerous goods, without previous full written disclosure to the carrier of their nature, shall be liable for and indemnify the carrier against all loss or damage caused by such goods, and such goods may be warehoused at owner's risk and expense or destroyed without compensation.

**Sec. 7.** The owner or consignee shall pay the freight and average, if any, and all other lawful charges accruing on said property; but, except in those instances where it may lawfully be authorized to do so, no carrier shall deliver or relinquish possession at destination of the property covered by this bill of lading until all tariff rates and charges thereon have been paid. The consignor shall be liable for the freight and all other lawful charges, except that if the consignor stipulates, by signature, in the space provided for that purpose on the face of this bill of lading that the carrier shall not make delivery without requiring payment of such charges, and the carrier, contrary to such stipulation shall make delivery without requiring such payment, the consignor (except as hereinafter provided) shall not be legally liable for such charges. **PROVIDED**, That, where the carrier has been instructed by the shipper or consignor to deliver said property to a consignee other than the shipper or consignor, such consignee shall not be legally liable for transportation charges in respect of the transportation of said property (beyond those billed against him at the time of delivery for which he is otherwise liable) which may be found to be due after the property has been delivered to him, if the consignee (a) is an agent only and has no beneficial title in said property, and (b) prior to delivery of said property has notified the delivering carrier in writing of the fact of such agency and absence of beneficial title, and, in the case of a shipment reconsigned or diverted to a point other than that specified in the original bill of lading, has also notified the delivering carrier in writing of the name and address of the beneficial owner of said property; and, in such cases the shipper or consignor, or, in the case of a shipment so reconsigned or diverted, the beneficial owner shall be liable for such additional charges. If the consignee has given to the carrier erroneous information as to who the beneficial owner is, such consignee shall himself be liable for such additional charges. Nothing herein shall limit the right of the carrier to require at time of shipment the prepayment or guarantee of the charges. If upon inspection it is ascertained that the articles shipped are not those described in this bill of lading, the freight charges must be paid upon the articles actually shipped.

**Sec. 8.** If this bill of lading is issued on the order of the shipper, or his agent, in exchange or in substitution for another bill of lading, the shipper's signature to the prior bill of lading as to the statement of value or otherwise, or election of common law or bill of lading liability, in or in connection with such prior bill of lading, shall be considered a part of this bill of lading as fully as if the same were written or made in or in connection with this bill of lading.

**Sec. 9. (a)** If all or any part of said property is carried by water over any part of said route, such water carriage shall be performed subject to all the terms and provisions of, and all the exemptions from liability contained in, the Act of the Congress of the United States, approved on February 13, 1893, and entitled "An act relating to the navigation of vessels, etc." and of other statutes of the United States according carriers by water the protection of limited liability, and to the conditions contained in this bill of lading not inconsistent therewith or with this section.

**(b)** No such carrier by water shall be liable for any loss or damage resulting from any fire happening to or on board the vessel, or from explosion, bursting of boilers or breakage of shafts, unless caused by the design or neglect of such carrier.

**(c)** If the owner shall have exercised due diligence in making the vessel in all respects seaworthy and properly manned, equipped and supplied, no such carrier shall be liable for any loss or damage resulting from the perils of the lakes, seas, or other waters, or from latent defects in hull, machinery, or appurtenances whether existing prior to, at the time of, or after sailing, or from collision, stranding, or other accidents of navigation, or from prolongation of the voyage. And, when for any reason it is necessary, any vessel carrying any or all of the property herein described shall be at liberty to call at any port or ports, in or out of the customary route, to tow and be towed, to transfer, trans-ship, or lighter, to load and discharge goods at any time, to assist vessels in distress, to deviate for the purpose of saving life or property, and for docking and repairs. Except in case of negligence such carrier shall not be responsible for any loss or damage to property if it be necessary or is usual to carry the same upon deck.

**(d)** General Average shall be payable according to the York-Antwerp Rules of 1924, Section 1 to 15, inclusive, and Sections 17 to 22, inclusive, and as to matters not covered thereby according to the laws and usages of the Port of New York. If the owners shall have exercised due diligence to make the vessel in all respects seaworthy and properly manned, equipped and supplied, it is hereby agreed that in case of danger, damage or disaster resulting from faults or errors in navigation, or in the management of the vessel, or from any latent or other defects in the vessel, her machinery or appurtenances, or from unseaworthiness, whether existing at the time of shipment or at the beginning of the voyage (provided the latent or other defects or the unseaworthiness was not discoverable by the exercise of due diligence), the shippers, consignees and/or owners of the cargo shall nevertheless pay salvage and any special charges incurred in respect of the cargo, and shall contribute with the shipowner in general average to the payment of any sacrifices, losses or expenses of a general average nature that may be made or incurred for the common benefit or to relieve the adventure from any common peril.

**(e)** If the property is being carried under a tariff which provides that any carrier or carriers party thereto shall be liable for loss from perils of the sea, then as to such carrier or carriers the provisions of this section shall be modified in accordance with the tariff provisions, which shall be regarded as incorporated into the conditions of this bill of lading.

**(f)** The term "water carriage" in this section shall not be construed as including lighterage in or across rivers, harbors,

or lakes, when performed by or on behalf of carriers other than water.

**Sec. 10.** Any alteration, addition, or erasure in this bill of lading which shall be made without the special notation hereon of the agent of the carrier issuing this bill of lading, shall be without effect, and this bill of lading shall be enforceable according to its original tenor.

**WSR 95-24-002**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**FINANCIAL INSTITUTIONS**

[Filed November 22, 1995, 1:03 p.m.]

Date of Adoption: November 9, 1995.

Purpose: To remove language inadvertently included in the definition of "OTC non-NASDAQ equity securities" in WAC 460-20B-020(4).

Citation of Existing Rules Affected by this Order: Amending WAC 460-20B-020.

Statutory Authority for Adoption: RCW 21.20.450.

Adopted under notice filed as WSR 95-20-001 on September 20, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 1, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: Pursuant to RCW 21.20.20.450 [21.20.450], the director finds this action is necessary and appropriate in the public interest and for the protection of investors and consistent with the purposes fairly intended by the policy and provisions of this chapter.

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

November 9, 1995

John L. Bley

Director

**AMENDATORY SECTION** (Amending WSR 95-16-026, filed 7/21/95, effective 8/21/95)

**WAC 460-20B-020 Definitions.** For the purposes of this chapter and chapters 460-21B, 460-22B, and 460-23B WAC:

(1) "Central Registration Depository" ("CRD") shall mean the national registration system operated by the National Association of Securities Dealers, Inc. pursuant to

a contract with the North American Securities Administrators Association.

(2) "Balance sheet" shall mean a balance sheet prepared in accordance with generally accepted accounting principles.

(3) "Branch office," for the purpose of this chapter, shall mean any office, residence or other place or location in this state where the business of a registered broker-dealer is conducted and which is owned or controlled by, or operated directly or indirectly for the benefit of, the registered broker-dealer, and where the business of a broker-dealer is conducted by a principal, salesperson, or salespersons for such registered broker-dealer, except that the following are not considered branch offices:

(a) Any location identified in a telephone directory line listing or on a business card or letterhead, which listing, card, or letterhead also sets forth the address and telephone number of the office from which persons conducting business from the location are directly supervised;

(b) Any location referred to, in an advertisement by a broker-dealer, by its local telephone number or local post office box provided that such reference may not include the street address of the location and that such reference also sets forth the address and telephone number of the office from which persons conducting business at the location are directly supervised;

(c) Any location identified by address in a broker-dealer's sales literature, provided that the sales literature also sets forth the address and telephone number of the office from which persons conducting business at the location are directly supervised; or

(d) The principal office of the broker-dealer.

(4) "OTC non-NASDAQ equity securities" shall mean equity securities not traded on a national securities exchange or on NASDAQ. (~~NASDAQ Small Cap equity securities and~~) Equity securities quoted on the NASD's OTC Bulletin Board are OTC non-NASDAQ equity securities.

**WSR 95-24-013**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Public Assistance)

[Order 3926—Filed November 22, 1995, 4:35 p.m., effective January 1, 1996]

Date of Adoption: November 22, 1995.

Purpose: To add "children residing with a court appointed permanent custodian" to those potentially eligible for the program; and to change the way child support is handled in GA-H cases.

Citation of Existing Rules Affected by this Order: Amending WAC 388-233-0010, 388-233-0020, 388-233-0050, 388-233-0060, 388-233-0070, and 388-233-0090.

Statutory Authority: RCW 74.08.090.

Adopted under notice filed as WSR 95-21-067 on October 13, 1995.

Changes other than editing from proposed to adopted version: Minor change, WAC 388-233-0050 and 388-233-0060 change the reference from the Office of Support Enforcement to the Division of Child Support.

Any other findings required by other provisions of law as precondition to adoption of effectiveness of rule? No.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 6, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 6, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 6, repealed 0.

Effective Date of Rule: January 1, 1996.

November 22, 1995  
 Jeanette Sevedge-App  
 Acting Chief  
 Office of Vendor Services

PERMANENT

AMENDATORY SECTION (Amending Order 3610, filed 8/11/93, effective 9/11/93)

**WAC 388-233-0010 Purpose of program.** General assistance for children is a state-funded program providing for the needs of dependent children, residing with court-appointed legal guardians ~~(s)~~ or court-appointed permanent custodians who are not eligible for the aid to families with dependent children program.

AMENDATORY SECTION (Amending Order 3610, filed 8/11/93, effective 9/11/93)

**WAC 388-233-0020 Summary of eligibility conditions.** Effective March 11, 1993, the department shall grant general assistance for children to a child who meets the eligibility conditions stated in this chapter and:

- (1) Who resides with and is in the home of a court-appointed legal guardian or court-appointed permanent custodian; and
- (2) Who is not eligible for or not receiving aid to families with dependent children or SSI; and
- (3) Who is not under sanction for failure to comply with aid to families with dependent children or SSI requirements; and
- (4) Whose court-appointed (~~legal~~) permanent custodian or court-appointed legal guardian is not a relative of a specified degree as defined under the aid to families with dependent children program; and
- (5) Who is not living with a relative of a specified degree, as defined under the aid to families with dependent children program, who is:
  - (a) A parent; or
  - (b) Exercising parental control over the child.

AMENDATORY SECTION (Amending Order 3610, filed 8/11/93, effective 9/11/93)

**WAC 388-233-0050 Eligibility conditions—Assignment of rights to support.** (1) The court-appointed legal guardian or court-appointed permanent custodian shall ~~((assign))~~ give consent to the ~~((office))~~ division of child support ~~((enforcement))~~ to take assignment of any rights to support in behalf of the eligible child as required under chapter ~~((s 388-13 and))~~ 388-14 WAC.

(2) The department shall require the court-appointed legal guardian or court-appointed permanent custodian to promptly remit to the ~~((office))~~ division of child support ~~((enforcement))~~ any support received directly after assignment is made, as required under chapter ~~((s 388-13 and))~~ 388-14 WAC.

AMENDATORY SECTION (Amending Order 3759, filed 7/27/94, effective 9/1/94)

**WAC 388-233-0060 Eligibility conditions—Support enforcement cooperation.** (1) The department shall require the court-appointed legal guardian or court-appointed permanent custodian to cooperate with the ~~((office))~~ division of child support ~~((enforcement))~~ in the collection of child support.

(2) The department shall waive the requirement for cooperation if the court-appointed legal guardian or court-appointed permanent custodian claims and the department establishes good cause as specified under chapter 388-215 WAC.

AMENDATORY SECTION (Amending Order 3759, filed 7/27/94, effective 9/1/94)

**WAC 388-233-0070 Eligibility conditions—Financial criteria.** (1) In determining financial eligibility, the department shall follow aid to families with dependent children income, resource, and transfer of property rules.

(2) Child support received shall be considered as unearned income of the child.

(3) The department shall consider only the income and resources of the eligible child.

AMENDATORY SECTION (Amending Order 3610, filed 8/11/93, effective 9/11/93)

**WAC 388-233-0090 Grant payee.** The department shall establish the court-appointed legal guardian or court-appointed permanent custodian as the payee for the eligible child.

**WSR 95-24-014**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Public Assistance)

[Order 3925—Filed November 22, 1995, 4:37 p.m., effective January 1, 1996]

Date of Adoption: November 22, 1995.

Purpose: Establishes the success through employment program (STEP), a ten-year demonstration project, as

required by the state legislature. New chapter 388-201 WAC, Success through employment program (STEP).

Statutory Authority for Adoption: RCW 74.12.036, 74.12.420, 74.12.425, and 74.12.901.

Other Authority: Social Security Act, Section 1115.

Adopted under notice filed as WSR 95-21-084 on October 17, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 12, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 12, amended 0, repealed 0.

Effective Date of Rule: January 1, 1996.

November 22, 1995

Jeanette Sevedge-App

Acting Chief

Office of Vendor Services

**Chapter 388-201 WAC**  
**SUCCESS THROUGH EMPLOYMENT PROGRAM**  
**(STEP)**

NEW SECTION

**WAC 388-201-100 General provisions.** (1) The success through employment program (STEP) is enacted under RCW 74.12.036, 420, 425, and 901 and section 1115 of the Social Security Act (42 U.S.C. 1315).

(2) The STEP program is a ten-year demonstration project designed to encourage family unity and to increase labor market participation of families receiving AFDC.

(3) Except as provided in this chapter, recipients in the STEP treatment and control groups shall be subject to and covered by the Washington administrative code applicable to the aid to families with dependent children (AFDC) program.

NEW SECTION

**WAC 388-201-200 Definitions.** (1) "Child-only group" means all AFDC cases where there are no adults in the assistance unit.

(2) "Length-of-stay grant reduction" means a grant reduction resulting from the assistance unit's length of stay on AFDC.

(3) "STEP control group" means a valid random sample of all AFDC cases with adults in the assistance unit.

(4) "STEP earned income adjustment" means grant adjustments which allow members of the assistance unit to offset length-of-stay grant reductions with their earned income.

(5) "STEP treatment group" means all remaining AFDC cases, not assigned to child-only or STEP control groups.

NEW SECTION

**WAC 388-201-300 Participation.** (1) Effective January 1, 1996, the department shall assign all AFDC recipients with an adult in the assistance unit at random to either the STEP treatment group or the STEP control group.

(a) Child-only assistance units shall be exempt from participation in STEP.

(b) Recipients in the STEP control group shall not be subject to any of the STEP provisions, as delineated in WAC 388-201-400 through 388-201-480.

(c) Recipients in the STEP treatment group shall be subject to the STEP provisions delineated in WAC 388-201-400 through 388-201-480.

(2) For the purposes of assigning the assistance unit to a child-only, STEP treatment or STEP control group, the department shall consider adults who are required to be in the assistance unit but are excluded due solely to JOBS or IV-D sanction as adult members of the assistance unit.

(3) When an adult enters or leaves an AFDC assistance unit, the department shall redetermine the assistance unit's child-only, STEP treatment or STEP control status.

NEW SECTION

**WAC 388-201-400 Treatment group—Elimination of the one hundred hour rule.** Effective January 1, 1996, the department shall extend the definition of unemployed parent to include recipients in the STEP treatment group who are employed and working one hundred hours or more a month.

NEW SECTION

**WAC 388-201-410 Treatment group—Assessment of past AFDC receipt.** Beginning January 1, 1996, the department shall determine the history of AFDC receipt for all assistance units in the STEP treatment group on a monthly basis. For the purposes of this section:

(1) The department shall not count any months of AFDC receipt prior to January 1, 1996;

(2) If there is more than one parent in the assistance unit, the department shall calculate the assistance unit's months on AFDC based on the parent with the longer history of AFDC receipt;

(3) The department shall only include months of AFDC receipt in which the assistance unit:

(a) Received an AFDC grant payment; or

(b) Did not receive a grant payment because the amount of the monthly grant following the budgeting of income or grant reductions was less than ten dollars per month, as specified in WAC 388-245-1400(1).

(4) Months of AFDC receipt shall not include any month in which the assistance unit's grant was suspended because the department has reason to believe ineligibility caused by income or other change of circumstance in the report month would be for one month only, as specified in WAC 388-245-1400(3).

NEW SECTION

**WAC 388-201-420 Treatment group—Initial length-of-stay grant reductions.** (1) The department shall apply the following provisions to any assistance unit in the STEP

treatment group in which an adult has received AFDC benefits for forty-eight months of the last sixty months:

(a) The family shall be subject to an initial length-of-stay grant reduction;

(b) For each month the family is not exempt, as provided in WAC 388-201-450, the department shall impose the initial length-of-stay grant reduction, which is an amount equal to ten percent of the assistance unit's payment standard; and

(c) The department shall not apply a JOBS sanction to a family that is subject to length-of-stay grant reductions.

(2) For the purposes of determining the effect of length-of-stay grant reductions on the assistance unit's AFDC eligibility:

(a) The department shall treat length-of-stay grant reductions in the same manner as mandatory grant deductions; and

(b) As specified in WAC 388-270-1400(7), the department shall suspend an individual's grant when the monthly length-of-stay grant reduction is equal to or more than the grant which would have been paid had no grant reduction occurred.

NEW SECTION

**WAC 388-201-430 Treatment group—Additional length-of-stay grant reductions.** Except as provided in WAC 388-201-450, once a family is subject to length-of-stay grant reductions:

(1) The department shall reduce monthly AFDC benefits by an additional length-of-stay grant reduction for each additional twelve months the assistance unit receives AFDC.

(2) Each additional length-of-stay grant reduction shall be equal to ten percent of the assistance unit's payment standard.

(3) The department shall only count months in which a length-of-stay grant reduction has been imposed toward the additional twelve months of AFDC receipt.

NEW SECTION

**WAC 388-201-440 Treatment group—Redetermination of length-of-stay grant reductions.** When a family that is subject to length-of-stay grant reductions terminates from AFDC for one calendar month or more and subsequently reapplies for AFDC, the department shall:

(1) Rescind any previously existing length-of-stay grant reductions; and

(2) Determine whether the re-applicant is subject to an initial length-of-stay grant reduction, based on the re-applicant's AFDC receipt during the last sixty months.

NEW SECTION

**WAC 388-201-450 Treatment group—Families exempt from length-of-stay grant reductions.** The department shall not impose length-of-stay grant reductions during any month in which an adult assistance unit member is:

(1) Unable to participate in JOBS due to incapacity, as specified in WAC 388-47-100 (2)(c);

(2) Needed in the home to care for an incapacitated household member;

(3) Needed in the home to care for a child who is two years of age or younger;

(4) Participating satisfactorily in JOBS and no present full-time, part-time, or unpaid work experience job is offered; or

(5) Participating in an unpaid work experience program.

#### NEW SECTION

**WAC 388-201-460 Treatment group—STEP earned income adjustments.** An assistance unit subject to a length-of-stay grant reduction shall be entitled to a STEP earned income adjustment, which is:

(1) Added to the assistance unit's grant to offset the length-of-stay grant reduction with the earned income of assistance unit members; and

(2) Equal to the amount of the length-of-stay grant reduction or the net nonexempt earned income, whichever is less.

#### NEW SECTION

**WAC 388-201-470 Treatment group—Advance notice of impending length-of-stay grant reductions.** Prior to the imposition of any length-of-stay grant reductions, the department shall give notice of potential length-of-stay grant reductions to recipient households in the STEP treatment group which have received AFDC for thirty-six of the last sixty months, as follows:

(a) Send advance written notice of impending length-of-stay grant reductions; and

(b) Discuss potential length-of-stay grant reductions with the recipient during a face-to-face interview which is conducted during the recipient's periodic eligibility review.

#### NEW SECTION

**WAC 388-201-480 Treatment group—Reducing the impact of cumulative length-of-stay grant reductions.** As an assistance unit approaches imposition of a length-of-stay grant reduction of thirty percent or more, the department shall take steps to reduce the impact of the reduced grant on the children in the assistance unit, as follows:

(1) Offer the services of a social worker to discuss the grant reduction or for referrals to emergency food, housing, utility, or clothing resources;

(2) Remind recipients of their option to request a fair hearing to contest imposition of the length-of-stay grant reduction;

(3) Provide a needy nonparental caretaker relative with the option to remove oneself from the assistance unit;

(4) Assess whether a protective payee is required in order to meet the needs of the child; and

(5) Review the case to determine whether the department needs to take further action to avoid harm to the children in the household.

**WSR 95-24-015**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Public Assistance)

[Order 3924—Filed November 22, 1995, 4:39 p.m.]

Date of Adoption: November 22, 1995.

Purpose: The language of the rule is being revised to clarify intent and comply with statute.

Citation of Existing Rules Affected by this Order: Amending WAC 388-217-3050 Transfer of property—Assessing property transfers and 388-217-3200 Transfer of property—Effect on need.

Statutory Authority for Adoption: RCW 74.04.050.

Other Authority: RCW 74.98.335 Transfers of property to qualify for assistance.

Adopted under notice filed as WSR 95-21-083 on October 17, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 2, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 2, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 2, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

November 22, 1995

Jeanette Sevedge-App

Acting Chief

Office of Vendor Services

**AMENDATORY SECTION** (Amending Order 3696, filed 1/27/94, effective 2/27/94)

**WAC 388-217-3050 Transfer of property—Assessing property transfers.** (1) The department shall determine whether a client transferred property:

(a) Within two years immediately prior to application;

(b) During the application process; or

(c) While the client is on assistance.

(2) When a transfer occurred within the time frames above, the department shall determine whether the client received adequate consideration for the transferred property as specified in WAC 388-217-3100 (1) and (2) or had a valid reason for receiving less than adequate consideration as specified under WAC 388-217-3100(3):

(a) If the client received adequate consideration or had a valid reason for receiving less than adequate consideration, ((as specified under WAC 388-217-3100; and)) the department shall not presume that the client transferred the property to qualify for assistance nor shall the department establish a period of ineligibility for such transfer; or



(b) If the client received less than adequate consideration without a valid reason, the department shall presume the client transferred the property with intent to qualify for assistance(7) as specified under WAC 388-217-3150 and establish a period of ineligibility as specified under WAC 388-217-3150.

(3) The transfer of separate property by a spouse who is not included in the assistance unit does not affect the eligibility of the other spouse.

**AMENDATORY SECTION** (Amending Order 3696, filed 1/27/94, effective 2/27/94)

**WAC 388-217-3200 Transfer of property—Effect on need.** (1) The transfer shall not affect the client's eligibility for assistance if the department determines that the transfer occurred for reasons other than with intent to qualify for assistance.

(2) If the department determines a client transferred property with intent to qualify for public assistance, the department shall:

(a) Consider the property available to meet the client's needs; and

(b) Establish a period of ineligibility.

(3) There is no effect on the client's eligibility for public assistance if the department determines a client received adequate consideration for the transferred resource.

**WSR 95-24-016  
PERMANENT RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)**

[Order 3923—Filed November 22, 1995, 4:41 p.m.]

Date of Adoption: November 22, 1995.

Purpose: The budget does not allow the department to continue to pay for prenatal services for pregnant undocumented women.

Citation of Existing Rules Affected by this Order: Amending WAC 388-505-0520 Citizenship and alien status.

Statutory Authority for Adoption: RCW 74.08.090.

Other authority: ESHB 1410.

Adopted under notice filed as WSR 95-21-101 on October 18, 1995.

Changes Other than Editing from Proposed to Adopted Version: Subsection (4)(b)(iv) revised to "Transportation for maternity-related medical appointments; and" and subsection (v) revised to "Interpreter services for maternity-related medical appointments."

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 1, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

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

November 22, 1995

Jeanette Sevedge-App

Acting Chief

Office of Vendor Services

**AMENDATORY SECTION** (Amending Order 3732, filed 5/3/94, effective 6/3/94)

**WAC 388-505-0520 Citizenship and alien status.** (1) The department shall provide Medicaid to an otherwise eligible person who is:

(a) A citizen of the United States; or

(b) A North American Indian born in Canada claiming fifty percent:

(i) Indian blood; or

(ii) Or less Indian blood and who has maintained United States residency since before December 25, 1952.

(c) An alien lawfully admitted for permanent residence or otherwise permanently residing under color of law (PRUCOL) in the United States; or

(d) An alien lawfully present in the United States according to sections 203 (a)(7), 207(c), 208, and 212 (d)(5) of the Immigration and Nationality Act (INA); or

(e) An alien granted lawful temporary residence, or permanent residence according to sections 245(a), 210, 210(f), and 210A of INA and sections 202 and 302 of the Immigration Reform and Control Act (IRCA), unless five years from the date Immigration and Naturalization Service (INS) grants lawful temporary resident status has not passed; or

(f) An alien approved by the INS under the family unity program, unless five years from the date INS grants lawful temporary resident status for the petitioning relative has not passed.

(2) When an alien as described under subsection (1)(e) or (f) of this section has not passed the five-year disqualification period, the department shall provide Medicaid to an otherwise eligible person when the alien is:

(a) Aged, blind, or disabled; or

(b) Seventeen years of age or under; or

(c) Pregnant; or

(d) A Cuban/Haitian entrant as defined in sections 501 (e)(1) and (2)(A) of P.L. 96-422.

(3) When an alien as described under subsection (1)(e) or (f) of this section is still under the five-year disqualification period, and is not described under subsection (2) of this section, the department shall provide medical care and services as necessary for treatment of the alien's emergency medical condition as defined under WAC 388-500-0005.

(4) For all other aliens, when such alien meets the eligibility requirements of a Medicaid program other than citizenship or alien status requirements, the department shall provide Medicaid as follows:

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- ~~(a) ((Full scope medical services for a pregnant woman; or~~
- ~~(b)))~~ Medical care and services as necessary for treatment of the alien's emergency medical condition as defined under WAC 388-500-0005; or
- (b) For a pregnant woman:
- (i) Medical care and services as described under subsection (a) of this section;
- (ii) Maternity support services;
- (iii) Maternity case management;
- (iv) Transportation for maternity-related medical appointments; and
- (v) Interpreter services for maternity-related medical appointments.
- (5) Medical care services and children's health programs do not require citizenship/alien status.

**WSR 95-24-017**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Public Assistance)

[Order 3921, #100267—Filed November 22, 1995, 4:45 p.m., effective January 1, 1996]

Date of Adoption: November 22, 1995.

Purpose: Effective January 1, 1996, eliminate coverage for caretaker relatives of Medicaid-eligible children and for adults in families of dependent children who, except for income or resources, would be eligible for CN.

Citation of Existing Rules Affected by this Order: Amending WAC 388-503-0320 and 388-513-1395.

Statutory Authority for Adoption: RCW 74.08.090.

Other authority: ESHB 1410 section 2095a and 5b.

Adopted under notice filed as WSR 95-21-071 on October 13, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 2, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 2, repealed 0.

Effective Date of Rule: January 1, 1996.

November 22, 1995  
 Jeanette Sevedge-App  
 Acting Chief  
 Office of Vendor Services

AMENDATORY SECTION (Amending Order 3732, filed 5/3/94, effective 6/3/94)

**WAC 388-503-0320 Medically needy eligible persons.**

(1) The department shall determine as medically needy a resident of the state of Washington who:

(a) Meets or exceeds the medically needy income level in WAC 388-507-0710 (~~and~~);

(b) Meets resource standards in WAC 388-507-0720; and (~~who:~~

~~(4))~~ (c) Otherwise meets the eligibility criteria under subsection (2) of this section.

(2) The department shall determine as medically needy a person who:

(a) Would be categorically needy as defined under WAC 388-503-0310 but has excess income and/or resources (~~or~~

~~(2))~~. Refer to subsection (3) of this section for exceptions;

(b) Is the aged, blind, or disabled ineligible spouse of an SSI beneficiary; (~~or~~

~~(3))~~ (c) Is a child eighteen years of age or younger as defined under WAC 388-509-0910 who has excess income; or

~~((4))~~ (d) Is a pregnant woman the department would consider categorically needy but who has excess income. For the purposes of this subsection, the department shall increase the number in the household by the number of unborn children before comparing the pregnant woman's income to the medically needy income level in WAC 388-507-0710 (~~and~~

~~(5) Is not~~).

(3) The department shall determine ineligible for medically needy:

(a) An inmate of a public institution; and

(b) Effective January 1, 1996, an AFDC-related adult.

AMENDATORY SECTION (Amending Order 3732, filed 5/3/94, effective 6/3/94)

**WAC 388-513-1395 Institutional—Medically needy.**

(1) The department shall consider a person institutionalized when the person resides in or is expected to reside in a medical facility for thirty consecutive days or more.

(a) The department shall determine:

(i) An SSI/SSP-related person in a medical facility as medically needy when the person's gross income exceeds three hundred percent of the SSI benefit amount; (~~and~~)

(ii) An AFDC-related (~~client~~) child in a medical facility as medically needy if countable income exceeds the one-person AFDC grant standard; and

(iii) An AFDC-related adult as ineligible.

(b) The department shall determine a client ineligible for the medically needy program when the countable income is more than the private nursing facility rate plus verifiable recurring medical expenses.

(c) The department shall determine countable income of a medically needy client residing in a nursing facility by deducting the following amounts from gross income:

(i) Amounts that would be deducted in determining eligibility for AFDC or SSI/SSP; and

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(ii) Previously incurred medical expenses not subject to third-party payment and which are the current liability of the client.

(d) The department shall determine a client eligible for nursing facility care when the client's countable income and the amount of resources in excess of the amount in WAC 388-513-1310 are less than the department's contracted rate plus verifiable recurring medical expenses. These clients shall:

(i) Participate in the cost of nursing facility care per WAC 388-513-1380 for post-eligibility allocation of income and post-eligibility allocation of resources; and

(ii) Be certified for three or six months at the client's option.

(e) The department shall determine a client eligible for nursing facility care when the client's countable income and the amount of resources in excess of the amount in WAC 388-513-1310 are:

(i) Less than the private nursing facility rate plus recurring medical expenses; but

(ii) More than the department's contracted rate.

(f) The client shall:

(i) Participate in the cost of nursing facility care. See WAC 388-513-1380 for post-eligibility allocation of income;

(ii) Spenddown all income remaining after allocating income to the department's contracted rate to be eligible for nonnursing facility medical care. The department shall only certify medical assistance for noninstitutional eligibility after spenddown has been met; and

(iii) Choose a certification period of three or six months for nursing facility care. The department shall determine spenddown of a person's nonnursing facility medical expenses be on a three-month or six-month basis.

(g) For the effect of a social absence from an institutional living arrangement, see WAC 388-88-115.

(h) The department shall not change a client's institutional status when the client is transferred between institutions.

(2) The department shall use other SSI financial criteria for consideration of resources as defined in WAC 388-513-1310 and 388-513-1360.

#### WSR 95-24-018

#### PERMANENT RULES

#### DEPARTMENT OF

#### SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Order 3920—Filed November 22, 1995, 4:46 p.m.]

Date of Adoption: November 22, 1995.

Purpose: Implement portion of Mickey Leland Hunger Relief Act.

Citation of Existing Rules Affected by this Order:  
Amending WAC 388-49-430 Vehicles—Resources.

Statutory Authority for Adoption: RCW 74.04.510.

Other authority: P.L. 103-66.

Adopted under notice filed as WSR 95-21-048 on October 11, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 1, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or

Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 1, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

November 22, 1995

Sydney Doré

for Jeanette Sevedge-App

Acting Chief

Office of Vendor Services

AMENDATORY SECTION (Amending Order 3836, filed 2/22/95, effective 4/1/95)

**WAC 388-49-430 Resources—Vehicles.** (1) The department shall exclude the entire value of a licensed vehicle even during periods of temporary unemployment if the vehicle is:

(a) Used for income-producing purposes over fifty percent of the time the vehicle is in use. A vehicle excluded under this provision because the vehicle is used by a self-employed farmer or fisherman retains its exclusion for one year from the date the household member terminates self-employment from farming or fishing;

(b) Annually producing income consistent with its fair market value;

(c) Necessary for long distance travel, other than daily commuting, that is essential to the employment of a household member, ineligible alien, or disqualified person whose resources are considered available to the household;

(d) Necessary for subsistence hunting or fishing;

(e) Used as the household's home;

(f) Used to carry fuel for heating or water for home use when such transported fuel or water is the primary source of fuel or water for the household; or

(g) Necessary to transport a temporarily or permanently physically disabled:

(i) Household member;

(ii) Ineligible alien whose resources are available to the household; or

(iii) Disqualified person whose resources are available to the household.

The exclusion is limited to one vehicle per physically disabled person.

(2) The department shall count the equity value of an unlicensed vehicle even during periods of temporary unemployment unless the vehicle is:

(a) Annually producing income consistent with its fair market value (FMV) even if only used on a seasonal basis; or

(b) Work-related equipment necessary for employment or self-employment of a household member.

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November 22, 1995

Jeanette Sevedge-App

Acting Chief

Office of Vendor Services

(3) The department shall consider unlicensed vehicles the same as licensed vehicles if the vehicles are driven by Indian tribal members on those reservations not requiring vehicle licensing.

(4) The department shall count toward the household's resource maximum either the FMV in excess of four thousand ~~((five))~~ six hundred ~~((fifty))~~ dollars or the equity value of licensed vehicles, whichever is greater. Except, the department shall only count the FMV in excess of four thousand ~~((five))~~ six hundred ~~((fifty))~~ dollars for the following vehicles:

(a) One licensed vehicle per household regardless of the vehicle's use; and

(b) Any other licensed vehicle used for:

(i) Transportation to and from employment;

(ii) Seeking employment; or

(iii) Transportation for training or education.

(5) The department shall determine the FMV using vehicles listed in publications written for the purpose of providing guidance to automobile dealers and loan companies.

#### WSR 95-24-019

##### PERMANENT RULES

##### DEPARTMENT OF

#### SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Order 3922—Filed November 22, 1995, 4:49 p.m.]

Date of Adoption: November 22, 1995.

Purpose: To comply with RCW 74.42.056 (E2SHB 1908 Section 7).

Citation of Existing Rules Affected by this Order: Amending WAC 388-97-240 Nursing facility admission.

Statutory Authority for Adoption: Chapter 18, Laws of 1995, RCW 18.51.070, 74.42.620, 74.42.056.

Adopted under notice filed as WSR 95-21-099 on October 18, 1995.

Changes Other than Editing from Proposed to Adopted Version: (1) Change title from "nursing facility placement" to "nursing facility admission"; (2) amends WAC to comply with RCW 74.42.056; (3) allows nursing facilities to receive Medicaid payment from date of request of assessment or to date person was admitted to facility, whichever is later.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 2, amended 1, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 1, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

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

**AMENDATORY SECTION** (Amending Order 3782, filed 9/15/94, effective 10/16/94)

**WAC 388-97-240 Nursing facility ((placement)) admission.** (1) A nursing facility shall not admit any person unless an identification screen is completed as required under WAC 388-97-245, Preadmission screening.

(2) A person identified as having a serious mental illness or a developmental disability, as defined under 42 C.F.R. §483.102, as now or hereafter amended, shall be assessed under WAC 388-97-245, Preadmission screening, before the person's admission to a nursing facility.

(3) A Medicaid applicant or recipient shall not be admitted to a nursing facility unless the department has assessed and determined the person is medically eligible for nursing facility care as defined under WAC 388-97-235, Medical eligibility for nursing facility care.

(4) The department shall ~~((not:~~

~~((a) Pay for nursing facility services for a Medicaid applicant or recipient until the department has authorized such services; and~~

~~((b) Authorize retroactive payment for any Medicaid applicant or recipient admitted to a nursing facility in violation of this section))~~ authorize nursing facility services and payment for Medicaid-eligible persons effective the date:

(a) Of the request for a department long-term care assessment; or

(b) Nursing facility care actually begins, whichever is later.

(5) The department shall not reimburse a nursing facility for any care rendered before the date the nursing facility makes a request to the department for an assessment.

(6) A nursing facility shall not collect payment from a Medicaid-eligible person, or that person's family or representative for any services provided prior to the date the nursing facility makes a request to the department for an assessment.

#### WSR 95-24-024

##### PERMANENT RULES

#### STATE BOARD OF EDUCATION

[Filed November 27, 1995, 4:00 p.m.]

Date of Adoption: November 17, 1995.

Purpose: This rule carried a conclusion date of July 1, 1995. Having fully complied with all provisions of the rule, there is no need for its retention.

Citation of Existing Rules Affected by this Order: Repealing WAC 180-25-032 State study and survey—Special state assistance for building condition surveys.

Statutory Authority for Adoption: RCW 28A.525.020.

Adopted under notice filed as WSR 95-20-087 on October 4, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or

Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 1.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 1.

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

November 22, 1995

Larry Davis

Executive Director

## REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 180-25-032 State study and survey—  
Special state assistance for  
building condition surveys.

### **WSR 95-24-037**

#### **PERMANENT RULES**

#### **DEPARTMENT OF**

#### **SOCIAL AND HEALTH SERVICES**

#### **(Public Assistance)**

[Order 3893A—Filed November 29, 1995, 4:05 p.m.]

Date of Adoption: November 29, 1995.

Purpose: To add the appropriate definition of estate and other comments that were erroneously not included in the previous filing.

Citation of Existing Rules Affected by this Order: Amending WAC 388-527-2730, 388-527-2740, 388-527-2750, 388-527-2752, 388-527-2754, and 388-527-2790.

Statutory Authority for Adoption: SHB 1908.

Other Authority: RCW 74.08.090.

Adopted under notice filed as WSR 95-17-030 on August 9, 1995.

Changes Other than Editing from Proposed to Adopted Version: The definition is added to RCW references. Technical correction of tenses.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 6, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making:

New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 6, amended 0, repealed 0.

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

November 29, 1995

Sydney Doré

for Jeanette Sevedge-App

Acting Chief

Office of Vendor Services

## NEW SECTION

### **WAC 388-527-2730 Estate recovery definitions.**

(1)(a) For estate recovery purposes, "estate" includes:

(i) For a client who dies before July 1, 1995 all real and personal property and any other assets that pass upon the client's death:

(A) Under the client's will;

(B) By intestate succession pursuant to chapter 11.04 RCW; or

(C) Under chapter 11.62 RCW; or

(ii) For a client who dies after June 30, 1995 all real and personal property and any other assets that pass upon the client's death:

(A) Under the client's will;

(B) By intestate succession pursuant to chapter 11.04 RCW; or

(C) Under chapter 11.62 RCW; and

(D) Nonprobate assets as defined by RCW 11.02.005, except property passing through a community property agreement.

(b) The value of the estate shall be reduced by any valid liability against the deceased client's property at the time of death.

(2) "Long-term care services" means the services administered directly or through contract by the aging and adult services administration of the department, including but not limited to nursing facility care and home and community services. "State-funded long-term care" means the long-term care services that are paid with state funds and do not include federal funds.

(3) "Medical assistance" means the federal aid medical care program provided to categorically needy persons as defined under Title XIX of the Federal Social Security Act.

## NEW SECTION

### **WAC 388-527-2740 Age when recovery applies.**

Whether the client's estate is liable for the cost of medical care provided depends, in part, upon the client's age and when the services were received. Subsection (1) of this section covers liability for medical assistance and subsection (2) covers liability for state-funded long-term care services. An estate may be liable under both subsections.

(1)(a) If a client was age sixty-five or older on July 1, 1994, the estate is liable for medical assistance subject to recovery provided on and after the date the client became age sixty-five.

(b) If the client was age fifty-five through sixty-four years of age on July 1, 1994, the estate is liable for medical assistance subject to recovery provided on and after July 1, 1994.

(c) If a client was under age fifty-five on July 1, 1994, the estate is liable for medical assistance subject to recovery

provided on and after the date the client became age fifty-five.

(2) The estate is liable for state-funded long-term care services provided on and after July 1, 1995 regardless of the client's age when the services were provided.

#### NEW SECTION

**WAC 388-527-2750 Waiver of recovery if undue hardship.** The department shall waive recovery under this section when recovery would work an undue hardship except as provided in subsection (3) of this section. This waiver is limited to the period during which undue hardship exists.

(1) Undue hardship exists when:

(a) The estate subject to adjustment or recovery is the sole income-producing asset of one or more of the heirs and income is limited; or

(b) Recovery would result in the impoverishment of one or more of the heirs; or

(c) Recovery would deprive an heir of shelter and the heir lacks the financial means to obtain and maintain alternative shelter.

(2) Undue hardship does not exist when:

(a) The adjustment or recovery of the client's cost of assistance would merely cause the client's family members inconvenience or restrict the family's lifestyle.

(b) The heir divests assets to qualify under the undue hardship provision.

(3) The department shall not waive recovery based on undue hardship when a deceased client's assets were disregarded in connection with a long-term care insurance policy or contract under chapter 48.85 RCW.

(4) A person who requests the department to waive recovery in whole or in part, and who suffers a loss because the request is not granted, may contest the department's decision in an adjudicative proceeding. The department's decision shall state the requirements for an application for an adjudicative proceeding and state where assistance might be obtained to make an application. The proceeding shall be governed by chapters 34.05 RCW and 388-08 WAC and this section. If a provision in this section conflicts with a provision in chapter 388-08 WAC, the provision in this section governs. An application for an adjudicative proceeding must:

(a) Be in writing;

(b) State the basis for contesting the department's denial of the request to waive recovery;

(c) Include a copy of the department's denial of the request to waive recovery;

(d) Be signed by the applicant and the state and include the applicant's address and telephone number;

(e) Be served within twenty-eight days of the date the applicant received the department's decision denying the request for a waiver. An application filed up to thirty days late may be treated as if timely filed if the applicant shows good cause for filing late; and

(f) Be served on the office of financial recovery in a manner which shows proof of receipt, such as personal service or certified mail, return receipt requested. The mailing address of the Office of Financial Recovery is: P.O. Box 9501, Olympia WA 98507-9501. The physical location of the Office of Financial Recovery is Capitol View Build-

ing, Second Floor, 712 Pear Street Southeast, Olympia, Washington.

#### NEW SECTION

**WAC 388-527-2752 Deferring recovery.** If the client died after June 30, 1994 the department shall defer recovery from the estate until:

(1) The death of the surviving spouse, if any, and

(2) There is no surviving child who is:

(a) Under twenty-one years of age, or

(b) Blind or disabled as defined under chapter 388-511 WAC.

#### NEW SECTION

**WAC 388-527-2754 Assets not subject to recovery.** (1) If a client died before July 25, 1993 with no surviving spouse or blind or disabled child, but with a surviving child, recovery does not apply to the first fifty thousand dollars of the estate value at the time of death and recovery is limited to thirty-five percent of the remaining value of the estate.

(2) If a client died after July 24, 1993 and before July 1, 1994, the department shall not seek recovery against the following property, up to a fair market value of two thousand dollars, from the estate of the client:

(a) Family heirlooms,

(b) Collectibles,

(c) Antiques,

(d) Papers,

(e) Jewelry,

(f) Photos, and

(g) Other personal effects of the deceased client and to which a surviving child is entitled.

#### NEW SECTION

**WAC 388-527-2790 Filing a lien against real property.** (1) The department shall file liens, seek adjustment, or otherwise effect recovery for medical assistance or state-funded long-term care, or both, correctly paid on behalf of a client as required by 42 U.S.C. 1396p and chapters 43.20B RCW and 388-527 WAC.

(2) When the department seeks to recover from a client's estate the cost of medical assistance or state-funded long-term care, or both, provided to the client, prior to filing a lien against the deceased client's real property, the department shall provide notice to:

(a) The probate estate's personal representative, if any;

(b) The decedent's surviving spouse, if any; or

(c) Any other person having title to the affected property.

(3) Prior to filing a lien against any of the deceased client's real property, the department shall provide ascertained persons having title to the property notice and an opportunity for an adjudicative proceeding. The department shall:

(a) Serve upon ascertained persons having title to the property a notice of intent to file lien, which shall state:

(i) The deceased client's name, social security number, if known, date of birth, and date of death;

(ii) The amount of medical assistance, or state-funded long-term care, or both, correctly paid on behalf of the deceased client the department seeks to recover;

(iii) The department's intent to file a lien against the deceased client's real property to recover the medical assistance or state-funded long-term care, or both, correctly paid on behalf of the deceased client;

(iv) The county in which the real property is located; and

(v) The right of the ascertained person having title to the property to contest the department's decision to file a lien by filing an application for an adjudicative proceeding with the office of financial recovery; and

(b) Provide an adjudicative proceeding to determine whether:

(i) The amount of medical assistance or state-funded long-term care, or both, correctly paid on behalf of the deceased client alleged by the department's notice of intent to file lien is correct; and

(ii) The deceased client had any legal title to the real property at the time of the client's death.

(4) An application for an adjudicative proceeding must:

(a) Be in writing;

(b) State the basis for contesting the department's notice of intent to file lien;

(c) Be signed by the applicant and state the applicant's address and telephone number;

(d) Be served on the office of financial recovery within twenty-eight days of the date the applicant received the department's notice of intent to file lien. An application filed up to thirty days late may be treated as timely filed if the applicant shows good cause for filing late; and

(e) Be served on the office of financial recovery in a manner in which shows proof of receipt, such as personal service or certified mail, return receipt requested. The mailing address of the Office of Financial Recovery is P.O. Box 9501, Olympia WA 98507-9501. The physical location of the Office of Financial Recovery is Capitol View Building, Second Floor, 712 Pear Street Southeast, Olympia, Washington.

(5) Upon receipt of an application for an adjudicative proceeding, the department shall provide notice of the proceeding to all other ascertained persons having title to the property.

(6) An adjudicative proceeding under this section shall be governed by chapters 34.05 RCW and 388-08 WAC and this section. If a provision in this section conflicts with a provision in chapter 388-08 WAC, the provision in this section governs.

(7) If no ascertained person having title to the property files an application for an adjudicative proceeding within twenty-eight days of the date the department served a notice of intent to file lien, the department shall file a lien. The department shall file a lien against the deceased client's real property for the amount of medical assistance or state-funded long-term care, or both, correctly paid on behalf of the deceased client alleged in the notice of intent to file lien.

## WSR 95-24-040

### PERMANENT RULES

### DEPARTMENT OF ECOLOGY

[Order 95-13—Filed November 30, 1995, 9:27 a.m.]

Date of Adoption: November 30, 1995.

Purpose: Establish process for designating coordinating permit agency as required by RCW 90.60.040.

Citation of Existing Rules Affected by this Order: Repealing chapters 173-08 and 173-10 WAC.

Statutory Authority for Adoption: RCW 90.60.040 State Environmental Permit Assistance Act.

Adopted under notice filed as WSR 95-20-071 on October 4, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 3, amended 0, repealed 18.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 18.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 3, amended 0, repealed 18.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 3, amended 0, repealed 0.

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

November 30, 1995

Terry Husseman

for Mary Riveland

Director

### Chapter 173-09 WAC

### COORDINATED PERMIT PROCESS

#### NEW SECTION

**WAC 173-09-010 Authority and purpose.** (1) This chapter is promulgated under the authority of chapter 90.60 RCW (Environmental permit assistance).

(2) The purpose of this chapter is to establish rules to implement the state coordinated permit process.

(3) The purpose of the coordinated permit process is to:

(a) Assist individuals, businesses, and public agencies in complying with environmental quality laws in an expedited fashion, without reducing protection of public health and safety and the environment;

(b) Promote effective dialogue and facilitate the transfer and clarification of technical information, while preventing duplication and minimizing potential conflict between applicable regulatory procedures;

(c) Ensure, where possible, that applicable permit requirements, criteria, and hearings and comment periods are identified, integrated, coordinated, and run concurrently, rather than consecutively;

(d) Promote active coordination of all applicable regulatory and land-use permitting procedures; and

(e) Provide consolidated, effective, and easier opportunities for members of the public to receive information and present their views about proposed projects.

(4) The coordinated permit process is optional for project proponents and intended to provide predictability, administrative consolidation, and, where possible, consolidation of appeal processes. The process is not intended to replace individual laws, nor diminish the substantive decision-making role of individual jurisdictions. The process is also not intended to limit nor abridge the authority of individual permit agencies to make all decisions on all nonprocedural matters regarding their respective component permits, including but not limited to, the determination of permit application completeness, permit approval or approval with conditions, or permit denial.

#### NEW SECTION

**WAC 173-09-020 Definitions.** The following definitions shall apply throughout this chapter, unless the context clearly requires otherwise:

(1) "Applicant" means any person or entity, including an agency, applying for a permit from a permit agency. For the purposes of this chapter, "applicant," "project applicant," and "project proponent" are synonymous terms.

(2) "Coordinating permit agency" means the permit agency that is the lead agency for purposes of chapter 43.21C RCW (State Environmental Policy Act (SEPA)), or has the greatest overall jurisdiction over a project as determined under WAC 173-09-030 (coordinated permit process rule).

(3) "Lead agency" means the agency with the main responsibility for complying with SEPA's procedural requirements as set forth in WAC 197-11-758 (SEPA rules).

(4) "Participating permit agency" means a permit agency, other than the coordinating permit agency, that is responsible for the issuance of a permit for a project.

(5) "Permit" means any license, certificate, registration, permit, or other form of authorization required by a permit agency to engage in a particular activity.

(6) "Permit agency" means:

(a) The department of ecology, an air pollution control authority, the department of natural resources, the department of fish and wildlife, and the department of health; and

(b) Any other state or federal agency or county, city, or town that participates at the request of the permit applicant and upon the agency's agreement to be subject to this chapter.

(7) "Permit assistance center" or "center" means the center established in the department of ecology by RCW 90.60.030 (Permit assistance center—Duties).

(8) "Project" means a proposed activity, the conduct of which requires permits from one or more permit agencies.

#### NEW SECTION

**WAC 173-09-030 Designation of a coordinating permit agency.** (1) Applicant information requirements. Upon request by an applicant, the permit assistance center shall designate a coordinating permit agency. The applicant shall provide the permit assistance center with the following:

(a) Description of the proposed project, including the location and legal description (i.e., parcel number, and section, township, and range);

(b) Preliminary list of the permits that the proposed project may require;

(c) Identity of the participating permit agencies;

(d) Identity of any public agency that has been or may be designated the lead agency for the proposed project pursuant to chapter 43.21C RCW (SEPA); and

(e) Any additional or more detailed information requested by the center necessary to make the designation. Such information may include, but is not limited to:

(i) Site plan for the proposed project showing where activities are proposed relative to known sensitive areas, habitats, and critical areas; and

(ii) Proposed timing of construction and operation of the project.

(2) Designation criteria and guidance.

(a) If a permit agency is the lead agency under the criteria in WAC 197-11-926 through 197-11-940 (SEPA rules), that permit agency shall be the coordinating permit agency.

(b) If a permit agency has assumed lead agency status under WAC 197-11-942 (SEPA rules), that permit agency shall be the coordinating permit agency.

(c) If two or more permit agencies have agreed to share lead agency status under WAC 197-11-944 (SEPA rules), one of the permit agencies shall, upon agreement with the other permit agency(ies) with whom lead agency status is shared, be the coordinating permit agency.

(d) If none of the permit agencies are lead agency for purposes of chapter 43.21C RCW (SEPA), then the coordinating permit agency shall be the permit agency with the greatest overall jurisdiction over the proposed project. In identifying the permit agency with the greatest overall jurisdiction the center shall consider the following factors:

(i) The types of facilities or activities that make up the proposed project;

(ii) The types of public health and safety and environmental concerns that should be considered in issuing permits for the proposed project;

(iii) The environmental media that may be affected by the proposed project, the extent of those potential effects, and the environmental protection measures that may be taken to prevent the occurrence of, or to mitigate, those potential effects;

(iv) The regulatory activity that is of greatest importance in preventing or mitigating the effects that the proposed project may have on public health and safety or the environment;

(v) The statutory and regulatory requirements that apply to the proposed project and the complexity of those requirements;

(vi) The extent to which a permit agency will assume a major coordination role due to other processes;

(vii) The extent to which the lead agency determination criteria identified in WAC 197-11-946(2) (SEPA rules) are applicable; and

(viii) The extent to which a permit agency has permit coordination expertise.

(e) In designating the coordinating permit agency, the permit assistance center may convene a scoping meeting of



the likely coordinating permit agency and participating permit agencies in order to designate the coordinating permit agency.

**REPEALER**

The following chapter of the Washington Administrative Code is repealed:

- WAC 173-08-010 Authority.
- WAC 173-08-020 Purpose.
- WAC 173-08-030 Definitions.
- WAC 173-08-040 Master application form.
- WAC 173-08-050 Scope of master application procedure.
- WAC 173-08-065 Modification of the proposed project.
- WAC 173-08-070 Appeals to final decisions.

**REPEALER**

The following chapter of the Washington Administrative Code is repealed:

- WAC 173-10-010 Authority.
- WAC 173-10-020 Purpose.
- WAC 173-10-030 Definitions.
- WAC 173-10-040 Single application form.
- WAC 173-10-050 Public notice.
- WAC 173-10-060 Procedures superseded.
- WAC 173-10-070 Public hearing.
- WAC 173-10-080 Public notice of public hearing.
- WAC 173-10-090 Scope of single application procedure.
- WAC 173-10-100 Final action on the single application.
- WAC 173-10-110 Appeal.

**WSR 95-24-041**

**PERMANENT RULES**

**WASHINGTON STATE PATROL**

[Filed November 30, 1995, 9:31 a.m.]

Date of Adoption: November 30, 1995.

Purpose: To update addresses and locations of state patrol field offices for disclosure of public information.

Citation of Existing Rules Affected by this Order: Amending WAC 446-10-030.

Statutory Authority for Adoption: RCW 42.17.250.

Adopted under notice filed as WSR 95-18-085 on September 6, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

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

November 30, 1995

Annette M. Sandberg

Chief

**AMENDATORY SECTION** (Amending Order 79-2, filed 3/23/79)

**WAC 446-10-030 Description of central and field organizations of the Washington state patrol.** The Washington state patrol is a law enforcement agency and service. The administrative offices of the department and its staff are located in the General Administration Building, Olympia, Washington 98504. The department has eight district headquarters with working addresses as follows:

- District I - ~~((3737 South Puget Sound Avenue, Tacoma 98409))~~ 2502 112th Street East, Tacoma 98445-5104
- District II - 2803 - 156th Avenue S. E., Bellevue 98007
- District III - 2715 Rudkin Road, Union Gap 98903
- District IV - ~~((East 7421 First Avenue, Spokane 99206))~~ West 6403 Rowand Road, Spokane 99204-5300
- District V - 605 East Evergreen Boulevard, Vancouver 98661-3812
- District VI - ~~((1517 North Wenatchee Avenue, Wenatchee 98801))~~ 2822 Euclid Avenue, Wenatchee 98801-5916
- District VII - ~~((20th and Chestnut, Everett 98204))~~ 2700 116th Street NE, Marysville 98271-9425
- District VIII - ~~((4846 Auto Center Way, Bremerton 98310))~~ 4811 Werner Road, Bremerton 98312-3333

**WSR 95-24-048**

**PERMANENT RULES**

**GAMBLING COMMISSION**

[Filed November 30, 1995, 4:38 p.m., effective January 1, 1996]

Date of Adoption: November 17, 1995.

Purpose: To authorize flexibility in displaying and awarding merchandise prizes; deletion of prizes worth \$20 or more from a flare rather than \$5 or more; and to increase the allowable size of a pull tab series to 10,000 from 6,000.

Citation of Existing Rules Affected by this Order: Amending WAC 230-30-070.

PERMANENT

Statutory Authority for Adoption: RCW 9.46.070 (1)-(4), (7), (8), (11), (12), (14), (20).

Other authority: RCW 9.46.110 (3), (4).

Adopted under notice filed as WSR 95-20-070 on October 3, 1995.

Changes Other than Editing from Proposed to Adopted Version: The version of WAC 230-30-070 filed under WSR 95-23-070 on November 22, 1995, does not completely reflect all amendments the Gambling Commission intended to adopt. This filing contains the correct language in regard to subsection (2)(f) and supersedes the previous filing of WAC 230-30-070.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 1, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 1, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: January 1, 1996.

November 30, 1995

Michael Aoki-Kramer

Rules and Policy Coordinator

**AMENDATORY SECTION** (Amending WSR 94-23-094, filed 11/17/94, effective 1/1/95)

**WAC 230-30-070 Control of prizes.** All prizes from the operation of punchboards and pull tabs shall be awarded in cash or in merchandise.

(1) Prizes may not involve the opportunity of taking an additional chance or chances on another punchboard or of obtaining another pull tab or pull tabs. Where the prize involves the opportunity to punch again on the same punchboard, a prize must be awarded for each such punch which is not less than the highest amount of money, or worth not less than the most valuable merchandise prize, which might otherwise have been won by the punch for which the opportunity to take the second punch was awarded. Each such board must clearly indicate on its face the terms and conditions under which the opportunity to obtain the second, or step-up punch, may be obtained and the prizes which may be won by the step-up punch.

(2) Display of prizes:

(a) ~~((All prizes shall be displayed))~~ Merchandise prizes shall be displayed as follows:

(i) In the immediate vicinity of the punchboard or pull tab ((device)) series and ((such prizes shall be)) in ((full)) plain view ((of any person prior to that person purchasing the opportunity to play));

(ii) If size or space constraints do not allow the prize to be displayed as provided in (a)(i) of this subsection, the merchandise prize may be displayed elsewhere on the

premises provided that a specific reference to that actual prize is noted on the flare; or

((iii) If the merchandise prize cannot be displayed on the premises, an accurate description and/or photograph of the prize must be displayed in plain view on or immediately adjacent to the flare.

(b) ~~((When the prize is cash, it))~~ Cash prizes shall be ((displayed as follows:

~~((i) If the punchboard or pull tab series contains the opportunity to win both cash and merchandise prizes, the money itself shall not be displayed, but a coupon designating the cash available to be won shall be substituted; and~~

~~((ii) If the only prizes which may be won are cash prizes, they shall be))~~ clearly ((and fully described or)) represented ((by a coupon displayed upon)) on the prize flare ((attached to the face or displayed in the immediate vicinity of the pull tab dispensing device));

(c) Combination cash and merchandise prizes must meet the requirements of both subsections (a) and (b) of this subsection;

(d) The licensee shall display prizes so arranged that a customer can easily determine which prizes are available from any particular punchboard or pull tab series or device operated or located upon the premises;

~~((d))~~ (e) Upon determination of a winner of a merchandise prize, the licensee shall immediately remove that prize from ((any display)) the flare and present ((the)) the prize to the winner upon demand;

~~((e))~~ (f) Upon determination of a winner of any cash prize of ((five)) twenty dollars or more, or of any merchandise prize with a retail value of ((five)) twenty dollars or more, the licensee shall permanently and conspicuously delete all references to that prize from any flare, punchboard, or pull tab dispensing device upon which such reference may appear, and from any other list, sign, or notice which may be posted, in such a manner that all future customers will know the prize is no longer available. Operators may correct an inadvertently deleted prize by noting on the flare that such prize is still available. Such reference shall be permanently and conspicuously deleted when the prize is actually awarded. Failure to permanently and conspicuously delete a prize from the flare may result in the director initiating actions to revoke a license for violation of RCW 9.46.190 (defrauding a participant). The prize shall be paid or delivered to the winner only after all reference to such prize has been deleted from the flare;

(g) Effective January 1, 1996, through December 31, 1996, all punchboard and pull tab licensees must display a commission supplied sign notifying players of the change in flare prize deletion from five dollars to twenty dollars. This notice must be displayed in plain view in the area where punchboards and pull tabs are played.

(3) Payment of prizes. The licensee must pay or award to the customer or player playing the punchboard or pull tab series all such prizes that have not been deleted from the flare of the punchboard or pull tab series when the punchboard or pull tab series is completely played out.

(4) Cash in lieu of merchandise prizes. No licensee shall offer to pay cash in lieu of merchandise prizes which may be won.

(5) Record of winners. When any person wins a cash prize of over twenty dollars or wins a merchandise prize

with a retail value of more than twenty dollars from the play of any punchboard or pull tab series, the licensee or licensee's representative shall make a record of the win. The record of the win shall be made in the following manner:

(a) The winners shall be required to print their name and date of birth, in ink, upon the side of the winning punch or tab opposite the winning symbol(s);

(b) The licensee or their representative shall then verify the winner's identity and record the date and initial the winning punch or tab; and

(c) If the pull tab or punch is constructed or printed in such a manner as to preclude recording the information required in (a) and (b) of this subsection in a legible manner, the licensee may record the required information on a sheet of paper not less than three inches by five inches and staple the winning tab or punch thereto.

(6) Defacing winning punches or tabs. The licensee shall, within twenty-four hours after a winning pull tab or punch of ~~((five))~~ twenty dollars or more has been presented for payment, mark or perforate the winning symbols in such a manner that the pull tab or punch cannot be presented again for payment.

(7) Value of merchandise prizes. For purposes of this rule, the retail value of a merchandise prize shall be the amount actually paid therefor by the licensed operator plus 50 percent of that actual cost.

(8) Spindle, banded, or "jar" type pull tabs played in a manner which awards merchandise prizes only. Pull tab series which award only merchandise prizes valued at no more than ~~((five))~~ twenty dollars, are hereby permitted to employ schemes whereby certain predesignated pull tabs are free or the player is otherwise reimbursed the actual cost of said pull tabs. Flares for spindle-type pull tabs operated in this manner shall designate the total number of pull tabs in the series and the total number of pull tabs designated as free or reimbursable. Free or reimbursable pull tabs in these types of pull tab series shall not constitute a prize or prizes nor shall moneys collected and later reimbursed constitute revenue for the purposes of determining gross receipts.

**WSR 95-24-062**  
**PERMANENT RULES**  
**DEPARTMENT OF HEALTH**  
[Filed December 1, 1995, 4:14 p.m.]

Date of Adoption: November 22, 1995.

Purpose: In accordance with chapter 70.118 RCW, this rule establishes the criteria and review process to evaluate on-site sewage system additives before approval to use, sell or distribute in Washington state.

Statutory Authority for Adoption: Chapter 70.118 RCW.

Other Authority: RCW 43.70.040.

Adopted under notice filed as WSR 95-21-056 on October 12, 1995.

Changes Other than Editing from Proposed to Adopted Version: The proposed text of WAC 246-273-040 [(3)](d) is deleted. This change is made to clarify that approval by the department is primarily based upon evaluation of ingredients and formulation rather than evaluation of labels

or advertising material and emphasizes that enforcement of the provision of RCW 70.118.080 is through the consumer protection division of the Attorney General's Office and not through the department.

The title of WAC 246-273-060 is changed from "Conditions of approval" to "Unfair practices." This change is made to increase consistency with RCW 70.118.080. The title change necessitated shifting subsection (e) of WAC 246-273-060 to a newly created section: WAC 246-273-065. The phrase "manufacturers of approved additives advertised, sold or distributed in Washington state shall" is added to the beginning of the provision. The phrase "within 6 months of approval" is deleted from WAC 246-273-060 (1)(b). This change is made to maintain consistency with the authorizing statute, chapter 70.118 RCW and specifically RCW 70.118.080.

WAC 246-273-080 (2)(b) was changed from "Violations of the conditions of WAC 246-273-060 (1)-(4), such that product users could be dissuaded from proper operation of, or performing routine maintenance on, their on-site sewage disposal system" to "Documentation that ingredients or formulation of an approved on-site sewage system additive differs from the ingredients or formulation information submitted for review, and upon which departmental approval was granted." The deletion of the initial language is needed to correspond to the change to WAC 246-273-040 [(3)](d) and is made to emphasize that enforcement of the provisions of RCW 70.118.080 is through the consumer protection division of the Attorney General's Office and through the department. The added language is necessary to clarify the department's intent to pursue rescinding approval of an additive if the ingredients or formulation submitted for review and approval are not those of the product advertised, sold, or distributed.

WAC 246-273-990 is changed to include a subsection (2) which provides that "All fees must be paid prior to departmental approval." This change is made to clarify when the fees described in subsection (1) are due and payable. The fee in WAC 246-273-990 is reduced from five hundred dollars to three hundred and fifty dollars.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 11, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 11, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing,  
December 1, 1995  
Bruce A. Miyahara  
Secretary

**Chapter 246-273 WAC  
ON-SITE SEWAGE SYSTEM ADDITIVES**

**NEW SECTION**

**WAC 246-273-001 Purpose and authority.** (1) This chapter establishes the review, criteria and decision-making procedures for evaluating on-site sewage disposal system additives to determine whether individual additives have an adverse effect on public health or water quality.

(2) The Washington state department of health administers this chapter under the authority and requirements of chapter 70.118 RCW.

**NEW SECTION**

**WAC 246-273-010 Definitions.** "Additive" means a commercial product intended to affect the performance or aesthetics of an on-site sewage disposal system.

"Additive manufacturer" means any person who manufactures, formulates, blends, packages, or repackages an additive product for sale, use, or distribution within Washington state.

"Approved" means a written statement of acceptability, in terms of the requirements of this chapter, issued by the Washington state department of health.

"Chemical additive" means those additives containing acids, bases, or other chemicals deemed unsafe by the department for use in an on-site sewage disposal system. Chemicals identified as unsafe are specified in WAC 246-273-050.

"Department" means the Washington State Department of Health, P.O. Box 47826, Olympia, Washington 98504-7826.

"Failure" means:

- Effluent has been discharged on the surface of the ground prior to approved treatment; or
- Effluent has percolated to the surface of the ground; or
- Effluent has contaminated or threatens to contaminate a ground water supply.

"On-site sewage disposal system" means any system of piping, treatment devices, or other facilities that convey, store, treat, or dispose of sewage on the property where it originates or on nearby property under the control of the user where the system is not connected to a public sewer system. For purposes of this chapter, an on-site sewage disposal system does not include indoor plumbing and associated fixtures.

"Person" means any individual, corporation, company, association, society, firm, partnership, joint stock company, or any governmental agency, or the authorized agents of any such entities.

"Sewage" means any urine, feces, and the water carrying human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments or other places.

**NEW SECTION**

**WAC 246-273-020 Applicability.** (1) After July 1, 1994, no person shall use, sell, or distribute an on-site sewage disposal system chemical additive in Washington state.

(2) After January 1, 1996, no person shall use, sell or distribute an on-site sewage disposal system additive whose ingredients have not been approved by the department in accordance with requirements of chapter 70.118 RCW and this chapter.

**NEW SECTION**

**WAC 246-273-030 Additive review and approval application—Process and requirements.** (1) Manufacturers desiring to sell, advertise, or distribute an on-site sewage disposal system additive for use in Washington state must request and obtain departmental review and approval of their product(s) by submitting a complete application, including:

- (a) Comprehensive, yet concise, response to the questionnaire (see subsection (3) of this section);
- (b) A product sample in the labeled container intended for sale or distribution;
- (c) The on-site sewage disposal system additive evaluation fee described in WAC 246-273-990.

(2) All submitted material (written responses and other materials) must be legible, typed or printed. Hand-written responses to the application questions or hand-written notes or other submitted documentation may, at the discretion of the department, result in rejection of the application.

(3) The questionnaire for review and approval of an on-site sewage disposal system additive consists of four parts: Applicant information, product information, product literature, and certification. All applicants must provide complete written responses to the following questions:

**Applicant information (AI)**

- (AI-1) Applicant name, mailing address, street address, city/town, state, zip code, telephone and FAX, with area code, time zone. The applicant must be vested with the authority to represent the manufacturer in this capacity.
- (AI-2) Contact individual (if different from person in Item 1) name, mailing address, street address, city/town, state, zip code, telephone and FAX, with area code, time zone.
- (AI-3) Manufacturing facility location/address, mailing address, street address, city/town, state, zip code.
- (AI-4) Name of on-site sewage disposal system additive product. (One product per application. If identical formulations of product are marketed under different product names or distributor labels, list them here. If product formulations vary, submit separate applications for each product.)
- (AI-5) List of firms, companies, or persons distributing the on-site sewage disposal system additive product in Washington state. Do not list product retailers. Provide the following information for each: Contact person name, mailing address, street address,

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city/town, state, zip code, telephone and FAX, with area code, time zone.

### Product information (PI)

- (PI-1) List all physical, chemical, biological, or other agents which make up the additive and provide toxicity information for each component (provide material safety data sheet, if possible). Provide trade and scientific name and formula of chemical agents. Specify trade and scientific name(s) of bacteria and enzymes, and characterization (origin, native occurrence, pathogenicity, etc.). Report formulation in "% by weight," including inert and active ingredients, and trace amounts, if any, of prohibited ingredients (WAC 246-273-050).
- (PI-2) Describe the anticipated use of the additive in the on-site sewage system. Include in the description where and how the product is to be applied, the frequency of application, who will perform the application, and the amount and/or concentration of the product per application. For additives with chemical constituents, indicate the amount and/or concentration of each chemical constituent applied and resulting from application of the product.
- (PI-3) Describe the function of the additive within the on-site sewage disposal system and explain in detail how the additive achieves this function.
- (PI-4) List all known reactions and by-products produced by the use of the additive including:
- The product's effect on bacteria normally found in a septic tank or aerobic treatment device and the soil surrounding a subsurface drainfield, and in the treatment media of a sand filter or sand mound system; and
  - pH range adjustment in all parts of an on-site sewage disposal system.
- (PI-5) Provide any known or projected limitation on the use of the on-site sewage disposal system additive.
- (PI-6) Provide reports of any available studies on the use of the on-site sewage disposal system additive to support the responses to questions PI-1 through PI-5 and to demonstrate the product's safety (lack of harm) to the public health, water quality, on-site sewage system components and function. Include monitoring reports and data from actual field or laboratory-based on-site sewage system studies.
- (PI-7) Attach any formal approvals or other acceptances from other jurisdictions (private sector, state, or federal) for use of the on-site sewage disposal system additive.

### Product literature (PL)

- (PL-1) Attach single copies of sewage system additive product marketing, sales, distribution, advertising literature/materials intended for use in Washington state, not otherwise submitted as part of the complete application.

### Certification (C)

- (C-1) The following statement must be included as part of a complete application:
- "I certify that I represent (INSERT MANUFACTURING COMPANY NAME), that I am authorized to prepare, or direct the preparation of, this application, and that the product presented for review and approval contains no prohibited ingredients (WAC 246-273-050). I attest, under penalty of law, that this document and all attachments, to the best of my knowledge and belief, are true, accurate, and complete."
- (C-2) Lines or space must be provided for the applicant's signature, printed name of preparer (if different than the applicant), preparer's signature (if needed) and date.

### NEW SECTION

**WAC 246-273-040 Review criteria and decision-making procedures.** The department shall:

- (1) Upon receipt of an application for review and approval of an on-site sewage disposal system additive:
- (a) Determine if the application is complete. The department may return incomplete applications, suspending further review until a completed application is submitted. Processing time period begins anew with resubmittal.
- (b) Notify the applicant, in writing, that the completed application has been received, and inform the applicant of the anticipated time period for review. A decision of either approval or denial shall be made within forty-five calendar days of receiving a complete application.
- (2) Upon review of a complete application, grant or deny approval of the on-site sewage disposal system additive for use, sale, or distribution in Washington state, informing the applicant, in writing, of either approval or denial of the application. Notice of denial shall include explanation of the reason(s) for denial.
- (3) Evaluate the request for approval of an on-site sewage disposal system additive according to the following criteria:
- (a) Does the additive contain any ingredients deemed unsafe by the department? If yes, the application for approval shall be denied.
- (b) Does the additive contain acids or bases that raise or lower the pH of the contents of a septic tank, or wastewater in any other portion of an on-site sewage disposal system, outside of a pH range between 6.0 - 8.0? If yes, the application for approval shall be denied.
- (c) Would use of the additive (when applied according to the manufacturer's product-use instructions) adversely affect public health or water quality (surface water or ground water) by either the nature of the ingredients or the effect of the additive on the function of the on-site sewage system? If yes, the application for approval shall be denied.
- (d) If the review according to the criteria listed above determines that none of these questions are answered "yes," the on-site sewage disposal system additive shall be approved.

**NEW SECTION**

**WAC 246-273-050 Ingredients—Prohibitions and conditions.** (1) The following substances and compounds shall not be ingredients of approved on-site sewage disposal system additives. Trace amounts of these substances and compounds may exist in approved on-site sewage disposal system additives if deemed safe by the department for use in an on-site sewage disposal system.

(a) Any substance or compound listed as an EPA toxic pollutant in Title 40 Code of Federal Regulations (CFR 40) 1994, Part 122, Tables II, III, and V of Appendix D:

**Table II—Organic Toxic Pollutants In Each Of Four Fractions In Analysis By Gas Chromatography/Mass Spectroscopy (GS/MS)**

*Volatiles*

IV	acrolein
2V	acrylonitrile
3V	benzene
5V	bromoform
6V	carbon tetrachloride
7V	chlorobenzene
8V	chlorodibromomethane
9V	chloroethane
10V	2-chloroethylvinyl ether
11V	chloroform
12V	dichlorobromomethane
14V	1,1-dichloroethane
15V	1,2-dichloroethane
16V	1,1-dichloroethylene
17V	1,2-dichloropropane
18V	1,3-dichloropropylene
19V	ethylbenzene
20V	methyl bromide
21V	methyl chloride
22V	methylene chloride
23V	1,1,2,2-tetrachloroethane
24V	tetrachloroethylene
25V	toluene
26V	1,2-trans-dichloroethylene
27V	1,1,1-trichloroethane
28V	1,1,2-trichloroethane
29V	trichloroethylene
31V	vinyl chloride

*Acid Compounds*

1A	2-chlorophenol
2A	2,4-dichlorophenol
3A	2,4-dimethylphenol
4A	4,6-dinitro-o-cresol
5A	2,4-dinitrophenol
6A	2-nitrophenol
7A	4-nitrophenol
8A	p-chloro-m-cresol
9A	pentachlorophenol
10A	phenol
11A	2,4,6-trichlorophenol

*Base/Neutral*

1B	acenaphthene
2B	acenaphthylene
3B	anthracene

4B	benzidine
5B	benzo(a)anthracene
6B	benzo(a)pyrene
7B	3,4-benzofluoranthene
8B	benzo(ghi)perylene
9B	benzo(k)fluoranthene
10B	bis(2-chloroethoxy)methane
11B	bis(2-chloroethyl)ether
12B	bis(2-chloroisopropyl)ether
13B	bis(2-ethylhexyl)phthalate
14B	4-bromophenyl phenyl ether
15B	butylbenzyl phthalate
16B	2-chloronaphthalene
17B	4-chlorophenyl phenyl ether
18B	chrysene
19B	dibenzo(a,h)anthracene
20B	1,2-dichlorobenzene
21B	1,3-dichlorobenzene
22B	1,4-dichlorobenzene
23B	3,3'-dichlorobenzidine
24B	diethyl phthalate
25B	dimethyl phthalate
26B	di-n-butyl phthalate
27B	2,4-dinitrotoluene
28B	2,6-dinitrotoluene
29B	di-n-octyl phthalate
30B	1,2-diphenylhydrazine
	(as azobenzene)
31B	fluoranthene
32B	fluorene
33B	hexachlorobenzene
34B	hexachlorobutadiene
35B	hexachlorocyclopentadiene
36B	hexachloroethane
37B	indeno(1,2,3-cd)pyrene
38B	isophorone
39B	naphthalene
40B	nitrobenzene
41B	N-nitrosodimethylamine
42B	N-nitrosodi-n-propylamine
43B	N-nitrosodiphenylamine
44B	phenanthrene
45B	pyrene
46B	1,2,4-trichlorobenzene

*Pesticides*

1P	aldrin
2P	alpha-BHC
3P	beta-BHC
4P	gamma-BHC
5P	delta-BHC
6P	chlordane
7P	4,4'-DDT
8P	4,4'-DDE
9P	4,4'-DDD
10P	dieldrin
11P	alpha-endosulfan
12P	beta-endosulfan
13P	endosulfan sulfate
14P	endrin
15P	endrin aldehyde
16P	heptachlor

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- 17P heptachlor epoxide
- 18P PCB-1242
- 19P PCB-1254
- 20P PCB-1221
- 21P PCB-1232
- 22P PCB-1248
- 23P PCB-1260
- 24P PCB-1016
- 25P toxaphene

**Table III-Other Toxic Pollutants (Metals and Cyanide) and Total Phenols**

- Antimony, Total
- Arsenic, Total
- Beryllium, Total
- Cadmium, Total
- Chromium, Total
- Copper, Total
- Lead, Total
- Mercury, Total
- Nickel, Total
- Selenium, Total
- Silver, Total
- Thallium, Total
- Zinc, Total
- Cyanide, Total
- Phenols, Total

**Table IV-Toxic Pollutants and Hazardous Substances Required To Be Identified By Existing Dischargers If Expected To Be Present**

*Toxic Pollutants*

Asbestos

*Hazardous Substances*

- Acetaldehyde
- Allyl alcohol
- Allyl chloride
- Amyl acetate
- Aniline
- Benzonitrile
- Benzyl chloride
- Butyl acetate
- Butylamine
- Captan
- Carbaryl
- Carbofuran
- Carbon disulfide
- Chlorpyrifos
- Coumaphos
- Cresol
- Crotonaldehyde
- Cyclohexane
- 2,4-D(2,4-Dichlorophenoxy acetic acid)
- Diazinon
- Dicamba
- Dichlobenil
- Dichlone
- 2,2-Dichloropropionic acid
- Dichlorvos
- Diethyl amine
- Dimethyl amine

- Dinitrobenzene
- Diquat
- Disulfoton
- Diuron
- Epichlorohydrin
- Ethion
- Ethylene diamine
- Ethylene dibromide
- Formaldehyde
- Furfural
- Guthion
- Isoprene
- Isopropanolamine
- Dodecylbenzenesulfonate
- Kelthane
- Kepone
- Malathion
- Mercaptodimethur
- Methoxychlor
- Methyl mercaptan
- Methyl methacrylate
- Methyl parathion
- Mevinphos
- Mexacarbate
- Monoethyl amine
- Monomethyl amine
- Naled
- Napthenic acid
- Nitrotoluene
- Parathion
- Phenolsulfanate
- Phosgene
- Propargite
- Propylene oxide
- Pyrethrins
- Quinoline
- Resorcinol
- Strontium
- Strychnine
- Styrene
- 2,4,5-T (2,4,5-Trichlorophenoxy acetic acid)
- TDE (Tetrachlorodiphenylethane)
- 2,4,5-TP (2-(2,4,5-Trichlorophenoxy propanoic acid))
- Trichlorofan
- Triethanolamine
- Dodecylbenzenesulfonate
- Triethylamine
- Trimethylamine
- Uranium
- Vanadium
- Vinyl acetate
- Xylene
- Xylenol
- Zirconium

(b) Other chemicals deemed by the department to be detrimental to on-site sewage disposal system function, public health, or water quality.

(2) The department may prohibit (not approve on-site sewage system additives containing) acids and bases depending upon the effect on public health or ground water of their

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concentration when applied according to the manufacturer's product-use instructions.

**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 246-273-060 Unfair practices.** Manufacturers of approved additives advertised, sold, or distributed in Washington state shall:

(1) Make no claims relating to the elimination of the need for septic tank pumping or proper septic tank maintenance;

(2) List the components of additive products on the product label, along with information regarding instructions for use and precautions;

(3) Make no false statements, design, or graphic representation relative to an additive product that is inconsistent with RCW 70.118.060, 70.118.070, or 70.118.080; and

(4) Make no claims, either direct or implied, about the performance of the product based on state approval of its ingredients.

#### NEW SECTION

**WAC 246-273-065 Reregistration.** Reregister, by written correspondence to the department, their on-site sewage disposal system additive product(s) each time the product formulation changes. The department may require a new review and approval for reregistration of products that undergo formulation changes.

#### NEW SECTION

**WAC 246-273-070 Confidentiality.** (1) Manufacturers shall submit a signed confidentiality statement if any information submitted would, if made public, divulge confidential business information, methods, or processes entitled to protection as trade secrets of the manufacturer, and identify any such information.

(2) The department shall not disclose any information obtained from manufacturers, when stated by the manufacturer, that the information, if made public, would divulge confidential business information, methods or processes entitled to protection as trade secrets of the manufacturer.

#### NEW SECTION

**WAC 246-273-080 Enforcement.** (1) The attorney general, or appropriate city or county prosecuting attorney may bring appropriate action to enjoin any violation of the:

(a) Prohibition on the sale or distribution of on-site sewage disposal system additives; or

(b) Conditions of RCW 70.118.080 Additives—Unfair practices, and WAC 246-273-060 (1) through (4).

(2) The department may rescind approval of an on-site sewage disposal system additive in response to:

(a) Demonstrated link to on-site sewage disposal system failure resulting from use (consistent with the manufacturer's product-use instructions) of an approved additive; or

(b) Documentation that ingredients or formulation of an approved on-site sewage system additive differs from the

ingredients or formulation information submitted for review, and upon which departmental approval was granted.

#### NEW SECTION

**WAC 246-273-990 Fees.** (1) The applicant shall pay to the department, with the application, a three hundred fifty dollar fee. This fee includes two hundred dollars for developing criteria and review procedures, plus one hundred fifty dollars for up to two hours of product-specific review. Additional review time will be billed at seventy-five dollars per hour.

(2) All fees must be paid prior to the departments' approval.

#### **WSR 95-24-073**

#### **PERMANENT RULES**

#### **DEPARTMENT OF TRANSPORTATION**

[Filed December 4, 1995, 11:14 a.m.]

Date of Adoption: December 4, 1995.

Purpose: Regulates the transport of manufactured housing exceeding legal vehicle size limits. Amendments changes eight-inch eave allowance to twelve inches, and updates terminology, i.e. mobile home to manufactured housing.

Citation of Existing Rules Affected by this Order: Amending WAC 468-38-120 Oversize manufactured home transport regulations.

Statutory Authority for Adoption: RCW 46.44.090.

Adopted under notice filed as WSR 95-21-076 on October 16, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 1, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

December 4, 1995

S. A. Moon

Deputy Secretary  
for Operations

**AMENDATORY SECTION** (Amending Order 62, Resolution No. 307, filed 10/1/87)

**WAC 468-38-120 Oversize ((mobile)) manufactured home transport regulations.** (1) The purpose of this section is to supplement the provisions of chapter 468-38 WAC as they relate to the movement of ((mobile)) manufac-



ured homes. Where conflicts with other sections of this chapter occur, the following rules apply.

(2) Definitions:

(a) "~~((Mobile))~~ Manufactured home" means all trailers of the semitrailer type with hitch ball coupler designed as structures for human habitation which may have been subsequently adapted to other uses, which are capable of being towed upon the public highways and are more than thirty-six feet in length and more than eight and one-half feet in width.

(b) "Modular homes and sectional buildings" means any factory-built housing designed for human habitation which does not contain a permanent frame and must be mounted on a permanent foundation. Modular homes or sectional buildings with their own attached running gear which can be towed are considered to be ~~((mobile))~~ manufactured homes for purposes of this regulation. Modular homes or sectional buildings moved on legally registered trailers are subject to the provisions of chapter 46.44 RCW and the provisions of this chapter of the Washington Administrative Code regulating the movement of overlegal loads.

(c) Oversize permits may be issued to transporters, dealers or owners who shall assume full responsibility while operating under a permit. Operators of tow vehicles and others assisting in the transport must function as agents or employees of the permittee.

(d) A "unit" is a complete or irreducible part of an oversize ~~((mobile))~~ manufactured home.

(3) Oversize limits: The following regulations apply to ~~((mobile))~~ manufactured homes of semi-trailer design whose box width exceeds eight and one-half feet but does not exceed fourteen feet and whose length exceeds thirty-six feet but does not exceed seventy-five feet including tongue: *Provided*, That a ~~((fourteen-foot-wide))~~ unit may have ~~((an eight))~~ a maximum of a twelve-inch eave on one side in addition to its box width: *And provided further*, That the ~~((mobile))~~ manufactured home shall be transported with this eave on the right side in the direction of traffic.

(4) Oversize ~~((mobile))~~ manufactured home permits may be issued as follows:

(a) Annual permits may be issued only to permittees who are qualified as dealers or manufacturers as provided in chapter 46.70 RCW or to transporters licensed as provided in chapter 46.76 RCW.

Annual permits shall apply only to transport of ~~((mobile))~~ manufactured homes fourteen feet or less in height, above level ground, while being transported.

(b) Monthly permits may be issued to dealers, manufacturers, and transporters under the same conditions as annual permits except that fourteen-foot height limitations may be waived.

(c) Single trip permits may be issued to dealers, transporters and owners for a specific combination of tow vehicle and mobile home to travel from a point of origin to a prescribed destination.

(5) The permittee must have insurance in effect while operating under the permit in the minimum amounts of one hundred thousand dollars - three hundred thousand dollars public liability and fifty thousand dollars property damage. Pilot car operators shall meet the insurance requirements of RCW 46.44.180.

(6) If an accident occurs while transporting a ~~((mobile))~~ manufactured home under permit, the permittee shall immediately notify the nearest state patrol office if the damage is greater than two hundred ~~((and))~~ fifty dollars to the ~~((mobile))~~ manufactured home or greater than one hundred dollars to other vehicles or structures. Permission to continue the movement must be obtained from the state patrol.

(7) Dealers selling twelve to fourteen-foot wide ~~((mobile))~~ manufactured homes must advise the prospective purchaser in writing that not all state highways are approved for the transport of twelve to fourteen-foot wide ~~((mobile))~~ manufactured homes.

(8) Permits issued in accordance with the Uniform Mobile and Modular Home Transportation Regulations of WASHTO will be subject to those regulations and will be honored by the state of Washington if issued by other states.

(9) ~~((Mobile))~~ Manufactured homes:

(a) Overall dimensions shall not exceed those stated in the permit except for minor protrusions not to exceed two inches, such as door and window hardware. Eaves will be included in the measurement of maximum width. All dimensions shall be reduced to the practical minimum. ~~((Mobile))~~ Manufactured homes having a single eave overhang along their length will be transported to allow for safe passing distances.

(b) The complete system of the ~~((mobile))~~ manufactured home, including running gear assembly, shall comply with the rules and regulations adopted by the United States Department of Housing and Urban Development (24 CFR 280 (1976) and as thereafter amended). Tires shall comply with applicable Federal Motor Carrier Safety Regulations, Title 49, chapter 111. Those ~~((mobile))~~ manufactured homes not certified as qualifying to the minimum H.U.D. specifications shall have brakes on at least two axles and on four wheels. Units of sixty feet or more in length shall have at least three full axles, except that twelve-foot wide ~~((mobile))~~ homes manufactured prior to November 1, 1970, may be moved with a minimum of two axles. The brakes shall be under the control of the driver from the cab of the towing vehicle, and shall be adequate to control the ~~((mobile))~~ manufactured home and its load. They shall be so designed and connected that they shall automatically apply in case of accidental breakaway from the towing vehicle. A wet-cell or approved battery with a full charged rating of twelve volts will be installed in the ~~((mobile))~~ manufactured home to actuate electric brakes in the event of a breakaway. The minimum track width between two wheels on the same axle shall be eight feet. Track width shall be measured from the outer edges of the road bearing tread of tires on a single axle. Tires shall have no signs of separation or excessive aging and shall be inflated to the maximum recommended tire pressure and have tread depth no less than 3/32nd inch in any part of tire contacting the road. Recapped or retreaded tires are not allowed. Minimum combined load rating of ~~((mobile))~~ manufactured home tires must be in excess of their in-transit load. Axles and wheels must be properly aligned to minimize wear and overheating of tires.

(c) The open side of half sections of ~~((mobile))~~ manufactured homes shall be covered in such a way as to prevent billowing of the covering material.

(d) Furnishings or loose objects within the ((mobile)) manufactured home shall be secured in positions to achieve proper weight and balance.

(10) Tow vehicles:

(a) Tow vehicles shall comply with the following minimum requirements:

((Mobile)) <u>Manufactured</u> Home Width to be Towed	Drive Axle		Gross		Rear Axle Rating
	Tire Width	Tire Rating	Curb Weight	(1) Weight	
Over 8 1/2' to 10'	7.00"	6 ply	(2)	6,000#	(2)
Over 10' to 12'	8.00"	8 ply	35,000(3)	8,000#	15,000#
Over 12' to 14'	8.25"	10 ply	35,000#	9,000#	15,000#

(1) Includes fuel and accessories prior to hook-up with ((mobile)) manufactured home.

(2) Not required.

(3) May be waived for older vehicles.

(b) Conventional or cab-forward configuration shall have a minimum wheelbase of one hundred twenty inches. Cab-over engine tow vehicles shall have a minimum wheelbase of eighty-nine inches. Tow vehicles shall have a minimum 4-speed transmission. Power shall be sufficient to meet the requirements listed.

(c) Electrical brake controls, wiring and connections to ((mobile)) manufactured home brake systems will be capable of producing rated voltage and amperage at the ((mobile)) manufactured home brake magnets in accordance with the ((mobile)) manufactured home brake manufacturer's specifications.

(11) Signs and flags: In addition to the requirements of WAC 468-38-190, the OVERSIZE LOAD sign will be attached horizontally on the rear of the ((trailer home)) unit with the bottom edge between five and seven feet above the road surface. Sign material shall be impervious to moisture, clean and mounted with adequate supporting anchorage to provide legibility at all times.

(12) Lights: In addition to provisions of WAC 468-38-170, six-inch diameter flashing amber lights with a minimum of thirty-five candle power shall be mounted ((on)) at the ((upper outer edges of the)) rear of the trailing unit, on a horizontal plane, at least ten feet above the roadway surface. They shall be operated with a flashing cycle of sixty to one hundred twenty times per minute during transit. Wiring and connections shall be in good working order.

(13) Travel speeds for ((mobile)) manufactured homes shall be as set forth in WAC 468-38-340.

(14) ((Mobile)) Manufactured homes traveling in rural areas shall maintain adequate spacing of at least one-half mile between any two ((mobile)) manufactured home units. All units shall maintain a minimum distance of from four hundred to five hundred feet behind any truck, truck-tractor or trailer which could impair the visibility of an overtaking vehicle.

(15) The ((mobile)) manufactured home unit shall be operated in the right lane except when passing. On two-lane highways, units shall not pass other vehicles except when required to pass a vehicle being operated at a speed so slow as to hinder the safe flow of traffic.

(16)(a) A decal issued by the county treasurer shall be displayed on any ((mobile)) manufactured or modular home being transported on public highways in this state. The

decal is not required if one of the following conditions is met:

(i) When a ((mobile)) manufactured home is to enter the state;

(ii) When a ((mobile)) manufactured home is being moved from the manufacturer or distributor to a retail sales outlet;

(iii) When a ((mobile)) manufactured home is being moved from the manufacturer or distributor to a purchaser's designated location; or

(iv) When a ((mobile)) manufactured home is being moved between retail sales outlets.

(b) The county treasurer's decal shall be displayed on the rear of the ((mobile)) manufactured home while in transport. It shall be issued at the same time as the tax certificate for ((mobile)) manufactured home movement. If the tax certification is for a double-wide ((mobile)) manufactured home, two ((mobile)) manufactured home movement decals shall be issued.

(c) The decal shall meet the following requirements:

(i) It shall be at least eight and one-half inches square.

(ii) It shall be printed on Appleton Radiant Florescent Bristol (weight .010) or paper of comparable quality.

(iii) It shall be of fluorescent orange color.

(iv) It shall show the make, model and serial number of the ((mobile)) manufactured home, the date issued, the name of the transporter, the transporter's WUTC permit number if required, the department of transportation special motor vehicle permit number, and the name of the county issuing the decal.

(v) It shall display in readily legible script the expiration date of the decal, which shall be not more than fifteen days after the date the decal is issued.

(d) ((Mobile)) Manufactured home movement decals may not be transferred.

**WSR 95-24-074**

**PERMANENT RULES**

**DEPARTMENT OF TRANSPORTATION**

[Filed December 4, 1995, 11:15 a.m.]

Date of Adoption: December 4, 1995.

Purpose: To provide tow truck operators procedures for acquiring telephonic permit authorization to remove over-size/overweight disabled vehicles from the public roads.

Statutory Authority for Adoption: RCW 46.44.090.

Adopted under notice filed as WSR 95-21-075 on October 16, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 1, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, amended 0, repealed 0.

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Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

December 4, 1995

S. A. Moon

Deputy Secretary  
for Operations

## NEW SECTION

**WAC 468-38-265 Emergency operation of tow trucks.** The permitting of overweight tow trucks that respond to emergencies shall be governed by the following procedures:

(1) Emergency situations are limited to those instances in which a vehicle is disabled on the public streets or highways, and due to the necessity for an immediate response (referred to as the "initial tow truck service" in RCW 46.44.015), the appropriate overweight permit cannot be determined until the operator arrives at the disabled vehicle.

(2) When a tow truck operator has been called to respond to an emergent situation, the operator will telephone the Ridgefield Port of Entry and request a permit to clear the obstacle. The commercial vehicle enforcement officer on duty shall consult the map "*Washington State Highways Tow Truck Restrictions: For Emergency Use Only* (as last revised)." Bridges that may be crossed by tandem axle loadings estimated by the tow truck operator may be approved for the emergency move.

(3) In requesting the permit, the operator shall state the excess weight needed, list the state route numbers required and an estimate of miles to be traveled. The operator will advise the officer of his credit card number to which the permit fee can be charged and be issued an identification or clearance number for the trip being permitted. This approval is for state routes only and gives no authorization for movement on county roads or city streets.

(4) If the map showing tow truck restrictions does not indicate that the routes can safely tolerate the weight being requested, the tow truck operator is limited to moving the vehicle off the road to the nearest place of safety. When the weight is too heavy to be moved on some bridges or highways, a request during regular working hours for a permit and a bridge analysis will be required before the load may be transported.

(5) Permits for routine movements other than emergency tow truck moves shall be requested through available DOT permits offices, agents or facsimile services.

**WSR 95-24-075**

**PERMANENT RULES**

**DEPARTMENT OF TRANSPORTATION**

[Filed December 4, 1995, 11:16 a.m.]

Date of Adoption: December 4, 1995.

Purpose: Sets criteria for the operation of lift-axles configured on motor vehicles.

Citation of Existing Rules Affected by this Order:  
Amending WAC 468-38-280 Special equipment.

Statutory Authority for Adoption: RCW 46.44.090.

Adopted under notice filed as WSR 95-21-074 on October 16, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 1, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

December 4, 1995

S. A. Moon

Deputy Secretary  
for Operations

AMENDATORY SECTION (Amending Order 138, filed 9/10/93, effective 10/11/93)

**WAC 468-38-280 Special equipment.** Special equipment employing axle groupings other than the conventional single or tandem axle must first be approved by the department before permits will be granted authorizing the unit to operate on state highways.

A retractable axle carrying weight allowed under RCW 46.44.041 shall have a manufacturers rating of at least 10,000 pounds, and shall be self-steering~~((and shall have the capacity to be activated only from a location out of reach of the driver's compartment))~~: *Provided*, ~~((The requirement that controls be activated only from a location out of reach of the driver's compartment shall not apply to vehicles equipped with hydraulically or pneumatically loaded lift axles that can not be activated when the vehicle is in motion.))~~ Any variable control, excluding a simple up and down control, used to adjust axle loadings by regulating air pressure or by other means must be out of reach of the driver's compartment: *And Provided Further*, The requirement that the retractable lift axle shall be self-steering does not apply to a truck/tractor where the retractable axle equipped with four tires is used to create a tandem and the distance between the drive axle and the retractable axle is no greater than 60 inches. The self-steering requirement shall also not apply to a trailing unit where the distance between a fixed axle and the retractable axle is no greater than 60 inches.

**WSR 95-24-076**  
**PERMANENT RULES**  
**DEPARTMENT OF TRANSPORTATION**  
 [Filed December 4, 1995, 11:17 a.m.]

Date of Adoption: December 4, 1995.

Purpose: Establishes criteria to regulate motor vehicle moves exceeding two hundred thousand pounds and/or exceeding sixteen feet wide and/or sixteen feet high, either of which is referenced as a "superload."

Statutory Authority for Adoption: RCW 46.44.090.

Adopted under notice filed as WSR 95-21-073 on October 16, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.  
 December 4, 1995

S. A. Moon

Deputy Secretary  
 for Operations

NEW SECTION

**WAC 468-38-405 Superload movement criteria.** (1) Superloads are defined as loads exceeding two hundred thousand pounds gross weight, and/or loads whose dimensions exceed either sixteen feet in height or sixteen feet in width.

(2) Pursuant to RCW 46.44.091(6), loads exceeding the two hundred thousand pounds gross weight must submit a written application for special permit at least thirty days in advance of the proposed move.

(3) Application for special permit to move a load in excess of sixteen feet high or sixteen feet wide must be submitted in writing at least seven calendar days before the proposed move.

(4) As part of the superload application the applicant must submit the following information:

(a) Documentation that the move is in the public interest and that alternative methods of transport are not feasible.

(b) A schematic or photograph of the item with an explanation of why it cannot be transported in smaller pieces must be provided.

(c) A schematic of the transporting laden vehicle(s), including axle loadings, axle spacings (measured from hub centers), tire sizes, number of tires per axle, and combination vehicle/load height, length and width.

(d) A traffic control plan depicting the route and specific procedures that will be followed to control traffic

flow along the route, including estimated traffic delays, lane restriction, use of escort vehicles and flag persons, movement of overhead obstacles, railroad schedules for crossings, and provisions for emergency vehicles to navigate around the load.

(5) If the department determines that the move is necessary, an analysis of structures and pavements will be performed. If, due to the size of the load, the analysis will require a significant expenditure of time by department staff, the applicant may be required to share in those costs.

(6) If structures or pavements are found to be inadequate, and an alternative route cannot be found, the application for special permit will be denied. The load will have to be reconfigured in such a manner as to resolve the inadequacies of the original application.

**WSR 95-24-086**  
**PERMANENT RULES**  
**DEPARTMENT OF COMMUNITY,**  
**TRADE AND ECONOMIC DEVELOPMENT**  
 (Community Economic Revitalization Board)  
 [Filed December 5, 1995, 11:54 a.m.]

Date of Adoption: September 21, 1995.

Purpose: To reflect current state public records law, correct agency name, current program statute, agency office hours and mailing address.

Citation of Existing Rules Affected by this Order: Amending WAC 133-20-010, 133-20-020, 133-20-040, 133-20-060, and 133-20-120.

Statutory Authority for Adoption: Chapter 43.160 RCW.

Adopted under notice filed as WSR 95-13-078 on June 20, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 6, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 6, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.  
 December 4, 1995  
 Ann D. Bariekman  
 Rules Coordinator

AMENDATORY SECTION (Amending Order 83-1, filed 5/2/83)

**WAC 133-20-010 Purpose.** The purpose of this chapter shall be to insure the compliance by the community economic revitalization board with ~~(the provisions of~~

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chapter 1, Laws of 1973, Initiative Measure No. 276, and in particular sections 25 through 32 of that act, and) state public records law RCW 42.17.250 ((through 42.17.320, concerning disclosure of public records)) et seq.

AMENDATORY SECTION (Amending Order 83-1, filed 5/2/83)

**WAC 133-20-020 Definitions.** The following definitions shall apply to this chapter:

(1) ~~("Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by the board regardless of physical form or characteristics.~~

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

(3) ~~"Board" means the community economic revitalization board, created pursuant to chapter 43.160 RCW, and shall also refer to the board's officers and staff, where appropriate.~~

(4) ~~(2) "Department" means the department of ((commerce)) community, trade, and economic development, and shall also refer to the department's staff, where appropriate.~~

AMENDATORY SECTION (Amending Order 83-1, filed 5/2/83)

**WAC 133-20-040 Public records officer.** The ~~((board's vice chairman shall be))~~ board chair shall appoint the public records officer for the board. The public records officer shall be responsible for implementation of the board's rules and regulations regarding inspection and copying of public records, and for insuring compliance by the staff with the public records disclosure requirements of chapter 42.17 RCW.

AMENDATORY SECTION (Amending Order 83-1, filed 5/2/83)

**WAC 133-20-060 Office hours.** Public records shall be available for inspection and copying during the department's normal office hours. For purposes of this chapter, normal office hours shall be from ~~((9:00))~~ 8:00 a.m. to noon and from 1:00 p.m. to 5:00 p.m., Monday through Friday, excluding legal holidays.

AMENDATORY SECTION (Amending Order 83-1, filed 5/2/83)

**WAC 133-20-100 Review of denials of public records requests.** (1) Any person who objects to the denial of a request for public records may petition for prompt review of such decision by submitting 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) Following receipt of a written request for review of a decision denying a request for public records, the public records officer or other authorized staff member denying the request shall refer it to the ~~((chairman))~~ chair of the board. The ~~((chairman))~~ chair or designee shall immediately consider the matter and either affirm or reverse such denial. The request shall be returned with the final decision, within two business days following receipt of the request for review.

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

AMENDATORY SECTION (Amending Order 83-1, filed 5/2/83)

**WAC 133-20-120 Adoption of form.** The board hereby adopts for use by all persons requesting inspection or copying of its records, the form set out below, entitled "Request for public records."

In order to request copies of our public records, please complete the attached form and return it with the proper payment to the address below. We will forward to you those requested copies which are not exempt from disclosure when we receive this form. Thank you.

Return to:

Community Economic Revitalization Board  
c/o Public Records Officer  
~~((101 General Administration Building))~~  
P.O. Box 48300  
Olympia, WA 98504-8300

REQUEST FOR PUBLIC RECORDS

Date . . . . . Time . . . . . (In person requests only)

Name . . . . .

Address . . . . .

Description of Records

. . . . .

. . . . .

. . . . .

I certify that the information obtained through this request for public records will not be used for profit making.

Signature

(FOR BOARD USE ONLY)

Number of copies . . . . .

Number of pages . . . . .

Per page charge \$ ~~((+))~~ .15  
for in excess of  
ten pages

Total charge \$ . . . . .

PERMANENT

**WSR 95-24-087**

**PERMANENT RULES**

**DEPARTMENT OF COMMUNITY,  
TRADE AND ECONOMIC DEVELOPMENT**

(Community Economic Revitalization Board)

[Filed December 5, 1995, 11:55 a.m.]

Date of Adoption: September 21, 1995.

Purpose: To repeal entire chapter by section based on the following justification, (1) the chapter is fully covered under Administrative Procedure Act, chapter 34.04 [34.05] RCW; (2) not necessary for CERB, is not a regulatory body.

Citation of Existing Rules Affected by this Order:

Repealing chapter 133-30 WAC.

Statutory Authority for Adoption: Chapter 43.160 RCW.

Adopted under notice filed as WSR 95-13-077 on June 20, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 8.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 8.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

December 4, 1995

Ann D. Bariekman

Rules Coordinator

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 133-30-010 Purpose and scope of rules—Adoption of uniform rules.
- WAC 133-30-020 Definitions.
- WAC 133-30-030 Hearings, examination and investigations—Generally.
- WAC 133-30-040 Requesting oral hearings—Substantive rule-making proceedings.
- WAC 133-30-050 Subpoenas.
- WAC 133-30-060 Petitions for rule-making action.
- WAC 133-30-070 Petitions for declaratory rulings.
- WAC 133-30-080 Requests for reconsideration.

**WSR 95-24-088**

**PERMANENT RULES**

**DEPARTMENT OF COMMUNITY,  
TRADE AND ECONOMIC DEVELOPMENT**

(Community Economic Revitalization Board)

[Filed December 5, 1995, 11:58 a.m.]

Date of Adoption: September 21, 1995.

Purpose: To conform with current program statute and board policy and loan grant application procedures.

Citation of Existing Rules Affected by this Order: Amending WAC 133-40-010, 133-40-020, 133-40-030, and 133-40-040.

Statutory Authority for Adoption: Chapter 43.160 RCW.

Adopted under notice filed as WSR 95-13-076 on June 20, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 4, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 4, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

December 4, 1995

Ann D. Bariekman

Rules Coordinator

AMENDATORY SECTION (Amending Order 83-1, filed 5/2/83)

**WAC 133-40-010 Purpose.** (1) Pursuant to ~~((authority derived from chapter 40, Laws of 1982 1st ex. sess. and))~~ chapter 43.160 RCW, the community economic revitalization board may, in its discretion, make direct loans to political subdivisions of the state of Washington for the purposes of assisting the political subdivisions in financing the cost of public facilities, when such facilities will serve to improve opportunities for the successful maintenance, establishment, or expansion of industrial ~~((or commercial plants))~~ facilities or will otherwise assist in the creation or retention of long-term economic opportunities, or assist in alleviating unemployment. The board may also make grants for such purposes, when every feasible effort has been made by the board to provide loans and loans are not possible, and when the board finds that unique circumstances exist which require making a grant.

(2) The purpose of this chapter is to prescribe the form and manner in which political subdivisions may make application to the board for financial assistance, and to provide for the consideration and disposition of such applications.

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**AMENDATORY SECTION** (Amending Order 83-1, filed 5/2/83)

**WAC 133-40-020 Definitions.** Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Board" means the community economic revitalization board.

(2) "Public facility" or "facility" means any facility for public purposes financed in whole or in part by any (~~political subdivision~~) port district, county, city, town, or special utility district of the state of Washington, including, but not limited to, sewer or other waste disposal facilities, arterials, bridges, access roads, port facilities, or water distribution and purification facilities.

(3) "Public facility costs" means any direct or indirect cost incurred or to be incurred by a political subdivision in financing any public facility, including the cost of acquisition, construction, rehabilitation, alteration, expansion, or improvement of the facilities.

(4) "Responsible official" means the (~~senior ranking elected official of the political subdivision making application to the board for financial assistance hereunder, and/or any other~~) person so designated in the resolution of the legislative body of the political subdivision authorizing or approving submittal of the application.

**AMENDATORY SECTION** (Amending Order 84-1, filed 10/24/84)

**WAC 133-40-030 Loan and grant applications.** (1) Applications for loans and/or grants to assist in financing public facility costs may be made by any political subdivision of the state of Washington.

(2) Applications shall be submitted to the board in writing, on such forms as may be prescribed by and obtained from the board, and shall contain the following information:

(a) Name and address of the political subdivision making the application for financial assistance.

(b) Complete description of the public facility for which financing assistance is sought.

(c) A full and detailed assessment of how the facility or project will improve the opportunities for the successful maintenance, establishment, or expansion of industrial (~~or commercial plants~~) facilities or will otherwise assist in the creation or retention of long-term economic opportunities, or assist in alleviating unemployment.

(d) Specific amount and description of the public facility costs for which the loan and/or grant application is being made.

(e) If application is being made for a loan, the applicant's proposed repayment schedule.

(f) If application is being made for a grant in addition to or in lieu of a loan, a complete explanation as to why the applicant feels a loan would not be feasible and the supporting reasons or circumstances therefor.

(3) Any application for financial assistance submitted to the board shall be signed and verified by a responsible official. Such official shall also provide the board with any additional materials or information in support of the application which the board or its staff may request, either prior to or at the board's deliberations on the application.

(4) Applications for public works funding must be submitted at least (~~(thirty)~~) forty-five calendar days prior to regular (~~(quarterly)~~) meeting dates. Exceptions to this deadline will be determined by decision of the (~~(chairman)~~) chair (or the (~~(vice-chairman)~~) vice-chair, when acting as (~~(chairman)~~) chair) or a majority of CERB members.

**AMENDATORY SECTION** (Amending Order 83-1, filed 5/2/83)

**WAC 133-40-040 Board deliberations.** (1) The board will consider and approve, in whole or in part, or disapprove, all applications for loans or grants at such regular or special meetings of the board as it may determine, and the applicant will be notified accordingly. The board is directed to prioritize each proposed project according to relative benefit (RCW 43.160.060(3)). As long as there is more demand for loans or grants than funds available, projects are funded according to priority established in board policy. A responsible official of the applicant political subdivision shall be present during all board deliberations on the application, and shall provide all information regarding the public facility or application for financial assistance which the board may request.

(2) Applicants will be formally notified in writing regarding any board decision on whether or not to authorize a public facility loan or grant.

WSR 95-24-089

PERMANENT RULES

**DEPARTMENT OF COMMUNITY,  
TRADE AND ECONOMIC DEVELOPMENT**  
(Community Economic Revitalization Board)

[Filed December 5, 1995, 12:00 noon]

Date of Adoption: September 21, 1995.

Purpose: To reflect organization and operations with current statute, correct mailing address, reflect current board meeting schedule.

Citation of Existing Rules Affected by this Order:  
Amending WAC 133-10-010 and 133-10-020.

Statutory Authority for Adoption: Chapter 43.160 RCW.

Adopted under notice filed as WSR 95-13-075 on June 20, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 3, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 3, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.  
December 4, 1995  
Ann D. Bariekman  
Rules Coordinator

AMENDATORY SECTION (Amending Order 83-1, filed 5/2/83)

**WAC 133-10-010 Organization and operation of the community economic revitalization board.** (1) The community economic revitalization board, hereinafter referred to as the board, is a (~~fifteen~~) nineteen member board created pursuant to section 3, chapter 40, Laws of 1982 1st ex. sess. and RCW 43.160.030.

(2) The board consists of (~~nine~~) eleven persons appointed by the governor, as well as the director of (~~commerce~~) community, trade, and economic development, (~~the director of planning and community affairs;~~) the director of revenue, the commissioner of employment security, the secretary of transportation and the (~~chairman~~) chair and one minority member of the committee on (~~labor~~) trade and economic development of the house of representatives and the committee on commerce and (~~labor~~) trade of the senate, or the equivalent standing committees. The state agency heads shall serve as nonvoting advisory members of the board. The appointive members are as follows: A recognized private or public sector economist (~~selected from the governor's council of economic advisors~~); one port district official; one county official; one city official; one representative of small businesses each from: (a) The area west of Puget Sound or the Interstate 5 corridor, (b) the area east of the Cascade range and west of the Columbia River; and (c) the area east of the Columbia River; one executive from large businesses each from the area west of the Cascades and the area east of the Cascades. The appointive members are initially appointed to terms as follows: Three members for one-year terms, three members for two-year terms, and three members for three-year terms, which includes the (~~chairman~~) chair. Thereafter each succeeding term shall be for three years.

(3) The (~~appointive member of the board from the governor's council of economic advisors serves as chairman of the board, and the director of the department of commerce and economic development serves as vice chairman~~) chair of the board shall be appointed by the governor. The board may elect such other officers for such terms as it may from time to time deem necessary, in accordance with the board's bylaws.

(4) The board's staff support and office space is provided by the department of (~~commerce~~) community, trade, and economic development, (~~whose main office is located in Room 101, General Administration Building~~) P.O. Box 48300, Olympia, Washington 98504-8300; phone ((AC 360) 753-5630) (360) 753-2200.

(5) The overall purpose of the board is to aid the development of economic opportunities in the state of Washington. The board's general objectives include: (~~(+)~~) (a) Strengthening the economies of areas of the state which have experienced or are expected to experience chronically high unemployment rates or below average growth in their economies; ((2)) (b) encouraging the diversification of the economies of the state and regions within the state in order

to provide greater seasonal and cyclical stability of income and employment; and (~~((3))~~) (c) providing incentives for expansion of employment opportunities for groups of state residents that have been less successful relative to other groups in efforts to gain permanent employment.

(6) In order to carry out its objectives, the board is authorized to make direct loans to political subdivisions of the state for the purposes of assisting the political subdivisions in financing the cost of public facilities, including the (~~(cost of acquisition and)~~) development of land and improvements for public facilities, as well as the acquisition, construction, rehabilitation, alteration, expansion, or improvement of the facilities. Grants may also be authorized for such purposes, but only when grants are uniquely required. Additional powers and duties of the board are as set forth in chapter 40, Laws of 1982 1st ex. sess. and chapter 43.160 RCW, and in particular section 5 thereof, and RCW 43.160.050.

AMENDATORY SECTION (Amending Order 83-1, filed 5/2/83)

**WAC 133-10-020 Board meetings.** (1) Regular meetings of the board are held on the third Thursday of January, (~~(April, July and October)~~) March, May, July, September and November commencing at 9:00 a.m. Notice of the times and places of the regular meetings will be published annually in a January edition of the Washington State Register. A copy of the schedule of regular meetings may also be obtained upon request from the board.

(2) Special meetings of the board may be called at any time by the (~~chairman~~) chair of the board or by a majority of the board members. Notice of such meetings will be as provided by law.

(3) In addition to the meeting notices specified above, the board will also notify all persons, organizations or agencies whose business is scheduled to come before the board at any regular or special meeting.

AMENDATORY SECTION (Amending Order 83-1, filed 5/2/83)

**WAC 133-10-030 Communications with the board.** Any and all written communications with the board, including but not limited to requests for information or copies of agency records, or submittals of any nature, shall be addressed to the community economic revitalization board, in care of the (~~chairman~~) chair, at the address which appears in WAC 133-10-010(4). Telephonic communications may be initiated by calling the phone number also listed in WAC 133-10-010(4).

**WSR 95-24-103**

**PERMANENT RULES**

**DEPARTMENT OF REVENUE**

[Filed December 6, 1995, 9:02 a.m.]

Date of Adoption: December 6, 1995.

Purpose: To provide an explanation of the retail sales tax exemptions available for sales of watercraft to nonresidents, when delivery is made in Washington.



Citation of Existing Rules Affected by this Order: Amending WAC 458-20-238.

Statutory Authority for Adoption: RCW 82.32.300.

Adopted under notice filed as WSR 95-16-005 on July 20, 1995.

Changes Other than Editing from Proposed to Adopted Version: (1) The original language contained in subsections (3)(a)(iii) and (3)(b)(ii) has been deleted. This language explained that the retail sales tax exemptions provided by RCW 82.08.0266 and 82.08.02665 do not apply to purchases of unattached component parts. A new subsection (3)(c) was added to clarify that component parts which are attached to watercraft prior to the watercraft being accepted and paid for by the buyer are considered a part of the watercraft. These parts will be eligible for these exemptions, if they are sold by the seller of the watercraft.

(2) Subsection (5) explains that corporations, partnerships, etc. may use an affidavit of out-of-state residency to establish their nonresident status. Individuals are required to submit a drivers license or other identification card issued by the state of residency to substantiate they are nonresidents. Additional language has been added to the sample affidavit to clarify that the affidavit of out-of-state residency may only be used by corporations, partnerships, etc.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 1, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing. December 6, 1995 Russell W. Brubaker Assistant Director

AMENDATORY SECTION (Amending Order ET 83-7, filed 10/17/83)

WAC 458-20-238 Sales ((to nonresidents of watercraft requiring Coast Guard registration or documentation)) of watercraft to nonresidents. ((The term "Coast Guard registration," in addition to its ordinary meaning, will include registration numbering by the state of principal use when this function has been assumed by the state under the Federal Boating Act of 1958.

Business and Occupation Tax

In computing tax under the retailing classification, no exemption or deduction is allowed by reason of the fact that watercraft requiring Coast Guard registration are sold to nonresidents for use outside this state.

Retail Sales Tax

Under RCW 82.08.0266 an exemption from retail sales tax is allowed in respect to sales to nonresidents of this state for use outside of this state of watercraft requiring Coast Guard registration, even though delivery be made within this state, but only when (a) the watercraft will not be used within this state for more than forty five days and (b) the seller receives from the buyer an exemption certificate as hereafter provided, and examines acceptable proof that the buyer is a resident of a state other than the state of Washington. The exemption certificate should be in substantially the following form, one copy to be filed with the department of revenue with the regular excise tax return and a duplicate to be retained by the dealer as a part of his records.

Exemption Certificate

I, (printed or typed name of purchaser), hereby certify: That I am a bona fide resident of the state of (state) and my address is (street and number or route), (city, town or post office), (state). That on this date I have purchased from (dealer) the following described watercraft:

Make and Model . . . . Length . . . . How propelled: Inboard . . . . Outboard . . . . Horsepower . . . .

I further certify that this water craft will be registered or documented with the (Coast Guard or State of principal use), will not be used in the state of Washington for more than forty five days and is exempt from Washington State Retail Sales Tax under RCW 82.08.0266.

I hereby declare, under penalty of perjury, that the above statements are true and correct to the best of my knowledge and belief.

Date . . . . . Signature . . . . .

Certification of Dealer

I hereby certify that I personally examined the following items of documentary evidence submitted by the above purchaser to establish his residence in the state of (state):

- Payroll or W-2 Forms
Driver's License
Fishing or Hunting License
Voter's Registration Card
Copies of Income Tax Returns
Other Explain

(signature of dealer or representative) (Dealer's registration number with Department of Revenue)

title officer or agent

The foregoing exemption is limited to sales of watercraft requiring Coast Guard registration or, where the state in which the boat will be principally used has assumed the

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~~registration and numbering function under the Federal Boating Act of 1958, to sales of watercraft which have been registered and numbered by such state of principal use. The exemption is also available in respect to sales of vessels which are documented (registered, enrolled, or licensed) by the United States Coast Guard to and in a port other than in the state of Washington. This exemption is applicable only to the sale of watercraft in condition to be waterborne and not to unattached component parts, repair parts, repair labor, etc. The exemption is not applicable for sales to Canadian or other foreign country residents taking delivery in this state.~~

### Use Tax

The use tax will be applicable to the use by a nonresident of watercraft registered or documented with the Coast Guard or with the state of principal use when the watercraft was purchased from a Washington vendor and is first used within this state for more than forty five days.)) (1) **Introduction.** This section explains the retail sales tax exemption provided by RCW 82.08.0266 for sales to nonresidents of watercraft requiring United States Coast Guard registration or documentation. It also explains the retail sales tax exemption provided by RCW 82.08.02665 for sales of watercraft to residents of foreign countries, which became effective July 25, 1993. (See chapter 119, Laws of 1993.) These statutes provide the exclusive authority for granting a retail sales tax exemption for sales of such watercraft when delivery is made within Washington. This section explains the requirements which must be met, and the documents which must be preserved, to substantiate a claim of exemption. It also discusses use tax exemptions for nonresidents bringing watercraft into Washington for enjoyment and/or repair.

This section primarily deals with the retail sales and use taxes where delivery takes place in Washington. Purchasers of watercraft should also be aware that there is a watercraft excise tax which may apply to the purchase or use of watercraft in Washington. (See chapter 82.49 RCW.) Sellers should refer to WAC 458-20-193 if they deliver the vessel to the purchaser at an out-of-state location.

(2) **Business and occupation tax.** Retailing B&O tax is due on all sales of watercraft to consumers if delivery is made within the state of Washington, notwithstanding the sale may qualify for an exemption from the retail sales tax. If the seller is also the manufacturer of the vessel, the seller must generally report under both the "production" (extracting and/or manufacturing) and "selling" (wholesaling or retailing) classifications of the B&O tax, and claim a tax credit under the multiple activities tax credit system. Manufacturers should also refer to WAC 458-20-136 (Manufacturing, processing for hire, fabricating) and WAC 458-20-19301 (Multiple activities tax credits).

(3) **Retail sales tax.** The retail sales tax generally applies to the sale of watercraft to consumers when delivery is made within the state of Washington. However, under certain conditions retail sales tax exemptions are available for sales of watercraft to nonresidents of Washington, even when delivery is made within Washington.

(a) **Sales to residents of other states.** RCW 82.08.0266 provides an exemption from the retail sales tax for sales of watercraft to residents of states other than

Washington for use outside this state, even when delivery is made within Washington. This specific exemption does not apply to sales of watercraft to Canadian or other foreign country residents. The retail sales tax exemption which is available for sales of watercraft to Canadian or other foreign country residents is explained in (b) of this subsection.

(i) The exemption provided by RCW 82.08.0266 is limited to the following:

(A) Sales of watercraft which are required to obtain United States Coast Guard documentation; and

(B) Sales of watercraft requiring registration by the United States Coast Guard or the state in which the vessel will be principally used, but only when that state has assumed the registration and numbering function under the Federal Boating Act of 1958.

(ii) The following requirements must be met to perfect any claim for exemption:

(A) The watercraft must leave Washington waters within forty-five days of delivery;

(B) The seller must examine acceptable proof that the buyer is a resident of a state other than the state of Washington; and

(C) The seller, at the time of the sale, must retain as a part of its records a completed exemption certificate. (See subsection (4) of this section.)

(b) **Sales to residents of foreign countries.** RCW 82.08.02665 provides a retail sales tax exemption for sales of vessels to residents of foreign countries for use outside this state, even when delivery is made in Washington. This exemption became effective July 25, 1993. (See chapter 119, Laws of 1993.)

(i) The term "vessel," for the purposes of this subsection, means every watercraft used or capable of being used as a means of transportation on the water, other than a seaplane. This exemption is not limited to the types of watercraft qualifying for the exemption discussed in (a) of this subsection.

(ii) The following requirements must be met to perfect any claim for exemption:

(A) The watercraft must leave Washington waters within forty-five days of delivery;

(B) The seller must examine acceptable proof that the buyer is a resident of a foreign country; and

(C) The seller, at the time of the sale, must retain as a part of its records a completed exemption certificate. (See subsection (4) of this section.)

(c) **Watercraft qualifying for exemption under RCW 82.08.0266 and 82.08.02665.** The exemptions provided by RCW 82.08.0266 and 82.08.02665 apply only to sales of watercraft. For the purposes of these exemptions, the term "watercraft" includes component parts which are installed in or on the watercraft prior to the watercraft being delivered to and accepted by the buyer, but only when these parts are sold by the seller of the watercraft. "Component part" means tangible personal property which is attached to the watercraft and used as an integral part of the operation of the watercraft, even if the item is not required mechanically for the operation of the watercraft. Component parts include, but are not necessarily limited to, boat motors, navigational equipment, radios, depth-finders, and winches, whether themselves permanently attached to the watercraft or held by brackets which are permanently attached. If held by

brackets, the brackets must be permanently attached to the watercraft in a definite and secure manner.

These exemptions do not extend to the sale of boat trailers, repair parts, repair labor, etc. Nor do they extend to a separate seller of unattached component parts, even though these parts may be manufactured specifically for the watercraft and/or permanently installed in or on the watercraft prior to the watercraft being delivered to and accepted by the buyer.

(4) Exemption certificate. The exemption certificate must be completed in its entirety, and retained by the seller at the time of sale. The seller is required to review one piece of identification substantiating the nonresident status of the customer, and to indicate on the certificate the type of identification examined. This one piece of identification must either be a valid driver's license from the jurisdiction in which out-of-state residency is claimed, or a valid identification document which has a photograph of the holder and is issued by the out-of-state jurisdiction. If the customer is a partnership, corporation, limited liability company, association, or any other person who is not a natural person, the seller should refer to subsection (5) of this section for an explanation of what constitutes acceptable proof of the customer's nonresident status.

The seller should not accept an exemption certificate if the seller becomes aware of any information prior to completion of the sale which is inconsistent with the purchaser's claim of residency, such as a Washington address on a credit application. The exemption certificate must be substantially in the following form:

EXEMPTION CERTIFICATE

Seller's Name
Buyer's Name
Address of Buyer
State or Foreign Country of Residence
Date of Sale
Make and Model of Vessel
Serial Number of Vessel.

I certify that (a) the vessel described above will be registered or documented with the United States Coast Guard or the state of principal use; or (b) I am a resident of a foreign country and the vessel has been purchased for use outside the state of Washington. I further certify that this vessel will leave Washington state waters within forty-five days of delivery, and the purchase of this vessel is exempt from Washington state retail sales tax under the provisions of either RCW 82.08.0266 or 82.08.02665. This certificate is given with full knowledge of, and subject to, the legally prescribed penalties for fraud and tax evasion.

Signature of buyer or buyer's representative

CERTIFICATION BY SELLER

I hereby certify that I have personally examined one of the following items of documentary evidence submitted by the above purchaser to establish residency in the state or country of:

... Driver's License (list license number and date of expiration)

... Identification Card (list card number and date of expiration)

Signature of seller or agent of seller.

(5) Sales to residents of other states or countries who are not natural persons. The types of identification described in subsection (4) of this section are not applicable for establishing the residency of partnerships, corporations, limited liability companies, or other persons who are not natural persons. Because many of the types of documentation which would establish the nonresident status of these persons contain confidential information (e.g., federal income tax returns), the seller may satisfy its requirement to examine and record documentary evidence by retaining at the time of sale a completed affidavit substantially in the following form:

AFFIDAVIT OF OUT-OF-STATE RESIDENCY

(This affidavit for use only by purchasers who are not natural persons, such as corporations.)

Name of buyer
Address
State or foreign country of residency
Registration #
Type of entity (e.g., corporation, partnership, etc.)

I certify that ... (buyer's name) ... is a resident of ... (state or foreign country)...

Name of buyer's representative (printed)
Signature of buyer's representative

The affidavit of out-of-state residency may only be accepted and used for establishing the nonresident status of persons who are not natural persons. It may not be used as documentary evidence for sales to natural persons. The seller must at the time of sale retain this affidavit as well as the exemption certificate described in subsection (4) of this section. A partnership, corporation, limited liability company, or other person who is not a natural person is a "nonresident" for the purposes of exemption under RCW 82.08.0266 or 82.08.02665 if that person's principal place of business is not in Washington, and that person is not incorporated in Washington.

(6) Use tax. Persons using watercraft on Washington waters are generally subject to the use tax if Washington retail sales tax has not been paid, unless such use is specifically exempted by law from the use tax.

(a) The deferred retail sales tax or use tax is due on the use by any nonresident of watercraft purchased from a Washington vendor and first used within this state for more than forty-five days if retail sales or use tax has not been paid by the user. Tax is due notwithstanding the watercraft qualified for retail sales tax exemption at the time of purchase.

(b) Watercraft brought into this state by nonresidents for their use and enjoyment while temporarily within this state are exempt from the use tax. However, it will be presumed that usage within Washington which exceeds more than sixty days in any twelve-month period is more than temporary usage and use tax is due.

(c) Watercraft temporarily brought into this state by nonresidents for repair are exempt from the use tax if

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removed from this state within sixty days. If repair cannot be made within this period, the exemption may be extended by completing and filing with this department an affidavit verifying the vessel is located upon the waters of this state exclusively for repair, reconstruction or testing. This affidavit, titled "Nonresident Out-of-State Vessel Repair Affidavit," is effective for sixty days. If additional extensions of the exemption period are needed, additional affidavits may be completed. The affidavit should be sent to the department of revenue - compliance division. This affidavit is the affidavit which is required under RCW 88.02.030, and failure to complete this affidavit can result in requiring that the vessel be registered in Washington.

(7) Examples. The following examples identify a number of facts and then state a conclusion. These examples should be used only as a general guide. The tax results of other situations must be determined after a review of all of the facts and circumstances. In all examples, retailing B&O tax is due from the seller for all sales of watercraft and parts, and all charges for repair parts and labor.

(a) Company A sells a vessel to Jane Smith, a Canadian resident. Company A examines Jane Smith's driver's license to verify Jane to be a resident of Canada, and retains the proper exemption certificate at the time of sale. Delivery is made in Washington and Jane removes the vessel from Washington waters within forty-five days of delivery. The sale of the vessel is not subject to the retail sales tax because all requirements for exemption under RCW 82.08.02665 have been satisfied.

(b) Company A sells a yacht to John Doe, an Oregon resident, who takes delivery in Washington. The yacht is required to be registered by the state of Oregon, which has assumed the registration and numbering function under the Federal Boating Act of 1958. The vessel is removed from Washington waters within forty-five days of delivery. Company A examines a driver's license confirming John Doe to be an Oregon resident, and records this information in the sales file. Company A does not complete and retain the required exemption certificate.

The sale of the yacht is subject to the retail sales tax. The exclusive authority for granting a retail sales tax exemption for this sale is provided by RCW 82.08.0266. Completion of an exemption certificate is a statutorily imposed condition for obtaining this exemption. Company A has not satisfied the conditions and requirements necessary to grant an exemption under this statute. The exemption provisions under RCW 82.08.0273 for sales to nonresidents of states having less than three percent retail sales tax can not be used for purchases of vessels which require United States Coast Guard registration or documentation, or registration in the state of principal use. If the exemption certificate had been properly completed at the time of sale, this sale would have qualified for retail sales tax exemption.

(c) Mr. Jones, a California resident, contracts Company B to manufacture a pleasure yacht. Mr. Jones purchases a boat motor from Company Y with instructions that delivery be made to Company B for installation on the yacht. The yacht is required to be registered with the state of California, which has assumed the registration and numbering function under the Federal Boating Act of 1958. Company B examines Mr. Jones' driver's license to verify Mr. Jones is a nonresident of Washington, and retains the proper exemp-

tion certificate at the time of sale. Delivery is made in Washington, and Mr. Jones removes the vessel from Washington waters within forty-five days of delivery.

The sale of the yacht by Company B to Mr. Jones is not subject to the retail sales tax, as the requirements and conditions for exemption have been satisfied. Retail sales tax does, however, apply to the sale of the motor by Company Y to Mr. Jones. The exemption provided by RCW 82.08.0266 does not extend to a separate seller of unattached component parts, even though the parts are installed in the watercraft prior to delivery.

(d) Mr. Smith, a resident of California, brings his yacht into Washington for repair. Extensive repairs and testing require the yacht to remain in Washington waters for ninety days. Mr. Smith extends the exemption period by filing a "Nonresident Out-of-State Vessel Repair Affidavit" with the department of revenue prior to end of the initial sixty-day exemption period. An employee of the repair facility is on board the yacht during all testing, and there is no personal use by Mr. Smith during this period. Upon completion of the repairs and testing, Mr. Smith takes delivery at the repair facility and promptly removes the yacht from Washington waters.

Mr. Smith has not incurred a use tax liability on his yacht. The conditions and requirements exempting the yacht from use tax during the period of repair and testing have been met. However, retail sales tax is due, and must be paid, on all charges for repair parts and labor. The exemption from sales tax for purchases of vessels does not extend to repairs.

**WSR 95-24-104**  
**PERMANENT RULES**  
**DEPARTMENT OF REVENUE**  
[Filed December 6, 1995, 9:05 a.m.]

Date of Adoption: December 6, 1995.

Purpose: To provide an explanation of how sales to and by the state of Washington, and its municipal corporations are taxed.

Citation of Existing Rules Affected by this Order: Amending WAC 458-20-189.

Statutory Authority for Adoption: RCW 82.32.300.

Adopted under notice filed as WSR 95-16-004 on July 20, 1995.

Changes Other than Editing from Proposed to Adopted Version: (1) Subsection (5)(c), which explained that public agencies must collect retail sales tax on the charge for copying public records or documents, has been deleted.

(2) The language in subsection (7)(d) has been changed to clarify that the producing of an internal communication document is not considered a manufacturing activity.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 1, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

December 6, 1995

Russell W. Brubaker

Assistant Director

AMENDATORY SECTION (Amending Order 86-16, filed 9/3/86)

**WAC 458-20-189 Sales to and by the state of Washington, counties, cities, towns, school districts ((and other municipal subdivisions)), and fire districts.** ((1) Business and occupation tax. No deduction is allowed a seller in computing tax under the provisions of the business and occupation tax with respect to sales to the state of Washington, its departments and institutions or to counties, cities, school districts, or other municipal subdivisions thereof.

(2) The state of Washington, its departments and institutions, as distinct from its corporate agencies or instrumentalities, are not subject to the provisions of the business and occupation tax. Counties, cities, and other municipal subdivisions are not subject to the business and occupation tax upon amounts derived from license and permit fees, inspection fees, fees for copies of public records, reports and studies, processing fees involving fingerprinting and environmental impact statements, and taxes, fines or penalties, and interest thereon.

(3) Counties, cities and other municipal subdivisions are taxable with respect to amounts derived, however designated, from any "utility or enterprise activity" for which a specific charge is made.

(4) Utility activities. "Utility activities," which are taxable under the public utility tax, include water and electrical energy distribution, public transportation services, and sewer collection services. (See WAC 458-20-179.)

(5) Enterprise activity. An "enterprise activity," for the purposes of this rule, is an activity financed and operated in a manner similar to private business enterprises. The term includes activities which are generally in competition with private business enterprises and are over fifty percent funded by user fees. The term does not include activities which are exclusively governmental.

(6) Amounts derived from enterprise activities consisting of or from admission fees to special events, user fees (lockers, checkrooms), moorage fees (less than thirty days), cemetery and crematory fees, the granting of media broadcasting rights, and the granting of a license to use real property are taxable under the service and other activities classification of the business and occupation tax.

(7) Amounts derived from enterprise activities consisting of or from fees for participation in amusement or recreation (pay for play), user fees for off street parking and garages, and charges for sale and rental of tangible personal property are taxable under the retailing classification of the business and occupation tax.

(8) Under RCW 82.04.419, amounts derived from an activity which is not a "utility or enterprise activity" are tax exempt. Such tax exempt amounts include admission fees other than to special events, fees for on street metered parking and parking permits, instruction fees, health program fees, athletic team registration fees, and interagency and intergovernmental charges for services rendered.

(9) All counties, cities and other municipal subdivisions engaging in utility or enterprise activities and all corporate agencies or instrumentalities of the state of Washington engaging in business activities are subject to tax as follows:

(a) Extracting or manufacturing—taxable upon the value of products manufactured or extracted.

(b) Retailing or wholesaling—taxable upon gross proceeds of sales.

(c) Persons taxable under either the retailing or wholesaling classifications are not taxable under either extracting or manufacturing in respect to sales of articles extracted or manufactured by them in this state.

(d) Service and other business activities—taxable under the service and other business activities classification upon the gross income derived from services rendered by them.

(e) Public utility activities—taxable upon the gross income of the business (see WAC 458-20-179 and 458-20-17901).

(10) Counties and cities are not subject to the business and occupation tax on the cost of labor and service in the mining, sorting, crushing, screening, washing, hauling and stockpiling of sand, gravel and rock taken from a pit or quarry owned by or leased to the county or city when these materials are sold at cost to another county or city for use on public roads. (See also WAC 458-20-171.)

(11) For operation of hospitals by the state or its political subdivisions see WAC 458-20-168 and 458-20-188.

(12) The business and occupation tax does not apply to the value of materials printed solely for their own use by school districts, educational service districts, counties, cities, towns, libraries, or library districts.

(13) Retail sales tax. The retail sales tax applies to all retail sales made to the state of Washington, its departments and institutions and to counties, cities, school districts and all other municipal subdivisions of the state. The retail sales tax does not apply to sales to city or county housing authorities which were created under the provisions of the Washington housing authorities law, chapter 35.82 RCW. An exemption is also allowed municipal corporations, the state and all political subdivisions thereof for that portion of the selling price of contracts for watershed protection or flood control which is reimbursed by the United States government according to the provisions of the Watershed Protection and Flood Prevention Act, Public Law 566, as amended. The retail sales tax does not apply to sales of the entire operating property of a publicly or privately owned public utility, or of a complete operating integral section thereof, to the state or a political subdivision thereof for use in conducting any public utility enterprise except a tugboat business (RCW 82.08.0256).

(14) Where tangible personal property or taxable services are purchased by the state of Washington, its departments or institutions for the purpose of resale to any other department or institution of the state of Washington, or for the purpose of consuming the property purchased in

manufacturing or producing for use or for resale to any other department or institution of the state of Washington a new article of which such property is an ingredient or component part, the transaction is deemed a purchase at retail and the retail sales tax must be paid by the state of Washington to its vendors. So-called sales between a department or institution of the state of Washington and any other such department or institution constitute interdepartmental charges (see WAC 458-20-201) and the retail sales tax is not applicable.

(15) The state of Washington, its departments and institutions and all counties, cities, and other municipal subdivisions are required to collect the retail sales tax on all retail sales of tangible personal property or services classified as retail sales, including sales of equipment or other capital assets. The retail sales tax is not applicable to charges for the production, searching, or copying of public records or documents by such public agencies charged with the responsibility to keep and provide such information. However, the tax does apply to charges for the sale of books, rules, regulations, and other materials sold from an inventory of such things, even though the charge is required by law or covers only the costs of production and distribution of such materials. The retail sales tax is not applicable to the cost of labor and services in the mining, sorting, crushing, screening, washing, hauling and stockpiling of sand, gravel and rock taken from a pit or quarry owned by or leased to the county or city when these materials are sold at cost to another county or city for use on public roads. (See also WAC 458-20-171.)

(16) The sales tax does not apply to sales to the state or a local governmental unit thereof of ferry vessels, component parts thereof, nor labor and services in respect to construction or improvement of such vessels.

(17) Use tax. The state of Washington, its departments and institutions and all counties, cities, school districts, and other municipal subdivisions are required to report the use tax upon the use of all tangible personal property purchased or acquired under conditions whereby the Washington retail sales tax has not been paid.

(18) Counties and cities are not subject to use tax upon the cost of labor and services in the mining, sorting, crushing, screening, washing, hauling, and stockpiling of sand, gravel, and rock taken from a pit or quarry owned or leased to a county or city when the materials are for use on public roads.

(19) The use tax does not apply to the use of ferry vessels or component parts thereof by the state or local governmental units.

(20) Public utility tax. No deduction in computing tax liability under the provisions of the public utility tax is allowed to any person or firm by reason of the fact that sales are to the state of Washington or any of its municipal subdivisions.

(21) Counties, cities and other municipal subdivisions of the state operating public utilities or public service businesses are subject to the provisions of the public utility tax.

(22) Neither the public utility tax nor the business tax apply to amounts or value paid or contributed to any county, city, town, political subdivision, or municipal or quasi municipal corporation of the state of Washington representing payments of special assessments or installments thereof and interests and penalties thereon, charges in lieu of

assessments, or any other charges, payments or contributions representing a share of the cost of capital facilities constructed or to be constructed or for the retirement of obligations and payment of interest thereon issued for capital purposes. Service charges shall not be included in this exemption even though used wholly or in part for capital purposes (see WAC 458-20-179).

(23) Where there is doubt as to the tax consequences applicable to any activity or transaction, the question should be submitted to the department of revenue for determination.) (1) **Introduction.** This section discusses the business and occupation (B&O), retail sales, use, and public utility tax applications to sales made to and by the state of Washington, counties, cities, towns, school districts, and fire districts. Hospitals or similar institutions operated by the state of Washington, or a municipal corporation thereof, should refer to WAC 458-20-168. School districts should also refer to WAC 458-20-167. Persons providing physical fitness activities and amusement and recreation activities should also refer to WAC 458-20-183.

Persons providing public utility services may also want to refer to the following sections of chapter 458-20 WAC:

(a) WAC 458-20-179 (Public utility tax);

(b) WAC 458-20-180 (Motor transportation, urban transportation);

(c) WAC 458-20-250 (Refuse-solid waste collection business—Core deposits and credits, battery core charges, and tires); and

(d) WAC 458-20-251 (Sewerage collection business).

(2) **Definitions.** For the purposes of this section, the following definitions apply:

(a) "Municipal corporations" means counties, cities, towns, school districts, and fire districts of the state of Washington.

(b) "Public service business" means any business subject to control by the state, or having the powers of eminent domain, or any business declared by the legislature to be of a public service nature, irrespective of whether the business has the powers of eminent domain or the state exercises its control over the business. It includes, among others and without limiting the scope hereof, water distribution, light and power, public transportation, and sewer collection.

(c) "Subject to control by the state," as used in (b) of this subsection, means control by the utilities and transportation commission or any other state department required by law to exercise control of a business of a public service nature as to rates charged or services rendered.

(d) "Enterprise activity" means an activity financed and operated in a manner similar to a private business enterprise. The term includes those activities which are generally in competition with private business enterprises and which are over fifty percent funded by user fees. The term does not include activities which are exclusively governmental.

(3) **Persons taxable under the business and occupation tax.**

(a) Sellers are subject to the B&O tax upon sales to the state of Washington, its departments and institutions, or to municipal corporations of the state.

(b) The state of Washington, its departments and institutions, as distinct from its corporate agencies or instrumentalities, are not subject to the provisions of the B&O tax. RCW 82.04.030.

(c) Municipal corporations are not subject to the B&O tax upon amounts derived from activities which are exclusively governmental. RCW 82.04.419. Thus, the B&O tax does not apply to license and permit fees, inspection fees, fees for copies of public records, reports, and studies, pet adoption and license fees, processing fees involving fingerprinting and environmental impact statements, and taxes, fines, or penalties, and interest thereon. Also exempt are fees for on-street metered parking and on-street parking permits.

Municipal corporations are also exempt from the B&O tax on grants received from the state of Washington, or the United States government. RCW 82.04.418.

(d) Municipal corporations deriving income, however designated, from any enterprise or public service business activity for which a specific charge is made are subject to the provisions of the B&O or public utility tax. Charges between departments of a particular municipal corporation are interdepartmental charges and not subject to tax. (See also WAC 458-20-201 on interdepartmental charges.)

(i) When determining whether an activity is an enterprise activity, user fees derived from the activity must be measured against total costs attributable to providing the activity, including direct and indirect overhead. This review should be performed on the fiscal or calendar year basis used by the entity in maintaining its books of account.

For example, a city operating an athletic and recreational facility determines that the facility generated two hundred fifty thousand dollars in user fees for the fiscal year. The total costs for operating the facility were four hundred thousand dollars. This figure includes direct operating costs and direct and indirect overhead, including asset depreciation and interest payments for the retirement of bonds issued to fund the facility's construction. The principal payments for the retirement of the bonds are not included because these costs are a part of the asset depreciation costs. The facility's operation is an enterprise activity because it is more than fifty percent funded by user fees.

(ii) An enterprise activity which is operated as a part of a governmental or nonenterprise activity is subject to the B&O tax. For example, City operates Community Center, a large athletic and recreational facility, and three smaller neighborhood centers. Community Center operates with its own budget, and the three neighborhood centers are lumped together and operated under a single separate budget. Community Center and the neighborhood centers are operated as a part of an overall parks and recreation system, which is not more than fifty percent funded by user fees.

Each budget must be independently reviewed to determine whether these facilities are operated as enterprise activities. The operation of Community Center would be an enterprise activity only if the user fees account for more than fifty percent of Community Center's operating budget. The total user fees generated by the three neighborhood centers would be compared to the total costs of operating the three centers to determine whether they, as a whole, were operated as enterprise activity. Had each neighborhood center operated under an individual budget, the user fees generated by each neighborhood center would have been compared to the costs of operating that center.

#### (4) Business and occupation tax.

(a) Municipal corporations engaging in public service business activities should refer to the sections of chapter 458-20 WAC mentioned in subsection (1)(a) through (d) of this section to determine their B&O tax liability. Municipal corporations engaging in enterprise activities are subject to the B&O tax as follows:

(i) Service and other business activities tax. Amounts derived from, but not limited to, special event admission fees for concerts and exhibits, user fees for lockers and check-rooms, charges for moorage (less than thirty days), and the granting of a license to use real property are subject to the service and other business activities tax if these activities are considered enterprise activities. (See also WAC 458-20-118 on the sale or rental of real estate.) The service tax applies to fees charged for instruction in amusement and recreation activities, such as tennis or swimming lessons.

Prior to July 1, 1993, fees charged for physical fitness activities and saunas were subject to the service tax. These activities are a retail sale beginning July 1, 1993. Physical fitness activities include weight lifting, exercise facilities, aerobic classes, etc. (See also WAC 458-20-183 on amusement and recreation activities, etc.)

(ii) Extracting tax. The extracting of natural products for sale or for commercial use is subject to the extracting B&O tax. The measure of tax is the value of products. (See WAC 458-20-135 on extracting.) Counties and cities are not, however, subject to the extracting tax upon the cost of labor and services performed in the mining, sorting, crushing, screening, washing, hauling, and stockpiling of sand, gravel, or rock taken from a pit or quarry owned by or leased to the county or city when these products are either stockpiled for placement or are placed on a street, road, place, or highway of the county or city by the county or city itself. Nor does the extracting tax apply to the cost of or charges for such labor and services if the sand, gravel, or rock is sold by the county or city to another county or city at actual cost for placement on a publicly owned street, road, place, or highway. RCW 82.04.415.

(iii) Manufacturing tax. The manufacturing of products for sale or for commercial use is subject to the manufacturing B&O tax. The measure of tax is the value of products. (See WAC 458-20-136 on manufacturing.) The manufacturing tax does not apply to the value of materials printed by counties, cities, towns, or school districts solely for their own use. RCW 82.04.397.

(iv) Wholesaling tax. The wholesaling tax applies to the gross proceeds derived from sales or rentals of tangible personal property to persons who resell the same without intervening use. The wholesaling tax does not, however, apply to casual sales. (See WAC 458-20-106 on casual sales.) Sellers must obtain resale certificates from their customers to support the wholesale nature of any transaction. (Refer to WAC 458-20-102 on resale certificates.)

(v) Retailing tax. User fees for off-street parking and garages, and charges for the sale or rental of tangible personal property to consumers are taxable under the retailing B&O tax. The retailing tax does not, however, apply to casual sales. (See WAC 458-20-106.) Fees for amusement and recreation activities, such as golf, swimming, racquetball, and tennis, are retail sales and subject to the retailing tax if the activities are considered enterprise activities. Charges for instruction in amusement and

recreation activities are subject to the service tax. (See also WAC 458-20-183 and (a)(i) of this subsection.)

On and after July 1, 1993, charges for physical fitness and sauna services are classified as retail sales and subject to the retailing tax. (See chapter 25, Laws of 1993 sp. sess.) While a retail sales tax exemption for physical fitness classes provided by local governments is available on and after July 1, 1994, (see subsection (6)(h) of this section), the retailing B&O tax continues to apply.

(b) Persons selling products which they have extracted or manufactured must report, unless exempt by law, under both the "production" (extracting and/or manufacturing) and "selling" (wholesaling or retailing) classifications of the B&O tax, and claim a tax credit under the multiple activities tax credit system. (See WAC 458-20-19301 on multiple activities tax credits.)

**(5) Retail sales tax.**

(a) The retail sales tax generally applies to all retail sales made to the state of Washington, its departments and institutions, and to municipal corporations of the state.

(b) The state of Washington, its departments and institutions, and all municipal corporations are required to collect retail sales tax on all retail sales of tangible personal property or services classified as retail services unless specific exemptions apply. Retail sales tax must be collected and remitted even though the sale may be exempt from the retailing B&O tax. For example, a city police department must collect retail sales tax on casual sales of unclaimed property to consumers, even though this activity is not subject to the B&O tax because these sales are considered casual sales. (See also WAC 458-20-106.)

(c) Sales between a department or institution of the state and a municipal corporation, or between municipal corporations are retail sales. For example, State Agency sells office supplies to County. State Agency is making a retail sale. State Agency must collect and remit retail sales tax upon the amount charged, even though the B&O tax does not apply to this sale. The amount of retail sales tax must be separately itemized on the sales invoice. RCW 82.08.050. State Agency may claim a tax paid at source deduction for any retail sales or use tax previously paid on the acquisition of the office supplies. (See WAC 458-20-102 on purchases for dual purposes.)

(d) Departments or institutions of the state of Washington are not considered sellers when making sales to other departments or institutions of the state because the state is considered to be a single entity. RCW 82.08.010(2). Therefore, the "selling" department or institution is not required by statute to collect the retail sales tax on these sales.

All departments or institutions of the state of Washington are, however, considered "consumers." RCW 82.08.010(3). A department or institution of the state purchasing tangible personal property from another department or institution is required to remit to the department of revenue the retail sales or use tax upon that purchase, unless it can document that the "selling" institution previously paid the appropriate retail sales or use tax on that item.

(6) Retail sales tax exemptions. The retail sales tax does not apply to the following:

(a) Sales to city or county housing authorities which were created under the provisions of the Washington housing

authorities law, chapter 35.82 RCW. However, prime contractors and subcontractors for city or county housing authorities should refer to WAC 458-20-17001 (Government contracting—Construction, installations, or improvements to government real property) to determine their tax liability.

(b) Charges to municipal corporations and the state of Washington for that portion of the selling price of contracts for watershed protection or flood control which is reimbursed by the United States government according to the provisions of the Watershed Protection and Flood Prevention Act, Public Law 566, as amended. RCW 82.08.0271.

(c) Sales of the entire operating property of a publicly or privately owned public utility, or of a complete operating integral section thereof, to the state or a municipal corporation thereof for use in conducting any public service business except a tugboat business. RCW 82.08.0256.

(d) Sales of or charges made for labor and services in the mining, sorting, crushing, screening, washing, hauling, and stockpiling of sand, gravel, or rock taken from a pit or quarry owned or leased to a county or city, when the materials are either stockpiled in the pit or quarry, placed on the public road by the county or city itself, or sold at cost to another county or city for use on public roads. RCW 82.08.0275.

(e) Sales to one municipal corporation by another municipal corporation directly or indirectly arising out of, or resulting from, the annexation or incorporation of any part of the territory of one municipal corporation by another. RCW 82.08.0278.

(f) Sales to the state of Washington, or a municipal corporation in the state, of ferry vessels and component parts thereof, and charges for labor and services in respect to construction or improvement of such vessels. RCW 82.08.0285.

(g) Sales to the United States. However, sales to federal employees are subject to the retail sales tax, even if the federal employee will be reimbursed for the cost by the federal government. (See WAC 458-20-190 on sales to the United States.)

(h) On and after July 1, 1994, charges for physical fitness classes, such as aerobics classes, provided by local governments. RCW 82.08.0291. (See also chapter 85, Laws of 1994.) Local governments must collect retail sales tax on charges for other physical fitness activities such as weight lifting, exercise equipment, and running tracks.

This exemption does not apply if a person other than a local government provides the physical fitness class, even if the class is conducted at a local government facility.

**(7) Deferred sales or use tax.**

(a) If the seller fails to collect the appropriate retail sales tax, the state of Washington, its departments and institutions, and all municipal corporations are required to pay the deferred sales or use tax directly to the department.

(b) Purchases of cigarette stamps, vehicle license plates, license plate tabs, disability decals, or other items to evidence payment of a license, tax, or fee are purchases for consumption by the state or municipal corporation, and subject to the retail sales or use tax.

(c) Where tangible personal property or taxable services are purchased by the state of Washington, its departments and institutions, for the purpose of resale to any other department or institution of the state of Washington, or for



the purpose of consuming the property purchased in manufacturing or producing for use or for resale to any other department or institution of the state of Washington a new article of which such property is an ingredient or component part, the transaction is deemed a purchase at retail and the retail sales tax applies.

(d) Persons producing or manufacturing products for commercial or industrial use are required to remit use tax upon the value of those products, unless a specific use tax exemption applies. RCW 82.12.020. This value must correspond as nearly as possible to the gross proceeds from retail sales of similar products. (See WAC 458-20-112 and 458-20-134 on value of products and commercial or industrial use, respectively.)

For example, a municipal corporation operating a print shop and producing forms or other documents for its own use must remit use tax upon the value of those products, even though a B&O tax exemption is provided by RCW 82.04.397. The municipal corporation may claim a credit for retail sales tax previously paid on materials, such as paper or ink, which are incorporated into the manufactured product. The process of putting an internal communication, such as a memorandum to employees, on a blank form or document is not considered a manufacturing activity, even when multiple copies of the resulting internal communication are reproduced for wide distribution to employees.

(i) Counties and cities are not subject to use tax upon the cost of labor and services in the mining, sorting, crushing, screening, washing, hauling, and stockpiling of sand, gravel, and rock taken from a pit or quarry owned or leased to a county or city when the materials are for use on public roads. RCW 82.12.0269.

(ii) If a department or institution of the state of Washington manufactures or produces tangible personal property for use or resale to any other department or institution of the state, use tax must be remitted upon the value of that article even though the state is not subject to the B&O tax.

For example, State Agency manufactures office furniture for resale to other departments or institutions of the state of Washington. State Agency will also on occasion use office furniture it has manufactured for its own offices. Use tax is due on the office furniture sold to the other departments or institutions of this state, and on the office furniture State Agency puts to its own use. The taxable value of the office furniture sold to the other departments or institutions of this state is the selling price. The taxable value for the office furniture State Agency puts to its own use is the selling price at which State Agency sells comparable furniture to other departments or institutions of the state. When computing and remitting use tax upon the value of manufactured furniture, State Agency may claim a credit for retail sales or use taxes previously remitted on materials incorporated into that furniture. A department or institution of this state purchasing office furniture from State Agency must remit use tax upon the value of that furniture, unless it can document that State Agency paid use tax upon the appropriate value of the furniture. (See also subsection (5)(d) of this section.)

(e) A donee is generally subject to use tax upon the use of any donated item of tangible personal property, if the appropriate retail sales or use tax was not paid by the donor. Effective May 1, 1995, a use tax exemption is available to

state or local governmental entities using tangible personal property donated to them. (See chapter 201, Laws of 1995.) The donor, however, remains liable for the retail sales or use tax on the donated property, even though the state or local governmental entity's use of the property is exempt of tax.

**(8) Persons subject to the public utility tax.**

(a) Persons deriving income subject to the provisions of the public utility tax may not claim a deduction for amounts received as compensation for services rendered to the state of Washington, its departments and institutions, or to municipal corporations thereof.

(b) The public utility tax does not apply to income received by the state of Washington, or its departments and institutions from providing public utility services.

(c) Municipal corporations operating public service businesses should refer to WAC 458-20-179 (Public utility tax), WAC 458-20-180 (Motor transportation, urban transportation), WAC 458-20-250 (Refuse-solid waste collection business—Core deposits and credits, battery core charges, and tires) and WAC 458-20-251 (Sewerage collection business) to determine their public utility tax liability.

(9) **Examples.** The following examples identify a number of facts and then state a conclusion. These examples should only be used as a general guide. The tax results of other situations must be determined after a review of all the facts and circumstances.

(a) City operates a community center which provides a number of activities and services. The center charges fees for court activities including tennis and racquetball, general admission to the swimming pool, swimming lessons, aerobics classes, and the use of weight equipment. The community center also provides programs targeted at youth and senior populations. These programs include arts and craft classes, dance instruction classes, and day camps providing a wide variety of activities such as picnics, nature walks, volleyball, and other games. The center provides banquet and meeting rooms to civic groups for a fee, but does not provide a meal service with the banquet facilities. The community center's operation is an enterprise activity, because it is more than fifty percent funded by user fees.

City's tax liability for the fees charged by the community center are as follows:

(i) Retailing B&O and retail sales taxes apply to all charges for the court activities, general admission to the swimming pool, and the use of weight equipment;

(ii) The retailing B&O tax applies to fees charged for aerobics classes. Retail sales tax does not apply because of the sales tax exemption for physical fitness classes provided by local governments;

(iii) Service and other business activities B&O tax applies to all fees for swimming lessons, the arts and crafts classes, dance instruction classes, day camps, and the rental of the banquet and meeting rooms. Retail sales tax does not apply to any part of the charge for the day camp because the portion of the day camp activities considered to be retail is minimal.

(b) City operates a swimming pool located at a high school. This swimming pool is open to the public in the evenings. City charges user fees for swimming lessons, water exercise classes, and general admission to the pool. City will occasionally "rent" the pool to a private organization for the organization's own use. In these cases, the

private organization controls the overall operation and admission to the facility. City has no authority to control access and/or use when "renting" the pool to these organizations. City compares the user fees generated by the swimming pool to the total costs associated with the operation of the pool on an annual basis. The user fees never total "more than fifty percent" of the cost of pool operation, therefore the operation of the pool is not an enterprise activity.

City must collect and remit retail sales tax on all retail sales for which a retail sales tax exemption is not available, even though the B&O tax does not apply. Retail sales tax must be charged and collected on all general admission charges. Retail sales tax does not apply to the water exercise classes because of the retail sales tax exemption provided for physical fitness classes provided by local governments. City would not collect retail sales tax on the charges for the swimming lessons or the "rental" of the pool to private businesses (license to use real estate) because these charges are not retail sales.

(c) City sponsors various baseball leagues as a part of City's efforts to provide recreational activities to its citizens. Teams joining a league are charged a "league fee." Individual participants are charged a "participation fee." The league fee entitles a team to join the league, and reserve the use of the ball fields for league games. The participation fee entitles an individual team member to participate in the baseball activity. City does not account for the operation of the ball fields under a single specific budget. The user fees generated from the baseball fields, as well as the costs of operating and maintaining these fields, are accounted for in City's overall parks and recreation system budget, which is not an enterprise activity.

The participation fees are retail sales and subject to the retail sales tax, because the team members pay these fees for the right to actually engage in an amusement and recreation activity. The league fees are not retail sales, because they simply entitle the teams to join an association of baseball teams that compete amongst themselves. (Refer also to WAC 458-20-183 on amusement and recreational activities.) The participation fees and league fees are not subject to the B&O tax, because these baseball fields are not operated as an enterprise activity. Had these fields been operated as an enterprise activity, the participation fees and league fees would also have been subject to the retailing and service and other business activities B&O tax classifications, respectively.

(d) Jane Doe enters into a contract with City to provide an aerobics class at City's community center. Jane is responsible for providing the aerobics class. City merely "rents" a room to Jane under a license to use agreement.

Jane Doe must collect and remit retail sales tax upon the charges for the aerobics classes. The charges for the aerobics classes do not qualify for the retail sales tax exemption provided by RCW 82.08.0291 merely because the classes are held at a local government facility. Jane Doe is not entitled to the retail sales tax exemption available to local governments.

**WSR 95-24-003**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
 (Fisheries)

[Order 95-171—Filed November 22, 1995, 2:30 p.m., effective November 22, 1995, 6:01 p.m.]

Date of Adoption: November 21, 1995.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-40-02700M.

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

Reasons for this Finding: A closure is necessary to conserve the white sturgeon resource in Willapa Bay.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: November 22, 1995, 6:01 p.m.

November 21, 1995

Edward P. Manary

for Robert Turner

Director

**REPEALER**

The following section of the Washington Administrative Code is repealed effective 6:01 p.m. November 22, 1995:

WAC 220-40-02700M Willapa Bay salmon—Fall fishery (95-168)

**WSR 95-24-004**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
 (Fisheries)

[Order 95-173—Filed November 22, 1995, 2:33 p.m., effective November 26, 1995, 12:01 a.m.]

Date of Adoption: November 22, 1995.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-47-612.

Under 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: Opening in Area 7B provides opportunity to harvest the nontreaty allocation of chum salmon destined for the Nooksack-Samish region of origin per pre-season regulation. Opening in Areas 8A and 8D provides opportunity to harvest the nontreaty allocation of chum salmon destined for the Stillaguamish-Snohomish region of origin. Change from scheduled hours allow gillnet fishers to better avoid crab gear and sea bird impacts. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: November 26, 1995, 12:01 a.m.

November 22, 1995

Judith Freeman

Deputy

for Robert Turner

Director

**NEW SECTION**

**WAC 220-47-613 Puget Sound all-citizen commercial salmon fishery.** Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:01 a.m. Sunday November 26, 1995 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 7B** - Gill nets using 6 1/4-inch minimum mesh and purse seines using the 5-inch strip may fish from 6:00 a.m. Monday November 27 until 4:00 p.m. Wednesday November 29, 1995.
- \* **AREAS 8A AND 8D** - Gill nets using 6 1/4-inch minimum mesh and purse seines using the 5-inch strip may fish from 6:00 a.m. Monday November 27 until 4:00 p.m. Friday December 1, 1995.
- \* **Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7, 7A, 7C, 7D, 7E, 8, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F,**

13G, 13H, 13I, 13J, and 13K, all freshwater areas, and exclusion zones provided for in WAC 220-47-307 - Closed.

### REPEALER

The following section to the Washington Administrative Code is repealed effective 12:01 a.m. November 26, 1995:

WAC 220-47-612 Puget Sound all citizen commercial fishery (95-170)

**WSR 95-24-005**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
(Fisheries)

[Order 95-172—Filed November 22, 1995, 2:35 p.m.]

Date of Adoption: November 22, 1995.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:  
Amending WAC 220-52-046.

Statutory Authority for Adoption: RCW 75.08.080.

Under 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: Test fishing results indicate soft shell crab condition. This condition will not reach season opening criteria established under a 1993 coast wide agreement until December 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

November 22, 1995  
Judith Freeman  
Deputy  
for Robert Turner  
Director

### NEW SECTION

**WAC 220-52-046001 Crab fishery—Seasons and areas.** Notwithstanding the provisions of WAC 220-52-046:

(1) It shall be unlawful to fish for, land, or possess Dungeness crab taken from coastal areas of Grays Harbor, Willapa Bay, the Columbia River and the Pacific Ocean north of Cape Falcon, Oregon prior to 12:01 a.m. December 16, 1995 except that it is lawful to set baited crab gear in these areas beginning 8:00 a.m. December 13, 1995.

(2) Crab fishing vessels which participated in the Dungeness crab fishery between December 1, 1995 and December 15, 1995 in the area between Cape Falcon, Oregon and Point Arena, California may not fish for Dungeness crab in the Pacific Ocean north of Cape Falcon, Grays Harbor, Willapa Bay, or the Columbia River until January 1, 1996.

**WSR 95-24-036**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Public Assistance)

[Order 3927—Filed November 29, 1995, 3:59 p.m., effective December 1, 1995]

Date of Adoption: November 29, 1995.

Purpose: To reduce the food stamp standard deduction from \$138 to \$134.

Citation of Existing Rules Affected by this Order:  
Amending WAC 388-49-500 Income—Deductions.

Statutory Authority for Adoption: United States Department of Agriculture Administrative Notice 96-03.

Other Authority: RCW 74.04.050 and United States Department of Agriculture.

Under RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: AN 96-03 mandates the reduction of the food stamp standard deduction by November 1, 1995, but also allows for the reduction by December 1, 1995, if it cannot be accomplished by November 1, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 1, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

Effective Date of Rule: December 1, 1995.

November 29, 1995  
 Sydney Doré  
 for Jeanette Sevedge-App  
 Acting Chief  
 Office of Vendor Services

**AMENDATORY SECTION** (Amending Order 3907, filed 10/11/95, effective 11/11/95)

**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 (~~thirty-eight~~) thirty-four 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 two hundred dollars for each dependent one year of age or younger, and one hundred seventy-five dollars for each other 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 or anticipated to be incurred by an elderly or disabled household member;

(e) A deduction for legally obligated child support paid for a person who is not a member of the household;

(f) Shelter costs in excess of fifty percent of the household's income after deducting the standard, earned income, medical, child support, and dependent care deductions. The shelter deduction shall not exceed two hundred forty-seven dollars; and

(g) 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) 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 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 or the limited utility allowance when a household incurs any separate utility charges other than telephone costs and is not entitled to the standard utility allowance. A household may incur a separate utility charge when the household:

- (i) Has not yet received a billing for utilities;
- (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 or limited utility allowance.

(d) Actual utility costs rather than the standard or limited utility allowance if the household is:

(i) Not entitled to the standard or limited utility allowance; or

(ii) Requesting use of actual utility bills. The department shall allow a monthly telephone standard for households incurring telephone expenses if the household is not entitled to claim the standard or limited utility allowance.

(e) A shelter amount of one hundred forty-three dollars when all household members are homeless as specified under WAC 388-49-020(36) and the household incurs or expects to incur:

(i) Monthly shelter costs no greater than one hundred forty-three dollars; or

(ii) Unverified shelter costs exceeding one hundred forty-three dollars.

(3) A household may switch between actual utility costs and the standard or limited 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.

**WSR 95-24-038**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Public Assistance)

[Order 3928—Filed November 29, 1995, 4:40 p.m., effective December 1, 1995]

Date of Adoption: November 29, 1995.

Purpose: The Department of Social and Health Services has decided to amend its assistance unit rules for the aid to families with dependent children (AFDC) program to be consistent with the State Court of Appeals decision in *Sams v. DSHS*. In addition, the Department of Social and Health Services decided to settle existing claims filed by families who have been adversely affected by the policy which the *Sams* court found to be inconsistent with federal law. These settlements will include the continuation of assistance for dependent children adversely affected by the current rule as

well as forgiving any debts incurred by the families which resulted from the application of the current rule.

Citation of Existing Rules Affected by this Order: Amending WAC 388-215-1600 Assistance units and 388-215-1610 Assistance units—Optional members.

Statutory Authority for Adoption: RCW 74.04.050 Department to administer public assistance programs.

Other Authority: Section 406(a) and 407(a) of the Social Security Act - Definitions.

Under 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: (1) The amended rules apply only to recipients, families terminated from AFDC under the current rule during the period of time for regular adoption of the amended rule (and who fail to request administrative hearings to contest the termination) would not be eligible for AFDC if they reapply when the revised rule is adopted. This would result in financial hardship for these families and in some cases could result in one of the parents leaving the home so that the family could get back on assistance. (2) The department has agreed to settle outstanding claims filed by families who have been adversely affected by the department's current rule. If the amended rules are adopted on an emergency basis, these settlements would be limited to forgiving overpayments for assistance paid while their claims were pending. Delaying implementation would make it more problematic to settle most of these cases because, in addition to forgiving past overpayments, the department would also have to make case specific arrangements to continue assistance to these families based upon the *Sams* decision until the revised policy is adopted. (3) Delayed implementation would also lead to the possibility of additional claims being filed during the interim period by families adversely impacted by our current policy. To implement our decision to change our policy and settle outstanding claims, the department would have to enter into additional settlement agreements with each of the new claimants. These new claims would also create additional costs to the department related to the administrative hearings which would be held for each claimant.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 2, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 2, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 2, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 2, repealed 0.

Effective Date of Rule: December 1, 1995.

November 29, 1995

Sydney Doré

for Jeanette Sevedge-App

Acting Chief

Office of Vendor Services

**AMENDATORY SECTION** (Amending Order 3732, filed 5/3/94, effective 6/3/94)

**WAC 388-215-1600 Assistance units.** Except as specified under WAC 388-215-1620, the department shall include, in a single assistance unit, the following persons living together:

(1) A woman in her third trimester of pregnancy who has no other child; or

(2) Except as specified under WAC 388-215-1610, the child((s)), including all full, half, or adopted brothers and sisters of such child; and

(3) The parent((s)), adoptive parent((s)), or stepparent((s)) with whom the child lives as defined under WAC 388-215-1050; and

(4) A minor parent's parent who claims to be the needy caretaker relative of:

(a) The minor parent;

(b) The minor parent's child; or

(c) The minor parent's full or half brother or half sister.

**AMENDATORY SECTION** (Amending Order 3806, filed 11/9/94, effective 12/10/94)

**WAC 388-215-1610 Assistance units—Optional members.** Except as specified under WAC 388-215-1620, the department may include in the assistance unit at the option of the family:

(1) One needy nonparental caretaker relative of specified degree as defined under WAC 388-215-1080 whose eligibility depends solely on caring for the eligible child(ren), if a parent does not reside in the family home. For the purpose of determining the eligibility of the nonparental caretaker relative under this section, the department shall:

(a) Consider a child who receives SSI or federal, state or local foster care benefits as an eligible child when no other AFDC eligible child lives in the home; and

(b) Not include the income, resources or needs of the child who receives SSI or federal, state or local foster care when determining the need and the amount of the assistance payment of the assistance unit.

(2) The stepbrothers or stepsisters of a child included in the assistance unit, except as required in WAC 388-215-1600;

(3) The sibling(s) of an SSI child;

(4) For recipient assistance units, the child of unmarried parents when the child is living with both parents.

**WSR 95-24-044**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
(Fisheries)

[Order 95-174—Filed November 30, 1995, 3:29 p.m., effective December 1, 1995, 12:01 a.m.]

Date of Adoption: November 28, 1995.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-44-05000U; and amending WAC 220-44-050.

Statutory Authority for Adoption: RCW 75.08.080.

Under 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 regulation is necessary for conservation and to maintain consistency with regulations adopted by the National Marine Fisheries Service pursuant to the Pacific Fisheries Management Council.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: December 1, 1995, 12:01 a.m.

November 28, 1995

Judith Freeman

Deputy

for Robert Turner

Director

**NEW SECTION**

**WAC 220-44-05000V Coastal bottomfish catch limits.** Notwithstanding the provisions of WAC 220-44-050, effective 12:01 a.m. December 1, 1995 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. **Cumulative limit** - A cumulative limit is the maximum amount of fish that may be taken and retained, possessed or landed per vessel per calendar month, without a limit on the number of landings or trips. The cumulative

limit includes all fish harvested by a vessel during the month, whether taken in limited entry or open access fisheries. Once a cumulative limit has been achieved, an operator may begin fishing on the next cumulative limit so long as the fish are not landed until after the beginning of the next cumulative limit.

b. **Daily trip limit** - The maximum amount of fish that may be taken and retained, possessed or landed per vessel from a single fishing trip in 24 consecutive hours, starting at 0001 hours.

c. **Groundfish limited entry fishery** - Fishing activity by a trawl, setline or bottomfish pot equipped vessel that has received a federal limited entry permit issued by the National Marine Fisheries Service endorsed for the qualifying gear type.

d. **Groundfish open access fishery** - Fishing activity by a vessel equipped with setline or bottomfish pot gear that has not received a federal limited entry permit, or a vessel using gear other than trawl, setline or bottomfish pot gear.

e. **Vessel trip** - A vessel trip is defined as having occurred upon the initiation of transfer of catch from a fishing vessel.

f. **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.

g. **Dressed length** - The dressed length of a fish is the distance from the anterior insertion of the first dorsal fin to the tip of the tail.

2. **Groundfish limited entry fishery limits.** The following limits apply to the groundfish limited entry fishery in Coastal Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59A, 59B, 60A, 61, 62, and 63, and apply to all listed bottomfish species and species complexes taken in Puget Sound Marine Fish-Shellfish Management and Catch Reporting Area 29:

a. **Pacific ocean perch** - Cumulative limit of 6,000 pounds. No minimum size.

b. **Widow rockfish** - Cumulative limit of 45,000 pounds. No minimum size.

c. **Shortbelly rockfish** - No minimum size. No maximum poundage.

d. **Black rockfish** - The vessel trip limit for black rockfish for commercial fishing vessels using hook-and-line gear between the U.S. Canada border and Cape Alava (48°09'30" N. latitude) and between Destruction Island (47°40'00" N. latitude) and Leadbetter Point (46°38'10" N. latitude), is 100 pounds (round weight) or 30 percent by weight of all fish on board including salmon, whichever is greater, per vessel trip.

e. **Sebastes complex** - All species of rockfish except Pacific ocean perch, widow, shortbelly, and thornyhead (*Sebastolobus* spp.)

(1) North of Cape Lookout and south of Cape Lookout if no declaration has been made - Cumulative limit of 35,000 pounds, of which no more than 18,000 pounds may be yellowtail rockfish and no more than 9,000 pounds may be canary rockfish. No minimum size on any species in this category.

(2) South of Cape Lookout - Cumulative limit of 50,000 pounds of which no more than 40,000 pounds may be yellowtail rockfish and no more than 9,000 pounds may be

canary rockfish, provided the licensee has made a declaration as follows:

(a) The declaration must be made at least 12 hours prior to departing from port by telephoning the Department Montesano Office at (360) 249-4628, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. The declarer will receive a declaration number from the department.

(b) The declaration must include: vessel name; federal limited entry permit number; operator's name, phone number and address; anticipated date and port of departure; anticipated date and port of return.

(c) Phone declarations must be followed by a written declaration, signed by the operator and mailed or delivered to the Montesano Office at 48 Devonshire Road, Montesano, WA 98563, prior to the day of departure. Forms are available at that office or from coastal processors.

(d) No fishing north of Cape Lookout is allowed after declaring for fishing south of Cape Lookout until the vessel has landed at a Washington or Oregon port and notified the Montesano Office during business hours.

1) There is a maximum cumulative limit for landings from both north and south of Cape Lookout of 50,000 pounds of which no more than 30,000 pounds may be yellowtail rockfish and no more than 9,000 pounds may be canary rockfish.

2) Wholesale fish dealers purchasing more than 30,000 pounds of seabastes complex or 18,000 pounds of yellowtail rockfish must enter the declaration number on the fish receiving ticket.

**f. DTS Complex - (Sablefish, Dover sole and thornyhead rockfish)** - Effective December 1, 1995, cumulative monthly limit of 3,000 pounds of Dover sole. Landings of thornyhead rockfish and trawl sablefish are prohibited.

**g. Sablefish -**

(1) **Non-trawl vessels** - Daily trip limit of 300 pounds (round weight). No minimum size.

**h. Pacific Whiting** - Vessel trip limit of 10,000. No minimum size.

**i. Lingcod** - Cumulative limit of 20,000 pounds. Total length minimum size limit of 22 inches. Lingcod total length of 22 inches is equivalent to dressed length of 18 inches. To convert lingcod from dressed weight to round weight, multiply the dressed weight by 1.5. To convert lingcod from dressed, head on (gutted only), weight, multiply the dressed weight by 1.1.

(1) It shall be lawful to land up to 100 pounds of lingcod under 22 inches taken in the trawl fishery only.

3. Groundfish open access fishery limits. The following limits apply to the groundfish open access fishery in Coastal Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59A, 59B, 60A, 61, 62, and 63, and apply to all listed species and species complexes taken in Puget Sound Marine Fish-Shellfish Management and Catch Reporting Area 29. Notwithstanding the provisions of this subsection, no groundfish open access fishery limit may exceed a groundfish limited entry fishery daily, vessel or cumulative limit:

(1) **Sablefish** - Daily trip limit of 300 pounds (round weight) is lawful. No minimum size:

(2) **Rockfish** - Vessel trip limit of 10,000 pounds. Cumulative limit of 35,000 pounds.

(3) **Lingcod** - cumulative limit of 20,000 pounds. Total length minimum size limit of 22 inches. Lingcod total length of 22 inches is equivalent to dressed length of 18 inches. To convert lingcod from dressed weight to round weight, multiply the dressed weight by 1.5. To convert lingcod from dressed, head on (gutted only), weight, multiply the dressed weight by 1.1.

(4) It is unlawful during the unloading of the catch and prior to its being weighed or leaving the unloading facility to intermix with any other species or category of bottomfish having a cumulative limit, vessel trip limit or daily trip limit.

(5) 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 errors in 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.

### REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. November 30, 1995:

WAC 220-44-05000U Coastal bottomfish catch limits (95-110)

**WSR 95-24-045  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE  
(Fisheries)**

[Order 95-175—Filed November 30, 1995, 3:30 p.m.]

Date of Adoption: November 30, 1995.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:  
Amending WAC 220-52-073.

Statutory Authority for Adoption: RCW 75.08.080.

Under 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 amounts of red and green sea urchins exist in the areas mentioned. New description of Sea Urchin District 2 adds two areas where red sea urchins have been recently discovered, Areas 23A and 25B. Existing permanent research areas within the San Juan Islands remain closed.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.



Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

November 30, 1995

Robert Turner  
Director

**NEW SECTION**

**WAC 220-52-07300Z Sea urchins.** Notwithstanding the provisions of WAC 220-52-073, effective immediately until further notice it is unlawful to take or possess sea urchins taken for commercial purposes except as provided for in this section:

(1) Red sea urchins: Sea Urchin Districts 1, 2, 3, and 4 are open only on December 4, 5, 11, 12, 18, 19, 22, 23, 26, and 27, 1995, and January 2, 3, 8, and 9, 1996. It is unlawful to harvest red sea urchins larger or smaller than the following (size in diameter exclusive of the spines):

(a) Districts 1 and 2 - 4.0 minimum to 5.5 maximum inches.

(b) Districts 3 and 4 - 3.25 minimum to 5.0 maximum inches.

(2) Green sea urchins: Sea Urchin Districts 1, 2, 3, 4, and Marine Fish/Shellfish Management and Catch Reporting Areas 24A, 24B, 24C, 24D, 26A, 26D, and 28A are open only on December 4, 5, 11, 12, 18, 19, 22, 23, 26, and 27, 1995, and January 2, 3, 8, and 9, 1996. The minimum size for green sea urchins is 2.25 inches in diameter exclusive of the spines.

(3) Sea Urchin Districts:

(a) Sea Urchin District 2 (Southern San Juan Islands and Port Townsend) is defined as those waters of Marine Fish/Shellfish Management and Catch Reporting Area 22A south of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island and east of a line projected true north from Limestone Point on San Juan Island, and Areas 21A, 21B, 22B, 23A, 23B, 25A and 25B. The following areas within Sea Urchin District 2 are closed to the harvest of sea urchins at all times.

(i) Those waters of Haro Strait north of a line projected east-west one-half mile south of Eagle Point on San Juan Island and south of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island.

(ii) Those waters of San Juan Channel and Upright Channel within the following lines: North of a line from Cattle Point on San Juan Island to Davis Point on Lopez Island; south of a line projected from Flat Point on Lopez Island true west to Shaw Island; west of a line from Neck Point on Shaw Island to Steep Point on Orcas Island; south of a line from Steep Point on Orcas Island to Limestone Point on San Juan Island.

**WSR 95-24-046  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE  
(Fisheries)**

[Order 95-176—Filed November 30, 1995, 3:33 p.m.]

Date of Adoption: November 30, 1995.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-52-04600I; and amending WAC 220-52-046.

Statutory Authority for Adoption: RCW 75.08.080.

Under 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: Test fishing results indicate soft shell crab condition. This condition will not reach season opening criteria established under a 1993 coast-wide agreement until December 16, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

November 30, 1995

Judith Freeman

Deputy

for Robert Turner

Director

**NEW SECTION**

**WAC 220-52-04600J Crab fishery—Seasons and areas.** Notwithstanding the provisions of WAC 220-52-046:

(1) It shall be unlawful to fish for, land, or possess Dungeness crab taken from coastal areas of Grays Harbor, Willapa Bay, the Columbia River and the Pacific Ocean north of Cape Falcon, Oregon prior to 12:01 a.m. December 16, 1995 except that it is lawful to set crab gear in these areas beginning 8:00 a.m. December 13, 1995.

(2) Crab fishing vessels which participated in the Dungeness crab fishery between December 1, 1995 and December 15, 1995 in the area between Cape Falcon, Oregon and Point Arena, California may not fish for Dungeness crab in the Pacific Ocean north of Cape Falcon, Grays Harbor, Willapa Bay, or the Columbia River until January 15, 1996.

EMERGENCY

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 220-52-046001 Crab fishery—Seasons and areas. (95-172)

**WSR 95-24-047  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE  
(Fisheries)**

[Order 95-177—Filed November 30, 1995, 3:35 p.m., effective December 3, 1995, 12:01 a.m.]

Date of Adoption: November 30, 1995.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-47-613.

Statutory Authority for Adoption: RCW 75.08.080.

Under 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: Opening in Area 7B provides opportunity to harvest the nontreaty allocation of chum salmon destined for the Nooksack-Samish region of origin, relative to inseason run size update of 107,500 chum and allocation accounting. All other Puget Sound areas are closed to prevent overharvest.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: December 3, 1995, 12:01 a.m.  
November 30, 1995

Robert Turner  
Director

Management and Catch Reporting Areas except in accordance with the following open periods and mesh and area restrictions:

- \* **AREA 7B** - Gill nets using 6 1/4-inch minimum mesh and purse seines using the 5-inch strip may fish from 6:00 a.m. Monday December 4 until 4:00 p.m. Friday December 8, 1995, and from 6:00 a.m. Monday December 11 until 4:00 p.m. Friday December 15, 1995.
- \* Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7, 7A, 7C, 7D, 7E, 8, 8A, 8D, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K, all freshwater areas, and exclusion zones provided for in WAC 220-47-307 - Closed.

**REPEALER**

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. December 3, 1995:

WAC 220-47-613 Puget Sound all-citizen commercial salmon fishery. (95-173)

**WSR 95-24-054  
EMERGENCY RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)**

[Order 3929—Filed December 1, 1995, 11:10 a.m.]

Date of Adoption: December 1, 1995.

Purpose: Implement United States 9th Circuit Court of Appeals decision.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-670 (6)(a)(b) Intentional program violations—Disqualification penalties.

Statutory Authority for Adoption: RCW 74.04.510 and *Garcia vs. Oregon and USDA*.

Under RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: United States Circuit Court for 9th District requires implementation no later than December 5, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 1, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 1, repealed 0; Pilot Rule Making:

**NEW SECTION**

**WAC 220-47-614 Puget Sound all citizen commercial salmon fishery.** Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:01 a.m. Sunday December 3, 1995 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

New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

December 1, 1995  
Sydney Doré  
for Jeanette Sevedge-App  
Acting Chief  
Office of Vendor Services

**AMENDATORY SECTION** (Amending Order 3894, filed 9/7/95, effective 10/6/95)

**WAC 388-49-670 Intentional program violations—Disqualification penalties.** (1) The department shall disqualify the person or persons committing an intentional program violation as defined in WAC 388-49-020.

(2) The department shall apply the following disqualification penalties to a person committing an intentional program violation for offenses not related to those described in subsection (3) of this section:

- (a) Six months for the first disqualification;
- (b) Twelve months for the second disqualification; and
- (c) Permanently for the third disqualification.

(3) The department shall apply disqualification penalties against a person for trading or receiving food coupons for controlled substances or firearms. The department shall impose:

(a) A one-year disqualification penalty for a first conviction by a federal, state, or local court of the trading or receiving of food coupons for a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802); or

(b) A permanent disqualification for:

(i) The second conviction by a federal, state, or local court of the trading or receiving of food coupons for a controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802); or

(ii) The first conviction by a federal, state, or local court of the trading or receiving of food coupons for firearms, ammunition, or explosives.

(4) The department shall consider multiple violations as only one disqualification when the violations occur before the department notified the household of the penalties, as described in subsection (2)(a) of this section.

(5) When a court of law convicts a person of an offense which qualifies as an intentional program violation, the department shall:

(i) Recommend that a disqualification penalty, as provided in subsection (2) or (3) of this section, be imposed in addition to any civil or criminal intentional program violation penalties;

(ii) Impose a disqualification period as specified in subsection (2) or (3) of this section if the court fails to address disqualification or specify a disqualification period;

(iii) Initiate the disqualification period for the currently eligible person or persons within forty-five days of the date the:

(A) Disqualification is ordered if the court does not specify a date; or

(B) Court finds such person or persons guilty if the court specifies a disqualification date; and

(iv) Not initiate or continue an intentional program violation disqualification period contrary to a court order.

(6) ~~(The department shall provide written notice of disqualification to the person or persons before the disqualification. The department shall ensure the notice informs the:~~

~~(a) Participating person or persons of the disqualification and the effective date of the disqualification; or~~

~~(b) Nonparticipating person or persons that the disqualification period will be deferred until such time as the person or persons applies for and is found eligible for benefits.)~~  
Before the disqualification is implemented, the department shall provide written notice informing the disqualified person of the disqualification and effective date.

(7) The department shall provide written notice to the remaining household member or members, if any:

(a) Of the allotment the household will receive during the period of disqualification; or

(b) That the household must re-apply because the certification period has expired.

(8) The department shall recognize an intentional program violation determined in another state or political jurisdiction.

**WSR 95-24-058**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
(Fisheries)

[Order 95-178—Filed December 1, 1995, 3:30 p.m.]

Date of Adoption: November 30, 1995.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:  
Amending WAC 220-69-240.

Statutory Authority for Adoption: RCW 75.08.080.

Under 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 interim plan for joint management of red and green sea urchins under Subproceeding 89-3 of United States v. Washington provides for regional allocations. These rules will increase reporting accuracy and timeliness in order to assure that the allocations are not exceeded.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making:

New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

November 30, 1995

Robert Turner

Director

NEW SECTION

**WAC 220-69-24000B Duties of commercial purchasers and receivers.** Notwithstanding the provisions of WAC 220-69-240, effective immediately until further notice:

(1) It is unlawful for any wholesale dealer purchasing red or green sea urchins to fail to report to the Department each day's purchase by 10:00 a.m. the following morning. For red sea urchins, the report must specify the number of pounds taken by Sea Urchin District. For green sea urchins, the report must specify the number of pounds taken by Marine Fish/Shellfish Management and Catch Reporting Area. Either of the following two methods of reporting is acceptable.

(a) By facsimile (FAX) transmission to (360) 796-4997, or

(b) By telephone call to (360) 796-4601, extension 500.

(2) The fish receiving ticket reporting requirements of WAC 220-69-240 remain in effect, with the exception that fish receiving tickets must specify the Sea Urchin District from which red sea urchins were taken as well as the Marine Fish/Shellfish Management and Catch Reporting Area.

EMERGENCY

**WSR 95-23-118**  
**SECRETARY OF STATE**

(Corporations Division)  
 [Filed November 22, 1995, 11:59 a.m.]

July 1995 Voluntary and Administrative Corporate dissolutions under the jurisdiction of the Washington Business Corporation Act, chapter 23B.14 RCW, Dissolution.

Legislation passed in the 1995 session requires the Corporations Division to publish a list of dissolved corporations on a monthly basis. Dissolutions which are within the jurisdiction of the Washington Business Corporation Act include dissolutions requested by individual corporations (voluntary) and those which are dissolved by the Corporations Division (administrative).

In the case of an error, please notify our office by telephone, mail, or FAX. Contact Karen Dick, Operations Manager, FAX (360) 664-8781, phone (360) 586-6782, Corporations Division, Office of the Secretary of State, P.O. Box 40234, Olympia, WA 98504-0234.

**SECRETARY OF STATE'S OFFICE**  
**CORPORATIONS DIVISION**  
**DISSOLVED CORPORATIONS**  
**FOR THE MONTH OF JULY, 1995.**

Administrative Dissolutions  
 July 1995

10-THIRTY-ONE EXCHANGE FACILITATORS, INC.  
 1ST CHEF INC.  
 2207 PRODUCTIONS, INC.  
 900MEDIA ENTERPRISES, INC.  
 A & C ENERCOM CONSULTANTS, INC.  
 A & N, INC.  
 A MARQUIS COMPANY  
 A TASTE OF SEAFOOD, INC.  
 A TREEWALKER, INC.  
 A-1 CREDIT CONSULTING SERVICES INC.  
 A-Z CHILDREN'S CONSIGNMENT, LTD.  
 A. NOBLE, INC.  
 A.D.B. CORPORATION  
 A.J. CONCRETE FORMING WEST, INC.  
 A.K. FARMS INC.  
 AAA COMPASSIONATE HOMES, INC.  
 AAA PRECISE MACHINES, INC.  
 ABERDEEN ELECTRIC, INC.  
 ABERDEEN ROCK PRODUCTS, INC.  
 ABM INC.  
 ACME PRODUCTIONS, INC.  
 ACRU, INC.  
 ADKINS INCORPORATED  
 ADM PUBLICATIONS INC.  
 ADRENALIN AIRSHOWS, INC.  
 ADVANSTEL COMMUNICATIONS GROUP, INC.  
 AEROMED INDUSTRIES, INC.  
 AFFILIATED CHARITIES USA, INCORPORATED  
 AIR TEMP, INC.  
 AIRCRAFT COMPOSITE STRUCTURES, INC.  
 AIRPOL, INC.  
 AJ INDOOR ADVERTISING, INC.  
 ALAN F. WILSON, D.D.S., P.S.

ALAN S. LUDWIG, DC, PS.  
 ALASKA-PACIFIC POWDER COMPANY  
 ALEX ENTERPRISES, INC.  
 ALEXANDER ONE, INC.  
 ALL AMERICAN HAIR DESIGN & TANNERY, INC.  
 ALL NEW GLASS, INC.  
 ALL PRO SPORTS EQUIPMENT, INC.  
 ALL SEASONS PROPERTIES, INC.  
 ALLCOM CONSULTING INC.  
 ALLENBACH/KARCSAY CORPORATION  
 ALLIANCE CAPITAL CORP.  
 ALLSTAR PAVING INC.  
 ALTERNATIVE, INC.  
 AMCOM INTERNATIONAL INC.  
 AMERICAN HEALTH PRODUCTS, INC.  
 AMERICAN HERITAGE OF EDMONDS, INC.  
 AMERICAN HOME FINANCE, INC.  
 AMERICAN INDEPENDENT MORTGAGE, INC.  
 AMERICAN NUTRITIONAL INGREDIENT SYSTEMS, INC.  
 AMERICAN OLYMPIC PRECAST, INC.  
 AMERICAN TELECOM CORPORATION  
 AMS LASER SUPPLY, INC.  
 AND THE WEATHERED WALL, THE PURITY REMAINS, INC.  
 ANDEL CORPORATION  
 ANDIAMO ESPRESSO, INC.  
 ANTHONY PROPERTIES, INC.  
 APEX SALES CORPORATION  
 APOLLO ENTERPRISES, LTD  
 AQUATIC WHOLESALE INC.  
 ARM MORTGAGE INVESTMENT CORPORATION  
 ARNESON ASSOCIATES, INC.  
 ARTBOX, INC.  
 ARTIFEX, INC.  
 ASP WEST, INC.  
 ASSET & EQUITY SERVICES, INC.  
 ASSET ADVISORY GROUP, INC.  
 ASSOCIATED BROKERS INC.  
 ASSOCIATED TELEPHONE SERVICES INC.  
 ASSOCIATED WEALTH MANAGEMENT, INC.  
 ATELIER ARCHIVES, INC.  
 ATLAS CAPITAL CO.  
 ATS - WASHINGTON, INC.  
 AUBURN AIRCRAFT LEASING, INC.  
 AUDIO CREATIONS, INC.  
 AURORA BIOLOGICALS INC.  
 AUTO-BAHN MORIOKA MOTORCAR CO., LTD.  
 AUTOLAND, INC.  
 AVIATEK AERONAUTICAL SYSTEMS, INC.  
 AWIN CONSTRUCTION INC.  
 B & B FINANCIAL PROGRAMMING CONSULTANTS, INC.  
 B & C INTERNATIONAL, INC.  
 B-G INSTRUMENTS INCORPORATED  
 B. PEONIO INCORPORATED  
 B.T. MARKETING, INC.  
 BAER MAX, INC.  
 BAILOUT, INC.  
 BALANCE CONSULTANTS, INC.  
 BARCOS PESQUEROS DEL SUR BAPESUR USA, INC.

BARRON PUBLISHING, INC.  
 BASCO ELECTRONICS CORPORATION  
 BASK INTERNATIONAL, INC.  
 BAYSHORE FINANCIAL SERVICES INCORPORATED  
 BEAR CREEK ESCROW, INC.  
 BECHO BLASTING, INC.  
 BECKSTEIN DESIGN AND CONSTRUCTION, INC.  
 BELFORD INCORPORATED  
 BELLIKKA CONSTRUCTION, INC.  
 BELSHIRE INDUSTRIES, INC.  
 BETA MARKETING INCORPORATED  
 BH CONSTRUCTION, INC.  
 BIG APPLE BROADCASTING, INC.  
 BIO DOCS, INC.  
 BIZZY TRUCKING, INC.  
 BKT INC.  
 BLACK LAKE MEADOWS, INC.  
 BLAINE HOUSING, INC.  
 BOARDHEADS, INC.  
 BODIE'S, INC.  
 BODY VISIONS, INC.  
 BOGGIO DRYWALL, INC.  
 BOOK HAVEN INC.  
 BOSTON TRADING LTD., INC.  
 BOYD'S CENTRAL VENDING, INC.  
 BRAD-ROAD, INCORPORATED  
 BRAKE GUARD CORPORATION  
 BRENNAN HEATING COMPANY INC.  
 BRI ROOFING INC.  
 BRIGADOON YACHT SALES, INC.  
 BRILLING ACCOUNTING INC  
 BRITISH AUTO WRECKERS RACING, INC.  
 BRITTNEY & COMPANY, INC.  
 BRIXEY AND BRIXEY ENTERPRISES, INC.  
 BROCKWAY C.B.S. INCORPORATED  
 BROOKS ENTERTAINMENT INC.  
 BRUCE-WAYNE ENTERPRISES INC.  
 BRYANT CONSTRUCTION, INC.  
 BRYSON GROUP OF COMPANIES, INC.  
 BTR HOMES, INC.  
 BUDGET FUEL & SERVICE, INC.  
 BUDGETGROW, INC.  
 BUILDING NORTHWEST, INCORPORATED  
 BUNDY, RIDDLE & WHITE LABORATORIES, INC.  
 BURNBRICKS, INC.  
 BUSINESS DECISIONS CORPORATION  
 BUSINESS OWNERS SALES & SERVICE, INC.  
 BUSINESS SOLUTIONS OF WASHINGTON, INC.  
 C & S CUSTOM HOMES, INC.  
 C AND P ENTERPRISE INC.  
 C S B INCORPORATED  
 C SAMLAR CO., INC.  
 C WEST, INC.  
 C-CRAFTS, INC.  
 C-H-J, INC.  
 C.C. FOODS, INC.  
 C.D. WATKINS ENTERPRISES, INC.  
 C.L. JOHNSON, INC.  
 CADWELL INCORPORATED  
 CAFFE FAVA, INC.  
 CAFFE GO GO ESPRESSO, INC.

CAL STAR CONSTRUCTION, INC.  
 CALNY OF WASHINGTON, INC.  
 CALPAC CONTAINER CO.  
 CAMERON, INC.  
 CAPITAL ANNEX GROUP INC.  
 CAPITAL CITY ANESTHESIA SERVICE, INC., P.S.  
 CAPITAL COPY & PRINTING, INC.  
 CAPITAL RECOVERY ASSOCIATES, INC.  
 CARMACK CORPORATION  
 CARPET PLUS, INC.  
 CASA BONITA, INC.  
 CASABLOCKA INTERNATIONAL, LTD.  
 CASCADE LOGIC, INC.  
 CATCH 22 PRODUCTIONS, INC.  
 CATERMEX INC.  
 CAUDILL ENTERPRISES, INC.  
 CCD POLYMERICS INTERNATIONAL, INC.  
 CEC ENGINEERING SALES INC  
 CEDARWILD CORPORATION  
 CELX CORPORATION  
 CENTER LINE CARTOGRAPHIC COMPANY, INC.  
 CENTRAL IOWA HEATING COMPANY  
 CENTRAL PUGET, INC.  
 CENTREX DEVELOPMENT CORPORATION  
 CERTIFIED ASBESTOS ABATERS, INC.  
 CHAMPIONS SPORTS PUB, INC.  
 CHATEAU ENTERPRISES, INC.  
 CHEAP TOW, INC.  
 CHELSEA CONSTRUCTION, INCORPORATED  
 CHENEY PROFESSIONAL BUILDING, INC.  
 CHINA PROFESSIONAL SERVICE CENTER, INC.  
 CHINOOK REFRIGERATION, INC.  
 CHORBACRAFT, INC.  
 CHOTT FRUIT COMPANY  
 CHUCKANUT BAY YACHTS, LTD.  
 CINSO FRAMING, INC.  
 CLEAN BUILDING SYSTEM, INC.  
 CLEAN CARE PROFESSIONALS, INC.  
 CLEAN TECHNOLOGIES, INCORPORATED  
 CLEAR CREEK GROUP, INC.  
 CLEARVIEW CAFE, LTD.  
 COAST ENGINEERING & MANUFACTURING  
 COMPANY  
 COFINCO OF SEATTLE LTD.  
 COLUMBIA CASCADE CONTRACTORS, INC.  
 COLUMBIA CONSULTING TEAM, INC.  
 COLUMBIA DEVELOPMENT, INC.  
 COMMERCIAL DESIGN ARCHITECTS/HEPY, INC.  
 COMMUNICRAFT, INC.  
 COMMUNITY BOX OFFICES NORTHWEST, LTD.  
 COMPANY PIZZERIA INC.  
 COMPHAVEN INFORMATION SYSTEMS, INC.  
 COMPTON GROUP, INC.  
 COMPULINGUAL INSTITUTE OF TECHNOLOGY  
 CORPORATION  
 COMPUSAVE, INC.  
 COMTECH, INC.  
 CONCEPTS, SYSTEMS & SOLUTIONS, INC.  
 CONFERENCE MANAGEMENT ASSOCIATES, INC.  
 CONSOLIDATED AUTOMOTIVE RECONDITION-  
 ING SERVICE, INC.  
 CONSOLIDATED BROKERS, INC.

- CONSTRUCTIVE WORKS, INC.  
 CONTRACT FLOOR COVERING, INC.  
 CORE PROCESS, INC.  
 CORNERSTONE COLUMBIA HOLDING COMPANY,  
 INC.  
 CORNERSTONE CUSTOM CABINETS, INC.  
 CORPORATE FINANCE ASSOCIATES OF WASH-  
 INGTON, INC.  
 CORPRON'S NACHES FAMILY PHARMACY, INC.  
 COTTON ART, INC.  
 COUNSELL ASSOCIATES, INC.  
 COUNTRYCARE HOMES, INC.  
 COUNTY ESCROW COMPANY, INC.  
 CRAYPO'S CABINET TREE, INC.  
 CREATIVE RESOURCES, INC.  
 CREDIT REPORTS, INC.  
 CROWN-S, INC.  
 CRYSTAL CAT BOOK STORE AND COFFEE  
 HOUSE, INCORPORATED  
 CRYSTAL CAT EXPRESSO, INCORPORATED  
 CUNNINGHAM CONSTRUCTION, INC.  
 CUSTOM BUILDING & PAINTING, INC.  
 CUSTOM CONCEPTS 2000, INC.  
 D & J COMMUNICATIONS, INC.  
 D & M CONSTRUCTION AND REMODELING, INC.  
 D GENT LIMITED  
 D'ANIELLO, INC.  
 D. C. HEATING, INC.  
 D.C.E., INC.  
 D.G. RALPH, INCORPORATED  
 DAF CORPORATION  
 DAKB, INC.  
 DAKOTA FARMS, INCORPORATED  
 DALEY'S DUMP TRUCK SERVICE, INC.  
 DAMEN HOMES, INC.  
 DAN SHAFFER & ASSOCIATES INC.  
 DATA UNION INCORPORATED  
 DATACORE, INC.  
 DAVID M. SIMMONDS, INC. P.S.  
 DAVIS, KELLER & DAVIS, LTD.  
 DAYSTAR ENTERPRISES INC.  
 DE COURCY, COHEN, BARTON & NAVE, P.S.  
 DECKER & GEIS ASSOCIATES, INC.  
 DELTA INTERNATIONAL TRADE COMPANY, INC.  
 DELTA TECHNICAL SERVICES, INC.  
 DEMETER CORPORATION  
 DESTINATIONS, INC.  
 DIOPTRIX, INC.  
 DIRECT EFFECT, INC.  
 DIVERSIFIED GUEST SERVICES, INC.  
 DIVERSIFIED RESTAURANT CONCEPTS DBA  
 DIVERSIFIED RESTAURANT CONCEPTS  
 DMI, INC.  
 DNT INTERNATIONAL TRADING CORPORATION  
 DOLIN REALTY CORP.  
 DONALD C. WEBER, M.D., P.S.  
 DONNA J. SMITH, C.P.A., P.S., INC.  
 DOUBLE A INVESTMENTS, INC.  
 DOUBLE CONDOR INCORPORATED  
 DOUBLE V ENTERPRISES, INC.  
 DOVER, INC.  
 DOWNEY, CAVADIAS & DEANE, INC.
- DROP 'UR DUDS, INC.  
 DSC ASSOCIATES, INC.  
 DTS OFFICE SYSTEMS, INC.  
 DUKIN SALES & LEASING CO., INC.  
 DUNBAR APPAREL LTD.  
 DUNGENESS SEAFOOD, INC.  
 E.C.T.C., INC.  
 EAGLE RIVER ASSOCIATES, INC.  
 EAST WEST PARTNERS, INC.  
 ECO-SOUND PRODUCTS, INC.  
 EDELSTEIN INTERNATIONAL CORPORATION  
 EDMONDS TRAVEL LTD.  
 ELDER EQUIPMENT LEASING, INC.  
 ELEPHANT & CASTLE GALLERIES LTD.  
 ELLIOTT BAY ENGINEERING, INC.  
 ELLIOTT INSURANCE MANAGEMENT SERVICES,  
 INC.  
 ELLY, INC.  
 EMC CORPORATION DBA SYSTEM PERIPHER-  
 ALS, INC.  
 EMERALD BUILDERS, INC.  
 EMERALD CITY DRYWALL, INC.  
 EMERALD CITY ENTERPRISES CORPORATION  
 EMERALD CITY FOOD & BEVERAGE CO., INC.  
 EMT, INC.  
 ENERGY CANE, INC.  
 ENERGY CUBE, INC.  
 ENRIGHT BO-NASH, INC.  
 ENVIRONMENTAL EQUIPMENT, INC.  
 ENVIROSHIRTS, INC.  
 EPH BODY STYLING II, INC.  
 EPIC DEVELOPMENT INCORPORATED  
 EPPERSON, INC.  
 EQUITYLINK FINANCIAL SERVICES, INC.  
 ERM ENVIROCLEAN-NORTHWEST, INC.  
 ESCALANTE SALSA COMPANY  
 ESMARK MARINE SPORTS, INC.  
 ESPRESSO USA MINNESOTA, INC.  
 ESSENTIAL INFORMATION SYSTEMS, INC.  
 ESTEP AGENCY INC.  
 EURO FLOORS, INC.  
 EVERETT NATUROPATHIC CLINIC, INC.  
 EVERETT VASCULAR SURGICAL ASSOCIATES,  
 P.S.  
 EVERGREEN CHILD CARE, INC.  
 EVERGREEN FINANCIAL RESOURCES CORP.  
 EVERGREEN MICRO INC.  
 EVERGREEN WATERWORKS, INC.  
 EXHAUST & BRAKE SPECIALTIES, INC.  
 F.G.A. INCORPORATED  
 FADER ENTERPRISES INC.  
 FAIRY GODMOTHER'S FRANCHISING CORPORA-  
 TION  
 FAR EAST FINANCE INC.  
 FBN INDUSTRIES, INC.  
 FIDELITY INVESTMENTS INSTITUTIONAL SER-  
 VICES COMPANY, INC.  
 FIDUCIA CORPORATION  
 FIRE PREVENTER OF WASHINGTON, INC.  
 FIREARMS ACADEMY OF SEATTLE, INC.  
 FIRST AMERICAN INTERNATIONAL TRADING,  
 COMPANY

FIRST BREKSHIRE BUSINESS TRUST  
 FIRST CALIFORNIA MORTGAGE CO.  
 FIRST CLASS CONSTRUCTION, INC.  
 FIRST INTERSTATE MANAGEMENT SERVICES  
 COMPANY  
 FIVE STAR INDUSTRIES, INC.  
 FLEER SALES CORP.  
 FLUID CONTROL, INC.  
 FOREGROUND MUSIC INC.  
 FORTUNE DOGS INC.  
 FORTUNE FINANCIAL, INC.  
 FORTUNE MARKETING GROUP, INC.  
 FOUR RIVERS GROUP, INC.  
 FOUR-C REFRIGERATION SERVICE, INC.  
 FOX ISLAND SEAFOODS, INC.  
 FRAIOLI & ASSOCIATES, INC.  
 FRANCHISE INVESTMENT CORPORATION  
 FRANCO REFORESTATION, INC.  
 FRESH START PROGRAMS LTD.  
 FRIDAY HARBOR FILMS, INC.  
 FRIENDLY TOY INTERNATIONAL INC.  
 FRONTIER ENTERPRISES, INC.  
 FSI FLIGHT STRUCTURES LTD.  
 FULL SERVICE MARKETING, INC.  
 FURNITURE ART OF SEATTLE, LTD.  
 FUTURE MORTGAGE, INC.  
 FUTURE SPEC CONSTRUCTION COMPANY  
 G & G TRANSFER, INC.  
 G & K PHARMACEUTICALS, INC.  
 G & S, INC.  
 G & W RILEY'S, INC.  
 G P B, INC.  
 G-FORCE RACING, INC.  
 G. PATRICK HEALY, INC. P.S.  
 G.W. EQUIPMENT LEASING, INC.  
 GALLERY TENNIS CLUB, INC.  
 GARVIN FIRE PROTECTION SYSTEMS, INC.  
 GARZA ENVIRONMENTAL, INC.  
 GEMSTONE PROPERTIES, INC.  
 GENEVA DATABASE INNOVATIONS, INC.  
 GEORGE YEN, P.S.  
 GERSHMAN, BRICKNER & BRATTON, INC.  
 GJOA, INC.  
 GLACIER PARK KING STREET COMPANY  
 GLEANINGS, INC.  
 GLEN COGGESHELL ENTERPRISES INC  
 GLOBAL GAMES, INC.  
 GOLDCO DEVELOPMENT, INC.  
 GOLDEN UNICORN ENTERPRISES CORP.  
 GOURMET OUTLANDISH, INC.  
 GRANNY GOOSE FOODS, INC.  
 GRANVILLE CONSTRUCTION CO.  
 GRAPE STREET INSURANCE SERVICES, INC.  
 GRAVES & GRAVES, INC  
 GRAYCO SALES, INC.  
 GREAT EXPECTATIONS MINING, INC.  
 GREAT VIEW, INC.  
 GREEN LANTERN WALLA WALLA, INC.  
 GRIESMEYER CONSTRUCTION, INC.  
 GUAN, INC.  
 H & S SANDERSON ASSOCIATES, INC.  
 H.A.V.E. SYSTEMS, INC.

H.M.D.E. CORPORATION  
 H20 MARINE, INC.  
 HAFFNER CORPORATION  
 HALL, MOREY & ASSOCIATES, INC.  
 HAMILTON STREET ENTERPRISES, INC.  
 HANBYS, INC.  
 HARBORBROOK STABLES, INC.  
 HARBORMASTER LTD.  
 HARBORPLACE ASSOCIATES, INC.  
 HARDMAN MECHANICAL CONTRACTORS INC.  
 HARRAH LUMBER & SUPPLY CO.  
 HAZON DEVELOPMENT, INC.  
 HEALTHCHOICE ADMINISTRATORS, INC.  
 HEIGL MORTGAGE AND FINANCIAL CORPORATION  
 HELEN THAYER & ASSOCIATES, INC.  
 HENSCHEL-STEINAU, INC.  
 HERITAGE HOMES, INC.  
 HI-TECH RENTALS, INC.  
 HIDEAWAY RESTAURANT, INC.  
 HINZMAN INVESTMENTS, INC.  
 HOLLOMAN CONSTRUCTION CO.  
 HOME OWNERS WARRANTY CORPORATION  
 HOME PLATE PROPERTIES, INC.  
 HOMESTOCK, INC.  
 HOUSING INVESTMENT FUND, INC.  
 HUNIL ALLSTATE INSURANCE, INC.  
 HUNNICUTT ELECTRICAL CONTRACTORS, INC.  
 I. AND J. STEWART ENTERPRISES, INC.  
 IBY, INC.  
 IDEAL CONCESSIONS INC.  
 IEC, INC.  
 IMAGE SPORTSWEAR & ADVERTISING SPECIAL-  
 TIES, INC  
 IMEX LTD. INC.  
 IMPEXA INC.  
 INDEPENDENT DEVELOPMENT CORPORATION  
 INDIAN SUMMER CONSTRUCTION, INC.  
 INFO SLEUTH, INC.  
 INFOBRIDGE COMPUTER & COMMUNICATION  
 INCORPORATED  
 INFORMATION JAZZ INC.  
 INGLEWOOD HOMES, INC.  
 INLAND BEVERAGE AND GAS, INC.  
 INNOVATIVE PRODUCTIONS, INC.  
 INSURANCE RESOURCE CONSULTANTS, INC.  
 INTEGRATED MEDICAL INFORMATION SYS-  
 TEMS, INC.  
 INTEGRATED SOFTWARE TECHNOLOGY, INC.  
 INTER-ISLAND PIANO, INC.  
 INTERNATIONAL CHEMTECH INC.  
 INTERNATIONAL ENTERPRISES, INC.  
 INTERNATIONAL LAND TITLE SYSTEM LIMITED  
 INTERNATIONAL POWER, INC.  
 INTERNATIONAL PUMP MANUFACTURING INC.  
 INTERWEST HOLDING CO.  
 IRWIN HOME EQUITY CORPORATION  
 ISLAND CUSTOM HOMES AND MASONRY, INC.  
 ISLAND MARBLE AND GRANITE, INC.  
 ISLAND TECHNICAL SERVICES, INC.  
 ISLAND TECHNOLOGIES, INCORPORATED  
 IVAN G BARKER, INC. P.S.



IVAN TERIYAKI, INC.  
 J LAZY D RANCH, INC.  
 J M V, INC.  
 J. BAKER HOMES, INC.  
 J. J. B. ENTERPRISES, INC.  
 J. J. K. K., LTD.  
 J. ROLEN INTERNATIONAL INC.  
 J. THOMPSON, INC.  
 J.B. AND W., INC.  
 JAMMARIE, INC.  
 JAN HAAVARD HAUGE ASSOCIATES, INC.  
 JASST MARKETING, LTD.  
 JCK ENTERPRISES, INC.  
 JD BIO CLEAN, INC  
 JDR CONSTRUCTION INC.  
 JEIL MIRROR TECHNOLOGY CO., INC  
 JENNER-MEREDITH, INC.  
 JERRY'S DAIRY, INC.  
 JI-SHIN CONSTRUCTION & DEVELOPMENT, INC.  
 JOHNSON-MORGAN CORP.  
 JOKER'S GRILL & SPIRITS INC.  
 JOMAR CORPORATION  
 JPM, LTD.  
 JSI OF YAKIMA, INC.  
 JUICE EXPRESS, INC.  
 JULIENA SEATTLE, INC.  
 JUTILA CONTRACTORS INC.  
 K & J'S KARA KORRAL, INC.  
 K & K CONSTRUCTORS, INC.  
 K S & M, INCORPORATED, P.S.  
 K. DALY, INC.  
 KAREN MARCHIORO & ASSOCIATES, INC.  
 KARMA INCORPORATED  
 KENDALL SQUARE RESEARCH CORPORATION  
 KENNAN CORPORATION  
 KERKHOFF CONSTRUCTION, INC.  
 KID KARE INCORPORATED  
 KIDSAFE, INC.  
 KILLY, INC.  
 KIRK - MAYER, INC.  
 KITSAP BROADCAST GROUP, INC.  
 KMA INVESTMENT, INC.  
 KMP, INC.  
 KO TIME PRODUCTIONS, INC.  
 KOOLAH COMPANY  
 KRAUSE DEVELOPMENT AND MANAGEMENT,  
 INC.  
 KRISCOR, INC.  
 L & M GENERAL CONTRACTING, INC.  
 L. P. BUSINESS ENTERPRISES INC.  
 LA CANADA, INC.  
 LAD SZAREK ENTERPRISES, INC.  
 LAMPHERE ASSOCIATES INC.  
 LANCELOT INVESTMENTS, INC.  
 LAND DELS INC.  
 LAND DESIGN NCW, INC.  
 LAND DEVELOPMENT CONSULTANTS, INC.  
 LANDAUER ASSOCIATES, INC.  
 LARAMORE, INC.  
 LAWN EXPRESSIONS, INC.  
 LAWRENCE UNITED CORPORATION  
 LAWRENCE W. WORTH, M.D., P.S.

LENDER'S INVENTORY LIQUIDATION, INCORPORATED  
 LIMBO CONTAINER COMPANY, INC.  
 LOG, INC.  
 LOKEN ENTERPRISES INC.  
 LOST VALLEY CONSTRUCTION, INC.  
 LSM TECHNOLOGIES, INC.  
 LUNDQUIST FURNITURE, INC.  
 M & F CONTRACTORS, INC.  
 M. & M. BOAT CO., INC.  
 M. F. BANK RESTORATION CO.  
 M.D.S. ELECTRONICS & COMMUNICATIONS, INC.  
 M2 BEVERAGE MARKETING, INC.  
 MADDEN COMPANY, INC.  
 MAESTRO, INC.  
 MAI THAI ENTERPRISES, INC.  
 MAKFEST INTERNATIONAL, INC.  
 MAMMOTH STONEWORKS, INC.  
 MANLEY SERVICE CO., INC. DBA M.S.C.  
 MANNING STABLES, INC.  
 MARK PEDERSEN INC.  
 MARQUADGT & SHIGO INC.  
 MARROWSTONE ENTERPRISES, INC.  
 MARUHACHI, INC.  
 MASERATI AUTOMOBILES INCORPORATED  
 MASTER CRAFT CONSTRUCTION INC.  
 MASTER'S INTERNATIONAL, INC.  
 MATTHEWS & LA SORELLA, INC.  
 MBE ENTERPRISES, INC.  
 MCDONALD MARINE & INDUSTRIAL INC.  
 MCHUGH SERVICES, INC.  
 MCIVER/GROVES, LIMITED  
 MCLEAN RANCH, INC.  
 MCP RACING CORP.  
 MCQUILLEN FORESTRY, INC.  
 MEADOW GOLD GROWERS, INC.  
 MEDAES, INC.  
 MEDIA CREATIONS, INC.  
 MEDICAL EXPRESS INCORPORATED  
 MEDICAL RECORDS TRANSCRIPTION SERVICE,  
 INC.  
 MEDICI CORPORATION  
 MEDINA INVESTMENTS, LTD.  
 MELVIN H. CARLSON, D.D.S., INC., P.S.  
 MENTAL HEALTH RESOURCES, INC.  
 MERRILL BROTHERS INCORPORATED  
 MERRILL CREEK GARDENS HOMEOWNERS  
 ASSOCIATION  
 MI INCORPORATED  
 MI MAZATLAN, INC.  
 MICHAEL D. REITER PIANO SERVICE, INC.  
 MICHAEL D. SMITH, INC.  
 MICHAEL JOHN CORPORATION  
 MICHAEL R. ARTERBURN, INC., P.S.  
 MICHAEL'S HAIR DESIGN, INC.  
 MICHAELLE'Z, INC.  
 MICROSCIENCE, INC.  
 MIDE DEVELOPMENTS OF WASHINGTON, INC.  
 NORTHWEST HOLLY WREATH  
 MIDE PROPERTIES OF WASHINGTON, INC.  
 MIDWAY MAIL CENTER, INC.  
 MIKLIN INVESTMENTS, INC.

- MILLER'S SERVICES, INC.  
 MIXERS & MUNCHIES, INC.  
 MODECON, INC.  
 MODULAR MACHINE SYSTEMS, INC.  
 MONGOLIAN STEAK HOUSE, INC.  
 MONROE AGGREGATE UNLIMITED, INC.  
 MORELAN RECREATION INCORPORATED  
 MORITZ PAINTING INC  
 MORTON'S MILK DELIVERY, INC.  
 MOSES LAKE CAB, INC.  
 MOSKI INTERNATIONAL, INC.  
 MOUNT TAHOMA EVERGREEN INC.  
 MOUNTAIN VIEW DISTRIBUTING LTD.  
 MR. CAPPUCCINO LTD.  
 MR. LUCKY, INC.  
 MSM CHAPTER I, INC.  
 MSR BUSINESS GROUP, INC.  
 MST ENTERPRISE INC.  
 MULTIVEST, LTD.  
 MUNSON MANUFACTURING, INC.  
 MUSIC RACK ENTERTAINMENT CORPORATION  
 MYSTIC LANE AMERICA, INC.  
 NAMCO USA, LTD.  
 NATIONAL ALARM AND PROTECTION INC.  
 NATIONAL FOODS SALES, INC.  
 NDS COMPANY  
 NEARY CONSTRUCTION, INC.  
 NEHASHI AMERICA CORPORATION  
 NETWORK NORTHWEST INC.  
 NETWORK PACIFIC INC.  
 NEW CREATION HOMES, INC.  
 NEW GENERATION DIAPERS, INC.  
 NEW GENERATION, INC.  
 NEWPORT HOMES, INC.  
 NICARA INC.  
 NICHOLSON CHEVROLET (1977) LTD.  
 NISQUALLY PRODUCE, INC.  
 NORED DAIRY INC.  
 NORMAN C. GALEY C.P.A., INC. P.S.  
 NORTH STAR BUILDERS, INC.  
 NORTHCREST CORPORATION  
 NORTHERN HOLDING, LTD.  
 NORTHWEST ANODIZING TECHNOLOGIES, INC.  
 NORTHWEST ASSIGNMENT AGENCY, INC.  
 NORTHWEST CONSOLIDATED PRODUCTS, INC.  
 NORTHWEST CONSULTANTS ASSOCIATES INC.  
 NORTHWEST ENERGY, INC.  
 NORTHWEST FIREWORKS, INC.  
 NORTHWEST FIRST CAPITAL HOLDINGS, INC.  
 NORTHWEST HOLLY WREATH, INC.  
 NORTHWEST LEGAL CLINIC, P.C.  
 NORTHWEST MEDICAL CONSULTANTS, LIMITED  
 NORTHWEST MEDICAL LASER CORPORATION  
 NORTHWEST POWER EQUIPMENT & MARINE,  
 INC.  
 NORTHWEST RESORT PROPERTIES, INC.  
 NORTHWEST SURGICAL LASERS, INC.  
 NORTHWEST WILDERNESS PUBLISHING, INC.  
 NOVATE, INC.  
 NURSES ACROSS AMERICA & COMPANY, INC.  
 O. FRUIT, INC.  
 OAK PARK, INC.  
 OCE-BRUNING, INC.  
 OCEAN BEAUTY INTERNATIONAL, INC.  
 OFF-THE-RACK, INC.  
 OKURA & CO., CANADA, LTD.  
 OLYMPUS ESCROW CORPORATION  
 OLYMPUS MORTGAGE CORPORATION  
 OMNI MARK, INC.  
 ON THE EDGE INC.  
 ON-LINE EXCHANGE, INC.  
 OPUS ARCHITECTS & ENGINEERS, INC.  
 ORCA ENTERPRISES, INC.  
 OREGON FOOD FACTORS, INC.  
 ORIGINAL CASTLE'S CORPORATION  
 OROVILLE FRUIT SERVICES, INC.  
 P.C. RESTAURANTS, INC.  
 PACIFIC AIRLIFT, INC.  
 PACIFIC COAST VENEERS, INC.  
 PACIFIC DATANET INCORPORATED  
 PACIFIC DOMAINS INC.  
 PACIFIC HERITAGE HOMES, INC.  
 PACIFIC ISLANDS CONSTRUCTION, INC.  
 PACIFIC RESOURCES HOLDINGS, INC.  
 PACIFIC RIM DEVELOPMENT INTERNATIONAL,  
 INC.  
 PACIFIC RIM OSTRICH RANCH, INC.  
 PACIFIC RIM STONE, INC.  
 PACIFIC SANTAFE CORPORATION  
 PACIFIC SYNERGY, INC.  
 PACIFIC WESTERN TRANSPORTATION, LTD.  
 PACIFICO CREATIVE SERVICE, INC.  
 PACKAGING WEST, INC.  
 PACON EXPRESS SEATTLE, INC.  
 PACRIM LAND SERVICES CORP.  
 PALCO LININGS, INC.  
 PAMSTAR, INC.  
 PAN-TECH SYSTEMS INTERNATIONAL INC.  
 PAR COMPUTER SYSTEMS, INC.  
 PAR-EXCEL, INC.  
 PARADISE CORPORATION/PARADISE GOURMET  
 FOODS  
 PARAGON FISHERIES, INC.  
 PARAGON PROJECT MANAGEMENT DBA  
 PARAGON PROJECT MANAGEMENT, INCORPO-  
 RATED  
 PARAMOUNT PLASTICS, INC.  
 PARK CLEANERS INCORPORATED  
 PATIENT MEDICAL PROGRAMS, INC.  
 PATRICK W. YAKOVICH, INC.  
 PCC GROUP, INC.  
 PEARLS & GEMS LTD.  
 PEDERSEN NURSING HOME, INC.  
 PERFORMANCE CORPORATION, INC.  
 PERM-SEAL CONSTRUCTION SEALANTS, INC.  
 PERMALUME PLASTICS CORPORATION  
 PERPETUAL MECHANICAL CORPORATION  
 PETER M. LIND, INC., P.S.  
 PETERSON MANAGEMENT, LTD.  
 PETERSON'S THIRD SON HONEY, INC.  
 PETROCHEM FIELD SERVICES, INC.  
 PFC HOME MORTGAGE CORPORATION  
 PHARMACY OPERATIONS, INC.  
 PHOENIX CONTRACTING CO.

- PIERUCCI INC.  
 PINNACLE CUSTOM WOODWORKS INC.  
 PIPELINE INSPECTION, ENGINEERING & CONSTRUCTION MANAGEMENT, INC.  
 PIXLETRIX INC.  
 PLANET CONSTRUCTION & PAINTING COMPANY  
 PLAZA PETS, INC.  
 POLESTAR FISHERIES, INC.  
 POPS, INC.  
 PORKY'S EAST, INC.  
 PORT ORCHARD REFRIGERATION, INC.  
 PORT TOWNSEND MUSIC COMPANY  
 PORTLOCK ENGINEERING SERVICES, INC.  
 POWERS, INCORPORATED  
 PRE-MIX PRODUCTS OF THE NORTHWEST, INC.  
 PREMIER LOCUM TENENS, INC.  
 PREPRESS EXPRESS PRINTING, INC.  
 PREVIEW TECHNOLOGIES, INC.  
 PRM CORPORATION  
 PRODUCTION AUTOMATION, INC.  
 PRODUCTION ENGINE REBUILDING COMPANY, INC.  
 PROFESSIONAL ADVISORS CORPORATION  
 PROFESSIONAL SERVICES INSTITUTE, INC.  
 PRONTO PAINT WALLCOVERINGS, INC.  
 PROSOFT, INC.  
 PROSOLVE, INC.  
 PROSOURCE INC.  
 PROSSER ENTERPRISES, INC.  
 PROTECTIVE SECURITY COMPANY, LTD.  
 PROTONAUT, INCORPORATED  
 PUERTO AZUL, CORPORATION  
 PUGET SOUND GRAPHICS, INC.  
 PUREPLAST INC.  
 QUALITY BUILDINGS, INC.  
 QUALITY CRAFT CONSTRUCTION INC.  
 QUALITY IN-HOUSE VIDEO, INC.  
 QUESTAR MEDIWORKS, INC.  
 QUICKSILVER, INC.  
 R & D SYSTEMS AUDITING (PNW), INC.  
 R C DEVELOPMENT, INC.  
 R K PRINTED PRODUCTS, INC.  
 R&R PLUMBING & HEATING, INC.  
 R. F. J., INC.  
 R. L. BROSY, INC.  
 R.B. & ASSOCIATES, INC.  
 R.C. CONSULTING, INC.  
 R.I.C. ADVISOR, INC.  
 R.T. HOMES, INCORPORATED  
 RADIO HART TV INC.  
 RADIO KOREA OF NORTHWEST INC.  
 RAINBOW CONSTRUCTION, INC.  
 RAINBOW GRAPHICS & PRINTING, INC.  
 RAINIER CAPITAL MORTGAGE CORP.  
 RAINIER ENERGY INC.  
 RAINTREE HOMES, INC.  
 RALPH ALTMANN REMODELING COMPANY, INC.  
 RALPH JOHNSON'S CARRIAGE HOUSE, INC.  
 RANCHO 1780, INC.  
 RAYS, INC.  
 RDF PUBLICATIONS, INC.  
 RE: ACTION, INC.  
 REBOUNDERS GYMNASTICS CENTER, INC.  
 RECLAMATION RESOURCES, INC.  
 RECRUITMENT EXCHANGE INCORPORATED  
 RED CORAL RESTAURANT INC.  
 RED ROOF PUB, INC.  
 REDWOOD LANDSCAPING, INC.  
 REITCLAIM, INC.  
 RESIDENTIAL MORTGAGE TRADING CORPORATION  
 RESPONSEWARE INC.  
 RESTRUCTURE, INC.  
 REUTERS HEALTH INFORMATION SERVICES INC.  
 RICHARD L. SINNOTT & COMPANY  
 RICHARDSON DEVELOPMENT, LTD.  
 RICK'S AUTOMOTIVE SERVICE INC.  
 RICK'S GUTTERS, INC.  
 RIEDEL OMNI RUBBER PRODUCTS, INC.  
 RIVERCREST HEALTH CARE, INC.  
 RIVERVIEW CONSTRUCTION & DESIGN, INC.  
 ROBERT J. ADOLPH P.S.  
 ROBERT JOHN REAL ESTATE CO.  
 ROBERT SCOTT SECURITIES, INC.  
 ROCKY MOUNTAIN TEMPORARIES, INC.  
 ROGERS & BROWN CUSTOM BROKERS, INC.  
 ROLLING HILLS WATER CORPORATION  
 ROLLINS HUDIG HALL OF KANSAS, INC.  
 ROXBURY CLINIC, INC., P.S.  
 ROY MINING GROUP, LTD., INC.  
 ROYAL CHINOOK CUTTING, INC.  
 ROYAL LINKS GOLF INTERNATIONAL, INC.  
 ROYAL PACIFIC INDUSTRIES, INC.  
 ROYAL PARK HOMES, INC.  
 RUBY MOON, INC.  
 RUSCO SERVICES, INC.  
 RUSSELL WOODWORKS & MORE, INC.  
 RYAN/DE TIENNE - A DESIGN-BUILD COMPANY  
 S & P MANAGEMENT SERVICES, INC.  
 S & W FABRICATION, INC.  
 S. P. DEVELOPING, INC.  
 S.F.M. CO., INC.  
 S.M.I. CONSTRUCTION COMPANY, INC.  
 SAFFEL AUTO PARTS, INC.  
 SAKAL, INC.  
 SALLIE IGOU, INC., P.S.  
 SALON COLUMBIA, INC.  
 SALVAGE LOGGING, INC.  
 SANDI ROSE LTD.  
 SANDPOINT CONSTRUCTION, INC.  
 SANDY'S RESORT, INC.  
 SANMINA CORPORATION  
 SAXBY'S TIRE CENTER INC.  
 SCARDINO HOUSING ENTERPRISES, INC.  
 SCHULER NORTHWEST, INC.  
 SEA-PAC INDUSTRIAL SUPPLY, INC.  
 SEABOARD HOLDING, INC.  
 SEAN ENTERPRISES, INC.  
 SEANAMEX CORPORATION  
 SEASTAR INSTRUMENTS, INC.  
 SEATTLE BUILDING CORP  
 SEATTLE COMMERCE CENTER - B, INC.

SEATTLE COMMERCE CENTER - CP, INC.  
 SEATTLE DOOR COMPANY INC.  
 SEATTLE QUALITY HOMES, INC.  
 SECURE FINANCIAL GROUP, INC.  
 SECURITY ASSET ADVISORS, INC.  
 SEIS-PULSE DEVELOPMENT CORPORATION  
 SELECT TECH, INC.  
 SENIRAJA FUJI TEPPANYAKI, INC.  
 SEQUIM DEPOT, INC.  
 SERVICE BATTERY, INC.  
 SERVICES WEST, INC.  
 SHAMROCK DREAM FACTORY LTD.  
 SHARPE CONSTRUCTION, INC.  
 SHERLOCK HOMES, INC.  
 SHIFA SERVICES, INC.  
 SHILSHOLE JUICE AND JAVA CO.  
 SHIPCO TRANSPORT INC.  
 SHORES VIDEO RENTAL, INC.  
 SHORETT & RIELY, INC.  
 SHOSKY'S, INC.  
 SIERRA INVESTMENT ADVISORS CORPORATION  
 SILVER AND GOLD EXPLORATION, INC.  
 SILVER KING RESORT, INC.  
 SILVER SLICE, INCORPORATED  
 SIPPTECH LIMITED, INC.  
 SISU, INC.  
 SKAGIT FLOOR COVERING, INC.  
 SKANSONIA CATERERS, INC.  
 SKYWAY CAFE INC.  
 SMART TRADE INTERNATIONAL INC.  
 SMEAL FIRE APPARATUS CO.  
 SMITH & SMITH BUILDERS INC.  
 SNAPCO II, INC.  
 SNOHOMISH RIVER QUEEN MANAGEMENT  
 CORP.  
 SOCCER INDOOR, AMERICA (WA) INC.  
 SOLIE CONSTRUCTION COMPANY, INC.  
 SOURCE SERVICES CORPORATION  
 SOUTHERN NEVADA RADIO, INC.  
 SOUTHERN PACIFIC FUNDING CORPORATION  
 SOUTHGATE SERVICES, INC.  
 SOUTHWEST RECOVERY CORPORATION  
 SPANAWAY FREIGHT CO.  
 SPCM, INC.  
 SPECIALIZED SHOW SERVICES OF YAKIMA, INC.  
 SPECIALTY OFFICE SUPPLIERS, INC.  
 SPECTIVE CORPORATION  
 SPECTRUM ONE, INC.  
 SPEEDY COURIER, INC.  
 SPEEDY DELIVERY, INC.  
 SPINNING REELS, INC.  
 SPIRIT DEVELOPMENT, INC.  
 SPORLEDERS, INC.  
 SPORTMAN REFERRAL NETWORK INC.  
 SPORTS MAGIC, INCORPORATED  
 STARNET, INC.  
 STEFANSSON CONSTRUCTION SERVICES, INC.  
 STEPHEN R. BLAKE & ASSOCIATES, P.S.  
 STEPHENS & STANGER, INC.  
 STIG'S DENTAL LABORATORY, INC.  
 STONE CONSTRUCTION, INC.  
 STORAGE SYSTEMS, INCORPORATED DBA  
 STORAGE SPECIALISTS, INCORPORATED  
 STRATEGY GAMES, INC.  
 SUMMIT CAPITAL CORPORATION  
 SUMMIT TECHNOLOGIES, INC.  
 SUMMIT XPRESS SERVICES INC.  
 SUNNYSIDE RANCH, INC.  
 SUNSET BP INC.  
 SUNSHINE INTERNATIONAL TRADING AND  
 CONSULTING COMPANY, LTD.  
 SUPPLY PLUS AND PIANO SERVICE, INC.  
 SVERDRUP & PARCEL AND ASSOCIATES, INC.  
 SYSCOM I, INC.  
 SYSTEM CONTROLS TECHNOLOGIES, INC.  
 SYSTEMS CONTROL CONSULTANTS, INC.  
 SYSTRONIX, INCORPORATED  
 T & D REPRESENTATIVES, INC.  
 T AND J'S SALES, INC.  
 T. ANTHONY & ASSOCIATES INC.  
 T. L. CORP.  
 T.C. THREE, INC.  
 TACHON, INC.  
 TAKOMA INCORPORATED  
 TALEGEN PROPERTIES, INC.  
 TALKING RAIN BEVERAGE COMPANY, INC.  
 TAN-JO RESTAURANT, INC.  
 TANGS INCORPORATED  
 TAYLOR MADISON INC.  
 TAYLOR REFRIGERATED TRANSPORT INC.  
 TELECOM MANAGEMENT STRATEGIES, INC.  
 TELECOM TRANSMISSION SPECIALISTS, INC.  
 TELETRIEVE SYSTEMS, INC.  
 TERRY NEWITT INSPECTION SERVICES, INC.  
 TF EXCHANGE & ESCROW, INC.  
 THE BEAMER CORP.  
 THE BIDDLE GROUP, INC.  
 THE CLOSET SHOP, INC.  
 THE COLUMBIA GROUP, LTD.  
 THE CONSUMERS' RESOURCE, INCORPORATED  
 THE DALLEX CORPORATION  
 THE ENERGY GROUP, INC.  
 THE ENTERPRISE GROUP, INC.  
 THE FAMILY CORPORATION  
 THE FINAL TOUCH, INC.  
 THE FUNDLINK CORPORATION  
 THE GALS WITH THE DOUGH INC.  
 THE GIGLIOTTI GROUP INC.  
 THE GORDON KING COMPANY  
 THE HALE GROUP DBA  
 THE HALE GROUP, INC.  
 THE HODDE AGENCY, INC.  
 THE HUMAN EDGE CO.  
 THE J'S SERVICES, INC.  
 THE LABOR POOL OF WASHINGTON, INC.  
 THE LAC VERT RESTAURANT, INC.  
 THE LEOTARD, INC.  
 THE PRUDENTIAL INVESTMENT CORPORATION  
 THE REEL STORY, INC.  
 THE RICHARDSON COMPANY  
 THE SEATTLE GUIDE, INC.  
 THE SELWYN A. COHEN CLINIC OF PLASTIC  
 SURGERY, INC., P.S.  
 THE UNDERGROUND LINEMAN, INC.

THE UNITED GROUP, INC.  
 THE VANTIVE CORPORATION  
 THEODORE CROWELL, M.D., P.S.  
 THIN, INC.  
 THOSE GUYS FROM SEATTLE ESPRESSO LTD.  
 TIMBER TIGER'S TREE SERVICE, INC.  
 TINKER, INC.  
 TOM ROBINSON CONSTRUCTION, INC.  
 TOMITCH CONSTRUCTION, INC.  
 TOOTSIE'S FRANCHISING CORPORATION  
 TOPPER'S ENGLISH FLORAL DESIGN, LTD.  
 TOT STOPPERS INC.  
 TOTAL OFFICEWORKS, INC.  
 TOWILL, INC.  
 TRANSPACIFIC INVESTMENTS LTD.  
 TRAVELEVERAGE, INC.  
 TRI-CITY ANIMAL EMERGENCY SERVICES, P.S.  
 TRI-CITY TRANSMISSIONS, INC.  
 TRIANGLE TELEVISION NETWORK, INC.  
 TRICON CORPORATION  
 TRICON TIMBER, INC.  
 TRIO SOFTWARE, INC.  
 TRIPLE A FARMING CO., INC.  
 TRIPLE A HOLDING CO., INC.  
 TRIPLE A PACKING CO., INC.  
 TROPICAL SCENES, INC.  
 TURNERS, INC.  
 TUTTLE & TUTTLE, INC.  
 TWR DEVELOPMENT CORP.  
 TYDEN CONSULTANTS, INC.  
 ULANICKI, INC.  
 ULTRA TECHNOLOGY CORPORATION  
 UNITED COMPUTER SERVICE, INC.  
 UNITED INTERNATIONAL GROUP, INC.  
 UNITED MILLWORK, INC.  
 UNITED MOBILE PRESSURE WASH, INC.  
 UNLIMITED SYSTEMS, INC.  
 USA MOBILE SHREDDING, INC.  
 USTRAVEL SYSTEMS, INC.  
 UTEL, INC.  
 V-N-M CORPORATION  
 V.T.S.A. INC.  
 VALGENE TILLER AND ASSOCIATES, LTD.  
 VANNER WELDON INCORPORATED  
 VARIABLE X PRODUCTIONS INC.  
 VELOTOURS NORTHWEST, INC.  
 VERNORS INC.  
 VERONICA M, INC.  
 VIKING ALLIANCE INVESTMENTS, INC.  
 VIKING ASSOCIATES, INC.  
 VILLAGE AT TOWN CENTER-428, INC.  
 VINCENT & ASSOCIATES, INC.  
 VISUTECH INC.  
 W. A. NEILSON, INC.  
 W. C. MECHANICAL, INC.  
 WALL DOCTORS UNLIMITED, INC.  
 WALL TECH, INC.  
 WALSTON OIL & GAS, INC.  
 WALTER CABOTT ENTERPRISES, INC.  
 WALTZ COMMUNICATION, INC.  
 WASHINGTON RECONSTRUCTION COMPANY  
 WASHINGTON WHOLESALE MORTGAGE, INC.

WASHINGTON-ALASKA ROOF SYSTEMS INC.  
 WATS/800, INC.  
 WAVE CREST, INC.  
 WEDGWOOD DEVELOPMENT, INC.  
 WENDLE TRUCKS, INC.  
 WESCO ENTERPRISES, INC.  
 WEST COAST ELECTRIC, INC.  
 WEST WATERWAY PROPERTIES, INC.  
 WESTCO APPARELSERVICE, INC.  
 WESTCOAST ROOFING, INC.  
 WESTERN CONSTRUCTION OF BELLEVUE, INC.  
 WESTERN ESPRESSO WORKS, INC.  
 WESTERN SERVICES, INC.  
 WESTERN STATES ADMINISTRATORS DBA  
 WESTERN STATES ADMINISTRATORS, INC.  
 WESTERN ULTRALIGHT, LTD.  
 WESTEST INCORPORATED  
 WHATCOM TAXI COMPANY, INC.  
 WHITEWOOD INTERNATIONAL, INC.  
 WILDCAT VENDING, INC.  
 WILDWOOD CONSTRUCTION, INC.  
 WILLIAM E. BRODERSEN, D.D.S., P. S.  
 WILLIAM JOHNS & ASSOCIATES, INC.  
 WILLOW CONSTRUCTION, INC.  
 WINDEV INC.  
 WINDY RIDGE INTERNATIONAL, INC.  
 WINTHROP MOTORS, INC.  
 WISMER & BECKER CONTRACTING ENGINEERS  
 D/B/A WISMER & BECKER CONTRACTING  
 WOODINVILLE PUBLIC AUTO AUCTION, INC.  
 WOODY'S DAIRY, INC.  
 WORKERS' COMPENSATION CONSULTING, INC.  
 WORLD HOUSING MANUFACTURING, INC.  
 WORLDWIDE VICTORY, INC.  
 X-L CONSTRUCTION, INC. DBA  
 X-L CABLE CONSTRUCTION  
 Y & L CORPORATION  
 YACHT PRO SERVICES, INC.  
 YANG ENTERPRISES, LTD.  
 YANKEE PRIDE CONSTRUCTION, INC.  
 YUKON RETAIL VENTURES, INC.  
 ZAMBCO, INC.

Voluntary Dissolutions  
July 1995

AGGREGATION CONSULTING, INCORPORATED  
 601 483 287 July 25, 1995  
 2-476637-0 Washington  
 SAVVY, LIMITED  
 601 035 383 July 25, 1995  
 2-389544-4 Washington  
 JONTAO, INC.  
 601 628 493 July 19, 1995  
 2-512680-6 Washington  
 HIGHCASTLE CLOTHING COMPANY  
 601 550 080 July 11, 1995  
 2-492674-3 Washington  
 SALT & LIGHT COMMUNICATIONS, INC.  
 601 562 738 July 11, 1995  
 2-495668-2 Washington

## SEALTECH NORTHWEST, INC.

601 560 392 July 11, 1995  
2-494428-2 Washington

## TUTTLE MEDICAL, INC.

601 484 408 July 25, 1995  
2-477579-3 Washington

## ORCAS YOUTH CENTER

601 636 510 July 27, 1995  
2-513035-2 Washington

## BENCHMARK SERVICES, LTD.

601 586 887 July 28, 1995  
2-500902-8 Washington

## BIG KIDS TOYS, INC.

601 532 898 July 14, 1995  
2-488775-4 Washington

## EVERGREEN PIZZA CO.

601 330 153 July 27, 1995  
2-444836-7 Washington

## JOSEPH STROUM CO., INC.

578 086 608 July 19, 1995  
2-188270-9 Washington

## GLORY BOUND, INC.

601 523 968 July 19, 1995  
2-486563-6 Washington

## ANSETT INDUSTRIES LEASING, INC.

601 169 969 July 19, 1995  
2-411229-4 Washington

## GIFT SERVICES NORTHWEST, INC.

601 075 458 July 28, 1995  
2-397810-9 Washington

MASONIC RETIREMENT CENTER OF  
WASHINGTON ENDOWMENT FUND

601 590 401 July 25, 1995  
2-501591-8 Washington

MASONIC RETIREMENT CENTER OF  
WASHINGTON FUND

601 590 402 July 25, 1995  
2-501592-6 Washington

## NH TRADING INC.

600 632 379 July 25, 1995  
2-376450-9 Washington

## SELMA PACIFIC PROPERTIES INC.

601 217 466 July 26, 1995  
2-420381-2 Washington

## CUSTOM DRYWALL INCORPORATED

601 359 528 July 27, 1995  
2-451298-0 Washington

## CHARAWELL CONSTRUCTION INCORPORATED

600 057 747 July 21, 1995  
2-216663-1 Washington

## FOS-SEA FISHERIES, INC.

601 099 660 July 21, 1995  
2-402701-3 Washington

## FROST RANCH LTD.

601 108 412 July 21, 1995  
2-297229-3 Washington

## HALLMARK FEDERAL MORTGAGE, INC.

601 483 290 July 21, 1995  
2-477170-1 Washington

## MARINER PACIFIC FISHERIES, INC.

601 099 661 July 21, 1995  
2-402700-5 Washington

## EAST-WEST ASSOCIATES, INC.

601 112 442 July 20, 1995  
2-375249-6 Washington

## THOMAS S. MONTGOMERY, M.D., P.S.

600 401 580 July 20, 1995  
2-309071-5 Washington

WASHINGTON PHYSICIANS SERVICE,  
INC.

578 029 950 July 20, 1995  
2-078047-4 Washington

COBRA CLEANING & RESTORATION  
INCORPORATED

601 601 778 July 14, 1995  
2-504285-4 Washington

## DAYBREAK FARMS, INC.

600 400 305 July 17, 1995  
2-295960-5 Washington

KINGSWOOD TOWNHOMES GENERAL  
PARTNER, INC.

601 394 063 July 27, 1995  
2-458508-5 Washington

## WHITCHER &amp; WHITCHER, INC.

601 270 825 July 10, 1995  
2-431748-9 Washington

## CAPTIAN'S CORNER INC.

601 615 724 July 12, 1995  
2-508686-9 Washington

## ELIZABETH FARMS, INC.

601 106 236 July 12, 1995  
2-216900-7 Washington

## BRIGHTSTAR CORPORATION

601 608 855 July 10, 1995  
2-505730-8 Washington

## FOX AUTO SALES, INC.

578 067 497 July 10, 1995  
2-168983-1 Washington

## HIGHER DIMENSIONS TRANSPORTATION

601 590 317 July 10, 1995  
2-501588-4 Washington

## THE FACTORIA PUB, INC.

601 361 996 July 6, 1995  
2-451186-7 Washington

## ACCENT TABLE LIGHTING CO.

601 397 435 July 7, 1995  
2-459026-7 Washington

**AVIATEK, INC.**

600 567 358 July 7, 1995  
2-345052-1 Washington

**MATT/GRACZYK & ASSOCIATES, INC.**

601 154 663 July 7, 1995  
2-408261-2 Washington

**PACIFIC RIM TOURS, INC.**

601 560 674 July 7, 1995  
2-494916-6 Washington

**RICHMOND PHARMACY, INC.**

578 073 216 July 7, 1995  
2-174886-8 Washington

**LIMIN HOLDING, LTD.**

601 438 914 July 3, 1995  
2-467676-9 Washington

**FUJITSU AMERICA, INC.**

601 119 211 July 31, 1995  
0-064856-8 California

**CLAYTON COATINGS, INC.**

600 465 119 July 25, 1995  
0-074705-5 California

**RREEF-IV, INC.**

601 117 312 July 26, 1995  
0-062964-2 Delaware

**TCEM, INC.**

601 488 813 July 26, 1995  
0-090985-3 Oregon

**THE ANCHOR PACKING COMPANY**

409 001 392 July 19, 1995  
0-069629-4 Delaware

**JAMES RIVER CORPORATION OF VIRGINIA**

601 030 127 July 20, 1995  
0-078132-8 Virginia

**PUBLIC STORAGE PROPERTIES VII, INC.**

dba CALIFORNIA PUBLIC STORAGE  
PROPERTIES VII, INC.

601 331 861 July 14, 1995  
0-085411-7 California

**MI HOLDINGS, INC.**

601 166 955 July 6, 1995  
0-065803-9 Missouri

**PHILLIPS OIL COMPANY**

601 115 007 July 3, 1995  
0-071465-9 Delaware

**TRAMMELL CROW NORTHWEST PROPERTIES, INC.**

601 401 853 July 3, 1995  
0-087746-4 Delaware

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

WSR 95-24-006

**DEPARTMENT OF ECOLOGY**

[Filed November 22, 1995, 3:05 p.m.]

**DETERMINATION OF NONSIGNIFICANCE****Vashon-Maury Island Ground Water Management Plan**

**Description of Proposal:** The Vashon-Maury Island Ground Water Management Plan (VMI-GWMP) was developed by the Vashon Ground Water Advisory Committee (VMI-GWAC) to meet the ground water protection needs of the area. The goal of the VMI-GWMP is to protect the quality and quantity of ground water within the area for present and future use, and to provide for effective and coordinated management of this essential resource. With expected increases in population and the populations' reliance on ground water it is clear that a comprehensive ground water plan tailored to the specific needs of the island is necessary to protect the ground water supply. Ground water provides most of the water used in the Vashon-Maury Island Ground Water Management Area (VMI-GWMA) for private, municipal, industrial, and agricultural needs.

**Proponent:** Seattle-King County Health Department on behalf of the Vashon-Maury Island Ground Water Advisory Committee.

**Location of Proposal:** The VMI-GWMA is located near the south end of Puget Sound in the southwestern corner of King County, southwest of Seattle and north of Tacoma, in Washington state (refer to Figure 1). The Island lies in the Puget Lowland, a trough located between the Olympic Mountains to the west and the Cascade Mountains to the east. Vashon Island is roughly 13 miles north-to-south and 4 miles east-to-west, while Maury Island is about 5 miles in a northeast-southwest direction and roughly 2 miles east-to-west.

The island is separated from the surrounding mainland by narrow channels of Puget Sound. Colvos Passage, about 1 mile wide, separates the Island from the Kitsap Peninsula to the west. The shortest distance between the Island and the mainland is to the south, about 1 1/2 miles across Dalco Passage. The mainland to the east of the Island lies from 2 1/2 to 4 miles across Puget Sound. West Seattle lies about 5 miles north-northeast of the northern tip of the Island.

**Lead Agency:** Seattle-King County Health Department.

Under chapter 173-100 WAC, the proposed ground water management program is subject to review pursuant to the State Environmental Policy Act. The lead agency is responsible for reviewing the environmental checklist and issuing a determination based upon the checklist. The lead agency recognizes that elements of the proposed ground water management plan may change during the concurrence process when implementing agencies, including the Seattle-King County Health Department, review the VMI-GWMP in its entirety for implementation feasibility.

The Seattle-King County Health Department, acting as the lead agency for this proposal, has determined that the proposed Vashon-Maury Island Ground Water Management Plan does not have a probable significant adverse impact on the environment. An environmental impact statement is not required under RCW 43.21C.030 (2)(c). This decision was

made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This Determination of Nonsignificance is issued under WAC 197-11-340(2): The lead agency will not act on this proposal for forty-five days from the date below. Comments must be submitted by December 31, 1995.

**Responsible Official(s), Position/Title:** Dr. Alonzo Plough, Director of Public Health, and Mr. Carl Osaki, Chief of the Environmental Health Division.

**Phone(s):** 296-4603, 296-4722

**Address:** 110 Prefontaine Place South, Suite 600, Seattle, WA 98104.

#### WSR 95-24-007

#### DEPARTMENT OF ECOLOGY

[Filed November 22, 1995, 3:06 p.m.]

#### DETERMINATION OF NONSIGNIFICANCE

##### East King County Ground Water Management Plan

**Description of Proposal:** The East King County Ground Water Management Plan (EKC-GWMP) was developed by the East King County Ground Water Advisory Committee (EKC-GWAC) to meet the ground water protection needs of the area. The goal of the EKC-GWMP is to protect the quality and quantity of ground water within the area for present and future use, and to provide for effective and coordinated management of this essential resource. With expected increases in population and the populations' reliance on ground water it is clear that a comprehensive ground water plan tailored to the specific needs of the region is necessary to protect the ground water supply. Ground water provides most of the water used in the East King County Ground Water Management Area (EKC-GWMA) for private, municipal, industrial, and agricultural needs.

**Proponent:** Seattle-King County Health Department on behalf of the East King County Ground Water Advisory Committee.

**Location of Proposal:** The EKC-GWMA is located in north central King County, approximately 20 miles northeast of Seattle, Washington (refer to Figure 1). The EKC-GWMA covers approximately 250 square miles in the north central portion of King County. It is bounded on the north by the Snohomish County line, on the west by Lake Sammamish and the topographic divide between the Bear Creek (the south and east boundary of the Redmond-Bear Creek Ground Water Management Area) and the Snoqualmie River valley, on the east by the Cascade mountains and foothills and on the south by the topographic divide between the Issaquah Creek (the northern boundary of the Issaquah Ground Water Management Area) and the Raging River (which flows to the Snoqualmie River Valley), Interstate 90, and timber production lands (Figure 2.2.1.).

**Lead Agency:** Seattle-King County Health Department.

Under chapter 173-100 WAC, the proposed ground water management program is subject to review pursuant to the

State Environmental Policy Act. The lead agency is responsible for reviewing the environmental checklist and issuing a determination based upon the checklist. The lead agency recognizes that elements of the proposed ground water management plan may change during the concurrence process when implementing agencies, including the Seattle-King County Health Department, review the EKC-GWMP in its entirety for implementation feasibility.

The Seattle-King County Health Department, acting as the lead agency for this proposal, has determined that the proposed East King County Ground Water Management Plan does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under WAC 197-11-340(2): The lead agency will not act on this proposal for forty-five days from the date below. Comments must be submitted by December 31, 1995.

**Responsible Official(s), Position/Title:** Alonzo Plough, Director, Seattle-King County Department of Public Health; Carl Osaki, Chief of the Environmental Health Division.

**Phone(s):** 296-4603, 296-4722

**Address:** 110 Prefontaine Place South, Suite 600, Seattle, WA 98104.

#### WSR 95-24-008

#### DEPARTMENT OF ECOLOGY

[Filed November 22, 1995, 3:07 p.m.]

#### PUBLIC WORKSHOP AND HEARING

#### DRAFT EAST KING COUNTY

#### GROUND WATER MANAGEMENT AREA PROGRAM

The Department of Ecology will hold a workshop and hearing on the draft East King County Ground Water Management Area Program. The workshop and hearing will be held on:

**Date:** December 13, 1995  
**Time:** 7:00 p.m.  
**Place:** Tolt Middle School  
 3740 Tolt Avenue  
 Carnation

The draft East King County Ground Water Management Area Program is the result of several years of work by the East King County Ground Water Management Advisory Committee. It is a program developed to address ground water issues in the area.

The workshop will consist of a short presentation and discussion on the plan, followed by the public hearing. The public hearing is a formal process where oral comments can be given.

The hearing starts the "findings" process for this program. In preparing findings, affected local governments assess the proposed program, as best they can, for technical soundness,



economic feasibility, and consistency with laws and regulations. The period for governments to prepare findings lasts ninety days from the hearing and ends on March 11, 1996. Findings from affected governments should be sent to:

Paul Shallow  
Seattle-King County Department of Public Health  
Environmental Health Division  
Room 201 Smith Tower  
Seattle, WA 98104

Written comments will be accepted for a period of ninety days from the date of the hearing (until March 11, 1996) and can be addressed or faxed to:

Laura Lowe  
Department of Ecology  
P.O. Box 47600  
Olympia, WA 98504-7600  
Phone (360) 407-7255  
FAX (360) 407-6535

At the end of the comment period, the Seattle-King County Department of Public Health (as lead agency) consolidates comments from the governments and presents them to the Ground Water Advisory Committee (GWAC). The GWAC then resolves areas of nonconcurrence, if any, and presents the plan to ecology for consideration and certification.

For disability accommodation, call Laura Lowe at (360) 407-7255.

**WSR 95-24-009**  
**DEPARTMENT OF ECOLOGY**

[Filed November 22, 1995, 3:08 p.m.]

**PUBLIC WORKSHOP AND HEARING**  
**DRAFT VASHON-MAURY ISLAND**  
**GROUND WATER MANAGEMENT AREA PROGRAM**

The Department of Ecology will hold a workshop and hearing on the draft Vashon-Maury Island Ground Water Management Area Program. The workshop and hearing will be held on:

Date: December 14, 1995  
Time: 7:00 p.m.  
Place: Vashon High School  
20120 Vashon Highway Southwest

The draft Vashon-Maury Island Ground Water Management Area Program is the result of several years of work by the Vashon-Maury Island Ground Water Management Advisory Committee. It is a program developed to address ground water issues in the area.

The workshop will consist of a short presentation and discussion on the plan, followed by the public hearing. The public hearing is a formal process where oral comments can be given.

The hearing starts the "findings" process for this program. In preparing findings, affected local governments assess the proposed program, as best they can, for technical soundness, economic feasibility, and consistency with laws and regulations. The period for governments to prepare findings lasts

ninety days from the hearing and ends on March 12, 1996. Findings from affected governments should be sent to:

Paul Shallow  
Seattle-King County Department of Public Health  
Environmental Health Division  
Room 201 Smith Tower  
Seattle, WA 98104

Written comments will be accepted for a period of ninety days from the date of the hearing (until March 12, 1996) and can be addressed or faxed to:

Laura Lowe  
Department of Ecology  
P.O. Box 47600  
Olympia, WA 98504-7600  
Phone (360) 407-7255  
FAX (360) 407-6535

At the end of the comment period, the Seattle-King County Department of Public Health (as lead agency) consolidates comments from the governments and presents them to the Ground Water Advisory Committee (GWAC). The GWAC then resolves areas of nonconcurrence, if any, and presents the plan to ecology for consideration and certification.

For disability accommodation, call Laura Lowe at (360) 407-7255.

**WSR 95-24-020**  
**NOTICE OF PUBLIC MEETINGS**  
**ENERGY FACILITY**  
**SITE EVALUATION COUNCIL**  
[Memorandum—November 20, 1995]

**1996 MEETING SCHEDULE**

January 8, 1996  
February 12, 1996  
March 11, 1996  
April 8, 1996  
May 13, 1996  
June 10, 1996  
July 8, 1996  
August 12, 1996  
September 9, 1996  
October 14, 1996  
November 12, 1996  
December 9, 1996

The council meets on the 2nd Monday of each month. The meetings begin at 1:30 p.m. in the Labor and Industries Auditorium at 7273 Linderson Way S.W., Tumwater, WA.

The Council's Executive Committee meets on the 1st and 3rd Mondays of each month. The meetings begin at 1:45 p.m. in Conference Room 308 at the Washington State Energy Office.

For more information on council activities, or people who plan to attend the meetings and require special assistance or auxiliary aids, please contact EFSEC Manager, Jason Zeller at the Washington State Energy Office at (360) 956-2047 as early as possible prior to the meetings.

1996 MEETING SCHEDULE

January	February	March	April
2 Executive	5 Executive	4 Executive	1 Executive
8 Council	12 Council	11 Council	8 Council
16 Executive	20 Executive	18 Executive	15 Executive
May	June	July	August
6 Executive	3 Executive	1 Executive	5 Executive
13 Council	10 Council	8 Council	12 Council
20 Executive	17 Executive	15 Executive	19 Executive
September	October	November	December
3 Executive	7 Executive	4 Executive	2 Executive
9 Council	14 Council	12 Council	9 Council
16 Executive	21 Executive	18 Executive	16 Executive

Council Meetings

1:30 p.m.

Department of Labor and Industries  
Auditorium

Linderson Way, Tumwater

Executive Committee Meetings

1:45 p.m. - 3:30 p.m.

Conference Room 308

Washington State Energy Office

EFSEC Mailing Address

P.O. Box 43172

Olympia, WA 98504-3172

(360) 956-2047

WSR 95-24-021

NOTICE OF PUBLIC MEETINGS

EASTERN WASHINGTON UNIVERSITY

[Memorandum—November 27, 1995]

BOARD OF TRUSTEES

December 1, 1995, 9:00 a.m.

Cheney Campus

Pence Union Building

Room 263-65

Breakfast, which is open to the public, will be served to board members prior to the meeting at 8:00 a.m. in the PUB Board Room.

Eastern Washington University strives to satisfy all requests for special access needs for persons with disabilities. Requests for such accommodation are welcome and may be made by calling President's Office, 359-2371.

WSR 95-24-022

NOTICE OF PUBLIC MEETINGS

WALLA WALLA

COMMUNITY COLLEGE

[Memorandum—November 21, 1995]

The following schedule of regular meetings of the board of trustees of Walla Walla Community College for 1996 was adopted at their meeting on November 15, 1995. Time of the meetings will be 10:30 a.m. unless other advised.

1996 MEETING SCHEDULE

FOR

WALLA WALLA COMMUNITY COLLEGE  
BOARD OF TRUSTEES

WWCC Board Room

(Meeting times are at 10:30 a.m. unless otherwise advised)

Wednesday, January 17, 1996

Wednesday, February 21, 1996

Wednesday, March 20, 1996

Wednesday, April 17, 1996 at Clarkston

Wednesday, May 15, 1996

Wednesday, June 26, 1996

Wednesday, July 17, 1996 (optional)

Wednesday, August 21, 1996 (optional)

Wednesday, September 18, 1996

Wednesday, October 16, 1996

Wednesday, November 20, 1996

Wednesday, December 18, 1996

WSR 95-24-025

NOTICE OF PUBLIC MEETINGS

CONVENTION AND TRADE CENTER

[Memorandum—November 27, 1995]

The Design Committee of the Washington State Convention and Trade Center (WSCTC) will meet on Monday, December 4, 1995, from 1:30 - 4:30 p.m. in Room 210; and Wednesday, December 20, 1995, from 10:00 a.m. - 1:15 p.m. in Rooms 307-8.

A regular meeting of the WSCTC board of directors will be held on Wednesday, December 20, at 1:30 p.m. in Room 310.

These meetings will be held at the Convention Center located at 800 Convention Place in Seattle.

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

WSR 95-24-026

NOTICE OF PUBLIC MEETINGS

MARINE EMPLOYEES' COMMISSION

[Memorandum—November 27, 1995]

The following is a schedule of the 1996 regular meetings of the Marine Employees' Commission, as adopted by the commission on October 27, 1995:

<u>Month</u>	<u>Day</u>	<u>Location</u>
January	26	Olympia
February	23	Olympia
March	29	Seattle
April	26	Seattle
May	31	Bremerton
June	28	Seattle
July	26	Seattle
August	23	Everett
September	27	Seattle
October	25	Seattle

MISCELLANEOUS

November NO MEETING  
December 13 Seattle

All meetings begin at 10:00 a.m. January and February 1996, meetings will be held at the offices of the Marine Employees' Commission, Evergreen Plaza Building, 711 Capitol Way South, Olympia, phone (360) 586-6354, FAX (360) 943-9368.

Meetings scheduled in Seattle are generally held at the Washington State Ferries Terminal, "Spike" Eikum Conference Room, Colman Dock, Pier 52.

Some meetings are scheduled for other Washington State Ferry System offices. The May 31, 1995 [1996], meeting will be held at the WSF South Regional Office at 800 11th Street in Bremerton. The August 23, 1995 [1996], meeting will be held at the WSF North Regional Office at 9930 Evergreen Way, Suite C-116 in Everett. Information about these meeting sites can be obtained by writing to the commission at the address listed below or by calling (360) 586-6354.

Meeting sites are barrier free to the greatest extent possible. Braille or taped agenda items for visually impaired persons, and interpreters for individuals with hearing impairment will be provided if requested with adequate notice. Such requests should be made at least ten working days in advance of the scheduled meeting date, and should be addressed to:

Janis Lien, Administrative Assistant  
Marine Employees' Commission  
Evergreen Plaza Building  
P.O. Box 40902  
Olympia, WA 98504-0902

**WSR 95-24-028**  
**NOTICE OF PUBLIC MEETINGS**  
**TRANSPORTATION COMMISSION**  
[Memorandum—November 17, 1995]

The December 1995 Washington State Transportation Commission meetings will be held at 1:00 p.m. on Wednesday, December 20, and 9:00 a.m. on Thursday, December 21, 1995, at the Transportation Building, Room 1D2, Olympia, Washington. There will be committee meetings at 9:00 a.m., Wednesday, December 20, also at the Transportation Building, Rooms 1D2 and 3F21.

The January 1996 Washington State Transportation Commission meetings will be held at 10:00 a.m. on Tuesday, January 16, 1996, at the PSRC Offices, 1011 Western Avenue, Suite 500, in Seattle; and at 1:00 p.m. on Wednesday, January 17, and 9:00 a.m. on Thursday, January 18, 1996, at the Transportation Building, Room 1D2, Olympia, Washington. There will be committee meetings at 9:00 a.m., Wednesday, January 17, also at the Transportation Building, Rooms 1D2 and 3F21.

**WSR 95-24-029**  
**NOTICE OF PUBLIC MEETINGS**  
**COUNTY ROAD**  
**ADMINISTRATION BOARD**  
[Memorandum—November 20, 1995]

MEETING NOTICE: January 10, 1996, County Road Administration Board, 2404 Chandler Court S.W., Suite 240, Olympia, WA 98504-0913, 1:00 p.m. - 5:00 p.m.; and January 11, 1996, County Road Administration Board, 2404 Chandler Court S.W., Suite 240, Olympia, WA 98504-0913, 8:00 a.m. - 12:00 noon.

Individuals requiring reasonable accommodation may request written materials in alternative formats, sign language interpreters, physical accessibility accommodations, or other reasonable accommodation, by contacting Karen Pendleton at (360) 753-5989, hearing and speech impaired persons can call 1-800-833-6384.

**WSR 95-24-033**  
**NOTICE OF PUBLIC MEETINGS**  
**WASHINGTON STATE**  
**HISTORICAL SOCIETY**  
[Memorandum—November 28, 1995]

1996 Meeting Schedule

February 19, 1996	Olympia
May 17, 1996	Tacoma
August 16, 1996	Pasco
November 15, 1996	Tacoma

**WSR 95-24-034**  
**NOTICE OF PUBLIC MEETINGS**  
**CASCADIA COMMUNITY COLLEGE**  
[Memorandum—November 28, 1995]

1996 Board of Trustees - Meeting Dates

January 8, 1996 6:30 p.m.	Northshore Center 22002 26th Avenue S.E. Bothell, WA 98021
February 12, 1996 7:00 p.m.	Cedarcrest High School 29000 N.E. 150th Street Duvall, WA 98019
March 11, 1996 6:30 p.m.	Northshore Center 22002 26th Avenue S.E. Bothell, WA 98021
April 8, 1996 6:30 p.m.	Northshore Center 22002 26th Avenue S.E. Bothell, WA 98021
May 13, 1996 6:30 p.m.	Northshore Center 22002 26th Avenue S.E. Bothell, WA 98021
June 10, 1996 6:30 p.m.	Northshore Center 22002 26th Avenue S.E. Bothell, WA 98021

MISCELLANEOUS

July 8, 1996 6:30 p.m.	Northshore Center 22002 26th Avenue S.E. Bothell, WA 98021
August 12, 1996 6:30 p.m.	Northshore Center 22002 26th Avenue S.E. Bothell, WA 98021
September 9, 1996 6:30 p.m.	Northshore Center 22002 26th Avenue S.E. Bothell, WA 98021
October 14, 1996 6:30 p.m.	Northshore Center 22002 26th Avenue S.E. Bothell, WA 98021
November 18, 1996 6:30 p.m.	Northshore Center 22002 26th Avenue S.E. Bothell, WA 98021
December 9, 1996 6:30 p.m.	Northshore Center 22002 26th Avenue S.E. Bothell, WA 98021

**WSR 95-24-042**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
 (Board of Boiler Rules)  
 [Memorandum—November 29, 1995]

The Board of Boiler Rules for 1996 will be held on the following dates in January, March, May, September and November 1996 commencing at 10:00 a.m. A study day, which is open to the public, is for board discussion only and will be held on the Monday preceding the board meeting.

Dates and locations are as follows:

January 15, 1996 (Study)	Bellevue L&I Office
January 16, 1996 (Public Meeting)	Tukwila L&I Office 12806 Gateway Drive
March 18, 1996 (Study)	Longview L&I Office
March 19, 1996 (Public Meeting)	900 Ocean Beach Highway
May 20, 1996 (Study)	Bellevue L&I Office
May 21, 1996 (Public Meeting)	Tukwila L&I Office 12806 Gateway Drive
September 16, 1996 (Study)	Olympia L&I Building
September 17, 1996 (Public Meeting)	7273 Linderson Way Tumwater
November 18, 1996 (Study)	Bellingham L&I Office
November 19, 1996 (Public Meeting)	1720 Ellis Street - Suite 200

Board study days for January and May will be held at the Bellevue L&I office. Maps of the meeting locations will be mailed to those interested in attending. Please call (360) 902-5270 if more information is required.

**WSR 95-24-043**  
**NOTICE OF PUBLIC MEETINGS**  
**EDMONDS COMMUNITY COLLEGE**  
 [Memorandum—November 28, 1995]  
**BOARD OF TRUSTEES**  
**SPECIAL MEETING NOTICE**

The Edmonds Community College board of trustees will meet Wednesday, December 13, 1995, at 4:30 p.m. in the Sno-King Building Boardroom 103, located at 6600 196th S.W., Lynnwood.

This special meeting will replace the special board meeting scheduled December 14, 1995.

An executive session may be held for any of those items for which an executive session may be held under the Open Public Meetings Act.

**WSR 95-24-049**  
**PROCLAMATION**  
**OFFICE OF THE GOVERNOR**  
 [November 28, 1995]

**WHEREAS**, on November 7, 1995, heavy, warm rains, high winds, and melting snow pack have caused all rivers in western Washington and major rivers flowing from the eastern slopes of the central and south Cascade Mountains to rise and cause flooding; and

**WHEREAS**, extensive damage has occurred to roads; and

**WHEREAS**, the Military Department, Emergency Management has activated the Emergency Operations Center to a Phase III level; and

**WHEREAS**, substantial impacts have been felt throughout western Washington; and

**WHEREAS**, the potential exists to cause loss of life and inflict injuries; and

**WHEREAS**, the severity and magnitude of the destruction and damage from the flood is beyond the normal capabilities of the state.

**NOW, THEREFORE, I, MIKE LOWRY**, Governor of the State of Washington, as a result of the aforementioned situation and under the provisions of Chapter 38.52 and 43.06, Revised Code of Washington do hereby proclaim a State of Emergency exists in Mason, Snohomish, Skagit, Pierce, Lewis, King, Clark, Clallam, Jefferson, Yakima, and Thurston Counties. I hereby direct state departments and agencies to utilize state resources and do everything possible to assist the affected political subdivisions in an effort to manage the emergency. I hereby authorize activation of the Washington State National Guard. Additionally, the Military Department, Emergency Management is instructed to coordinate all state agency activities in the affected area.

MISCELLANEOUS

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this twenty-eighth day of November, A.D., nineteen hundred and ninety-five.

Mike Lowry  
Governor of Washington

ATTEST:

Michelle Burkheimer  
Acting Deputy Secretary of State

**WSR 95-24-050**  
**PROCLAMATION**  
**OFFICE OF THE GOVERNOR**  
[November 29, 1995]

**WHEREAS**, the major flooding which began November 7, 1995 is continuing to cause extensive damage throughout Washington State; and

**WHEREAS**, flooding has caused extensive damage to homes, businesses, roads, and bridges in Whatcom, Cowlitz and Chelan counties; and

**NOW, THEREFORE, I, Mike Lowry, Governor of the state of Washington as a result of the aforementioned situation and under RCW 43.06 and 38.52, do hereby proclaim that a State of Emergency exists in Whatcom, Cowlitz, and Chelan counties. I hereby direct state departments and agencies to utilize state resources and do everything possible to assist the affected political subdivisions in an effort to manage the emergency.**

**IN WITNESS** whereas, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia, this twenty-ninth day of November, A.D., nineteen hundred and ninety-five.

Mike Lowry  
Governor of Washington

BY THE GOVERNOR

Ralph Munro  
Secretary of State

**WSR 95-24-055**  
**NOTICE OF PUBLIC MEETINGS**  
**COMMUNITY COLLEGES OF SPOKANE**  
[Memorandum—November 27, 1995]

BOARD OF TRUSTEES  
WASHINGTON COMMUNITY COLLEGE DISTRICT 17

Notice is hereby given, pursuant to RCW 42.30.075, that the regular meetings of the board of trustees of Washington

Community College District 17 (Community Colleges of Spokane) during calendar year 1996 shall be held at 1:30 p.m. on the following dates and in the following locations:

Date	Location and Address
January 16, 1996	Spokane Falls Community College President's Conference Room Administration Building 3410 West Fort George Wright Drive Spokane, WA 99204-5288
February 20, 1996	Spokane Community College Littlefoot Room, Lair 1810 North Greene Street Spokane, WA 99207-5399
March 19, 1996	Community Colleges of Spokane District Board Room District Administration Building 2000 North Greene Street Spokane, WA 99207-5499
April 23, 1996	Institute for Extended Learning Airway Heights Correction Center 11919 West Sprague Avenue Airway Heights, WA 99001-1899
May 21, 1996	Spokane Community College Littlefoot Room, Lair 1810 North Greene Street Spokane, WA 99207-5399
June 18, 1996	Community Colleges of Spokane District Board Room District Administration Building 2000 North Greene Street Spokane, WA 99207-5499
July 16, 1996	Community Colleges of Spokane District Board Room District Administration Building 2000 North Greene Street Spokane, WA 99207-5499
August 20, 1996	Community Colleges of Spokane District Board Room District Administration Building 2000 North Greene Street Spokane, WA 99207-5499
September 17, 1996	Community Colleges of Spokane District Board Room District Administration Building 2000 North Greene Street Spokane, WA 99207-5499
October 15, 1996	Institute for Extended Learning Hillyard Center 4410 North Market Street Spokane, WA 99207-5829
November 19, 1996	Spokane Falls Community College President's Conference Room Administration Building 3410 West Fort George Wright Drive Spokane, WA 99204-5288
December 17, 1996	Community Colleges of Spokane District Board Room District Administration Building 2000 North Greene Street Spokane, WA 99207-5499

\*With the exception of April (which is the fourth Tuesday of the month), all meetings are on the third Tuesday of each month.

MISCELLANEOUS

**WSR 95-24-056**  
**NOTICE OF PUBLIC MEETINGS**  
**SEATTLE COMMUNITY COLLEGES**  
[Memorandum—November 27, 1995]

The Seattle Community College District board of trustees will meet for an official board photo session on December 5, 1995.

The meeting will be at 5:00 p.m., prior to the 6:00 p.m. regular board of trustees meeting, at Seattle Central Community College, in the Broadway Performance Hall, 1701 Broadway, Seattle, WA 98122.

September 23, 1996

December 9, 1996

Medical Art Center  
400 South 43rd Street  
Renton, WA 98055

Valley Medical Center  
Medical Art Center  
400 South 43rd Street  
Renton, WA 98055

Valley Medical Center  
Medical Art Center  
400 South 43rd Street  
Renton, WA 98055

**WSR 95-24-057**  
**PROCLAMATION**  
**OFFICE OF THE GOVERNOR**  
[November 30, 1995]

**WHEREAS**, the major flooding which began November 7, 1995 is continuing to cause extensive damage throughout Washington State; and

**WHEREAS**, flooding has caused extensive damage to homes, businesses, roads, and bridges in Kittitas and Wahkiakum counties;

**NOW, THEREFORE**, I, Mike Lowry, Governor of the state of Washington as a result of the aforementioned situation and under RCW 43.06 and 38.52, do hereby proclaim that a State of Emergency exists in Kittitas and Wahkiakum counties. I hereby direct state departments and agencies to utilize state resources and do everything possible to assist the affected political subdivisions in an effort to manage the emergency.

**IN WITNESS** whereas, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia, this thirtieth day of November, A.D., nineteen hundred and ninety-five.

Mike Lowry  
Governor of Washington

**BY THE GOVERNOR:**

Ralph Munro  
Secretary of State

**WSR 95-24-061**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF HEALTH**  
(Examining Board of Psychology)  
[Memorandum—December 1, 1995]

The following is a list of 1996 meeting dates for the Examining Board of Psychology.

- March 18, 1996 Valley Medical Center  
Medical Art Center  
400 South 43rd Street  
Renton, WA 98055
- June 3, 1996 Valley Medical Center

**WSR 95-24-064**  
**NOTICE OF PUBLIC MEETINGS**  
**STATE BOARD OF EDUCATION**  
[Memorandum—December 4, 1995]

**SCHEDULE OF**  
**REGULAR MEETING DATES AND LOCATIONS**  
**1996 CALENDAR YEAR**

- January 24-26, 1996 Educational Service District 113  
Thurston Room  
601 McPhee Road S.W.  
Olympia, WA 98502-5080  
(360) 586-2933
- March 20-22, 1996 Olympia School District  
Board Room  
1113 Legion Way S.E.  
Olympia, WA 98501  
(360) 753-0164
- May 15-17, 1996 Richland School District  
Board Room  
615 Snow Avenue  
Richland, WA 99352  
(509) 946-6106
- July 17-19, 1996 North Thurston School District  
Board Room  
305 College Street N.E.  
Lacey, WA 98516-5390  
(360) 493-9115
- September 18-20, 1996 Bellarmine Preparatory  
2300 South Washington  
Tacoma, WA 98405-1399  
(206) 752-7701
- November 20-22, 1996 Spokane School District  
Board Room  
200 North Bernard  
Spokane, WA 99201-0282  
(509) 353-5242

**WSR 95-24-065**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**NATURAL RESOURCES**  
(Board of Natural Resources)  
[Memorandum—December 1, 1995]

**REGULAR MEETINGS FOR 1996**

- January 2 9:00 a.m. Room 172  
Natural Resources Building  
Olympia, Washington

MISCELLANEOUS

February 6	9:00 a.m.	Room 172 Natural Resources Building Olympia, Washington
March 5	9:00 a.m.	Room 172 Natural Resources Building Olympia, Washington
April 2	9:00 a.m.	Room 172 Natural Resources Building Olympia, Washington
May 7	9:00 a.m.	Room 172 Natural Resources Building Olympia, Washington
June 4	9:00 a.m.	Room 172 Natural Resources Building Olympia, Washington
July 2	9:00 a.m.	Room 172 Natural Resources Building Olympia, Washington
August	NO AUGUST MEETING	
September 3	9:00 a.m.	Room 172 Natural Resources Building Olympia, Washington
October 1	9:00 a.m.	Room 172 Natural Resources Building Olympia, Washington
November 5	9:00 a.m.	Room 172 Natural Resources Building Olympia, Washington
December 3	9:00 a.m.	Room 172 Natural Resources Building Olympia, Washington

Meeting locations are subject to change: The board is planning to travel around the state for regularly scheduled meetings beginning in June.

**WSR 95-24-066**  
**NOTICE OF PUBLIC MEETINGS**  
**LAKE WASHINGTON**  
**TECHNICAL COLLEGE**  
 [Memorandum—December 1, 1995]

The following dates for the 1996 monthly meetings of the Lake Washington Technical College board of trustees are forwarded in compliance with RCW 42.30.075. Meetings will begin at 6:00 p.m. for work sessions and 7:00 p.m. for agenda meetings, and will be held in Room W305, Lake Washington Technical College, 11605 132nd Avenue N.E., Kirkland, WA 98034.

January 10, 1996  
 February 14, 1996  
 March 13, 1996  
 April 10, 1996  
 May 8, 1996  
 June 12, 1996  
 July 10, 1996  
 August 14, 1996  
 September 11, 1996  
 October 9, 1996

November 13, 1996  
 December 11, 1996

**WSR 95-24-067**  
**ATTORNEY GENERAL OPINION**  
 Cite as: AGO 1995 No. 9  
 [June 30, 1995]

**MUNICIPAL JUDGES - MUNICIPAL COURTS - MUNICIPAL DEPARTMENTS - CITIES - COUNTIES - ELECTIONS - FILLING VACANT MUNICIPAL COURT OR MUNICIPAL DEPARTMENT POSITIONS**

1. If a vacancy occurs in a municipal court position established under Chapter 35.20 RCW (cities of over four hundred thousand population), or Chapter 3.50 RCW (all other cities), the vacancy will be filled by appointment for the remainder of the term, with no midterm special election.
2. If a vacancy occurs in a municipal department of a district court operating pursuant to Chapter 3.46 RCW, the vacancy in the district court position will be filled by appointment by the county legislative authority with subsequent special election for the remainder of the term served (but any such election must occur only in an even-numbered year); the city will subsequently decide which judges on the district court will be designated as municipal department judges.
3. If a city creates a new municipal court position or a new municipal department position, to take effect during the term prescribed by statute for such positions, the new position will be filled in the same manner as if a vacancy had occurred in an existing position in the same court.
4. If a city creates a new municipal court position pursuant to Chapter 3.50 of Chapter 35.20 RCW, effective as of the beginning of the next statutory term for such a judgeship, the initial judge will be chosen by election if it is a full-time position or a part-time position covered by RCW 3.50.055; otherwise, the city may elect to make the position elective or appointive.
5. If a city creates a new municipal department position within a district court pursuant to Chapter 3.46 RCW, and the judge is to serve the municipal department full-time, and the position will take effect with the beginning of the next term for district court judges, the initial judge will be nominated and elected in the manner for district court judges but with only electors of the city voting for the position.
6. If a city creates a new municipal department position within a district court pursuant to Chapter 3.46 RCW, to take effect with the beginning of the next term for district court judges, and the judge is to serve the municipal department part-time, the city may either designate an existing district judge to serve the municipal department, or provide that a new district judge nominated and elected by the judicial district will serve in the new municipal department position.

## Requested by:

The Honorable Ralph Munro  
Secretary of State  
P.O. Box 40232  
Olympia, WA 98504-0232

**WSR 95-24-068****ATTORNEY GENERAL OPINION**

Cite as: AGO 1995 No. 10

[August 24, 1995]

**TAXATION - PUBLIC FUNDS - COUNTIES - CITIES AND TOWNS - TOURISM - USE OF EXCISE TAXES LEVIED UNDER RCW 67.28.210 FOR PRODUCTION AND SALE OF SHIRTS PROMOTING LOCAL COMMUNITY EVENT.**

1. The term "tourist expansion" as used in RCW 67.28.210 refers to activities designed to increase tourism and tourist activity in a given geographical area.
2. RCW 67.28.210 does not generally permit counties or cities to use tax revenues generated thereunder for the production or resale of shirts containing the logo of an annual community event; however, the proviso added to the statute by Laws of 1995, Ch. 290, section 1 does permit the proceeds to be used for advertising and promotional materials, which might include promotional shirts, where the conditions set forth in the proviso are met.
3. RCW 67.28.210 governs the expenditure of revenues authorized by its language; RCW 35.21.700 is a more general statute covering expenditure by cities of other available revenues.

## Requested by:

The Honorable Barry Sehlin  
Washington State Representative  
PO Box 40600  
Olympia, WA 98504-0600

**WSR 95-24-069****ATTORNEY GENERAL OPINION**

Cite as: AGO 1995 No. 11

[August 30, 1995]

**LAW ENFORCEMENT - CONTROLLED SUBSTANCES - PUBLIC FUNDS - USE OF PROCEEDS FROM FORFEITURE OF PROPERTY USED IN ILLEGAL DRUG ACTIVITY FOR LAW ENFORCEMENT ACTIVITY NOT RELATED EXCLUSIVELY TO CONTROLLED SUBSTANCES.**

RCW 69.50.505(i) allows the use of drug proceeds for activities that relate to controlled substances but incidentally further other law enforcement purposes.

## Requested by:

The Honorable Marlin Appelwick  
State Representative District No. 46  
P.O. Box 40691  
Olympia, WA 98504-0691

**WSR 95-24-070****ATTORNEY GENERAL OPINION**

Cite as: AGO 1995 No. 12

[October 4, 1995]

**VETO - LEGISLATURE - GOVERNOR - AUTHORITY OF LEGISLATURE TO CONSIDER OVERRIDE OF VETO AT NEXT REGULAR SESSION, WHEN A SPECIAL SESSION HAS BEEN HELD SINCE THE VETO OCCURRED.**

When the governor vetoes a bill after the legislature has adjourned, and transmits the vetoed bill to the secretary of state for delivery to the legislature at its next session pursuant to the constitution, and the legislature next meets in a special session, the legislature may choose to act on overriding the veto during the special session, but its failure to consider an override during the special session does not preclude taking the matter up at the next ensuing regular legislative session.

## Requested by:

The Honorable Dan McDonald  
Washington State Senator  
P.O. Box 40482  
Olympia, WA 98504-0482

**WSR 95-24-071****ATTORNEY GENERAL OPINION**

Cite as: AGO 1995 No. 13

[November 27, 1995]

**CITIES AND TOWNS - MUNICIPAL CORPORATIONS - PUBLIC EMPLOYEES - COMPENSATION - AUTHORITY OF CITIES AND TOWNS TO ESTABLISH EMPLOYEE INCENTIVE PROGRAMS.**

Cities and towns of all classes have authority to establish and administer employee incentive programs for their employees, so long as the program and appropriately definite performance standards are established before the period covered by the program.

## Requested by:

The Honorable Steve Fuhrman  
State Representative, District 7  
710 Highway 395 North  
Kettle Falls, WA 99141

**WSR 95-24-078****NOTICE OF PUBLIC MEETINGS****COUNCIL ON****VOCATIONAL-TECHNICAL EDUCATION**

[Memorandum—December 4, 1995]

Thursday

December 14, 1995

Alexander Banquet Room

New Market Vocational Skills Center

7299 New Market Street

Tumwater, WA

1:00 p.m. - 3:15 p.m.



**WSR 95-24-079**  
**NOTICE OF PUBLIC MEETINGS**  
**COUNCIL ON**  
**VOCATIONAL-TECHNICAL EDUCATION**  
 [Memorandum—December 4, 1995]

Perspectives on Education and Training  
 Public Hearing  
 9:00 - 11:00 a.m.  
 Friday - December 15, 1995  
 Room S-119 - L&I Building  
 7273 Linderson Way S.W.  
 Tumwater, WA

We encourage presenters to address any of the following issues:

What incentives can be implemented to assure meaningful participation by business and labor in vocational-technical programs?

In light of the changes in federal legislation and the anticipation of block grants, what should be done to assure the continued participation of special populations in vocational-technical education?

How can business and labor assist in keeping vocational-technical programs relevant in this age of fast-changing technology?

What can be done to assure that business, labor, education, and government will work cooperatively and collaboratively to meet the needs of all students under the impending federal funding consolidation legislation?

Oral and written comments are solicited. Please limit oral presentations to 8-10 minutes and provide a written copy of your testimony. If you are unable to attend the public hearing, you can send your written testimony to Council on Vocational-Technical Education, P.O. Box 40940 [40920], Olympia, WA 98504-0920, (360) 753-3715, FAX (360) 753-5032.

The public hearing is scheduled as required by the Carl D. Perkins Vocational and Applied Technology Education Act of 1990 (Public Law 101-392).

**WSR 95-24-084**  
**DEPARTMENT OF ECOLOGY**  
 [Filed December 5, 1995, 9:41 a.m.]

**Commercial Low-Level Radioactive Waste Site Use Permits Fees**

In accordance with chapter 173-326 WAC, Commercial low-level radioactive waste disposal—Site use permits, the Department of Ecology is providing notice of the site use permit fees for the period of March 1, 1996, through February 28, 1997. The annual base fee, 1x, has been set at \$375. Site use permit fees for each category are as follows:

<u>CATEGORY</u>	<u>FACTOR</u>	<u>FEE</u>
<50 cubic feet	1x	\$375
≥50<500 cubic feet	2x	\$750
≥500<1,000 cubic feet	5x	\$1,875
≥1,000<2,500 cubic feet	10x	\$3,750

≥2,500 cubic feet	35x	\$13,125
Nuclear Utilities	100x	\$37,500

**WSR 95-24-085**  
**NOTICE OF PUBLIC MEETINGS**  
**HEALTH CARE POLICY BOARD**  
 [Memorandum—December 5, 1995]

Following is the schedule of the Washington Health Care Policy Board's regular meetings in 1996. Meetings will vary in length according to subject matter.

Meeting dates, times and locations are subject to change, due to unforeseen circumstances.

During 1996, board staff meetings will be held once a week on Tuesdays. All meetings will begin at 9:00 a.m., and will be held at the board office located at 605 Woodland Square Loop S.E., Lacey.

**PROPOSED HCPB MEETING SCHEDULE FOR 1996**

Board Meeting January 25, 1996 6:00 p.m. start time	John A. Cherberg Building Hearing Room 4 Olympia, Washington
Board Meeting February 29, 1996 6:00 p.m. start time	John A. Cherberg Building Hearing Room 2 Olympia, Washington
Board Meeting March 28, 1996 9:00 a.m. start time	SeaTac Marriott Snoqualmie Ballroom 3201 South 176th SeaTac, WA
Board Meeting April 25, 1996 9:00 a.m. start time	Cavanaugh's Inn at the River Shoreline A Room North 700 Division Street Spokane, WA
Board Meeting May 30 9:00 a.m. start time	SeaTac Marriott Snoqualmie Ballroom 3201 South 176th SeaTac, WA
Board Meeting June 27 9:00 a.m. start time	Valley Medical Center Medical Arts Auditorium 4033 Talbot Road South Renton, WA
Board Meeting July 25 9:00 a.m. start time	SeaTac Marriott Snoqualmie Ballroom 3201 South 176th SeaTac, WA
Board Meeting August 29 9:00 a.m. start time	WestCoast SeaTac Hotel 18220 Pacific Highway South SeaTac, WA
Board Meeting September 26 9:00 a.m. start time	Cavanaugh's Yakima Center/Downtown 607 East Yakima Avenue Yakima, WA
Board Meeting October 31 9:00 a.m. start time	Attorney General's Conference Room RoweSix, Building 1

MISCELLANEOUS

4224 6th Avenue S.E.  
Lacey, WA

Board Meeting  
November 21  
9:00 a.m. start time

Attorney General's  
Conference Room  
RoweSix, Building 1  
4224 6th Avenue S.E.  
Lacey, WA

Board Meeting  
December 19  
9:00 a.m. start time

Attorney General's  
Conference Room  
RoweSix, Building 1  
4224 6th Avenue S.E.  
Lacey, WA

**WSR 95-24-090**  
**NOTICE OF PUBLIC MEETINGS**  
**BELLINGHAM TECHNICAL COLLEGE**  
[Memorandum—December 5, 1995]

The regular meeting of the Bellingham Technical College board of trustees scheduled for December 21, 1995, has been canceled.

**WSR 95-24-091**  
**NOTICE OF PUBLIC MEETINGS**  
**BELLINGHAM TECHNICAL COLLEGE**  
[Memorandum—December 5, 1995]

The board of trustees of Bellingham Technical College will meet in a special session to discuss capital planning on Thursday, December 14, 1995, 9 to 11 a.m., in the College Services Building Board Room on the Bellingham Technical College campus. Call 738-3105 extension 334 for information.

**WSR 95-24-092**  
**NOTICE OF PUBLIC MEETINGS**  
**EDMONDS COMMUNITY COLLEGE**  
[Memorandum—December 1, 1995]

**SPECIAL MEETING NOTICE**

The Edmonds Community College board of trustees will attend the following functions during the month of December:

- December 6, 1995\* 11:30 a.m. EdCC All Staff Luncheon  
Triton Union Building 202  
20000 68th Avenue West  
Lynnwood, WA 98036
- December 11, 1995\* 9:00 a.m. Senate Higher Education Committee Visit and Tour  
Triton Union Building 202 and Campus Areas  
20000 68th Avenue West  
Lynnwood, WA 98036
- December 13, 1995\* 3 p.m. Distinguished Classified Staff Awards  
Triton Union Building  
20000 68th Avenue West  
Lynnwood, WA 98036
- December 13, 1995 4:30 p.m. Special Board of Trustees Meeting  
Sno-King Building, Boardroom 103  
6600 196th S.W.  
Lynnwood, WA 98036

December 15\*  
7:30 a.m.

Legislative Breakfast  
Brier Hall 105/Culinary Connections  
20000 68th Avenue West  
Lynnwood, WA 98036

\*These events are being scheduled as special meetings where no action will be taken.

**WSR 95-24-108**  
**NOTICE OF PUBLIC MEETINGS**  
**COMMISSION ON**  
**HISPANIC AFFAIRS**  
[Memorandum—December 6, 1995]

Please accept this memo as notice of our next meeting to be held on January 13, 1996, at the Vancouver City Library Conference Room, located at 1007 East Millplain Boulevard, Vancouver 501, WA. The regular commission meeting will begin at 10:00 a.m. and end at 3:30 p.m.

An agenda can be obtained by calling the Commission on Hispanic Affairs at (360) 753-3159. The public is invited to offer comment throughout the meeting. Any questions regarding the meeting or request for special accommodation can be made by calling Roberto Reyes-Colon at the commission.

**WSR 95-24-111**  
**NOTICE OF PUBLIC MEETINGS**  
**NOXIOUS WEED CONTROL BOARD**  
[Memorandum—December 6, 1995]

The Washington State Noxious Weed Control Board will meet at the following times:

- January 17, 1996  
8:30 a.m. to 5:00 p.m.  
Natural Resources Building  
Room 175  
1111 Washington Street  
Olympia, WA
- February 21, 1996  
8:30 a.m. to 5:00 p.m.  
Natural Resources Building  
Room 175  
1111 Washington Street  
Olympia, WA
- March 20, 1996  
8:30 a.m. to 5:00 p.m.  
Grant County PUD Auditorium  
312 West Third Avenue  
Moses Lake, WA

The public is welcome to attend all meetings. Contact Laurie Penders, Executive Secretary, Washington State Noxious Weed Control Board, (206) 872-2972 if you have any questions.

MISCELLANEOUS

**Table of WAC Sections Affected**

**KEY TO TABLE**

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.

**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

**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 identify the document within the issue.

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
1-21	PREP	95-11-115	16-158-010	AMD	95-13-072	16-164-100	AMD	95-13-073
1-21-010	AMD-P	95-14-044	16-158-020	AMD-P	95-10-098	16-166	PREP	95-07-016
1-21-010	AMD	95-17-070	16-158-020	AMD	95-13-072	16-166-010	REP-P	95-10-100
1-21-020	AMD-P	95-14-044	16-158-025	NEW-P	95-10-098	16-166-010	REP	95-13-074
1-21-020	AMD	95-17-070	16-158-025	NEW	95-13-072	16-166-020	REP-P	95-10-100
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1-21-040	AMD	95-17-070	16-158-027	NEW	95-13-072	16-166-030	REP-P	95-10-100
1-21-050	AMD-P	95-14-044	16-158-030	AMD-P	95-10-098	16-166-030	REP	95-13-074
1-21-050	AMD	95-17-070	16-158-030	AMD	95-13-072	16-166-040	REP-P	95-10-100
1-21-170	AMD-P	95-14-044	16-158-040	AMD-P	95-10-098	16-166-040	REP	95-13-074
1-21-170	AMD	95-17-070	16-158-040	AMD	95-13-072	16-166-050	REP-P	95-10-100
1-21-180	NEW-P	95-14-044	16-158-050	AMD-P	95-10-098	16-166-050	REP	95-13-074
1-21-180	NEW	95-17-070	16-158-050	AMD	95-13-072	16-166-060	REP-P	95-10-100
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4-25-710	AMD	95-20-065	16-158-060	AMD-W	95-23-048	16-166-070	REP-P	95-10-100
16-08-002	AMD-P	95-15-100	16-158-070	REP-P	95-10-098	16-166-070	REP	95-13-074
16-08-002	AMD	95-18-008	16-158-070	REP	95-13-072	16-166-080	REP-P	95-10-100
16-08-021	AMD-P	95-15-100	16-158-080	AMD-P	95-10-098	16-166-080	REP	95-13-074
16-08-021	AMD	95-18-008	16-158-080	AMD	95-13-072	16-166-090	REP-P	95-10-100
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16-101-700	AMD-W	95-11-082	16-158-100	AMD	95-13-072	16-300-010	AMD-P	95-23-070
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16-144-001	AMD-P	95-12-084	16-158-120	AMD	95-13-072	16-316-474	AMD	95-22-037
16-144-001	AMD	95-16-062	16-158-130	AMD-P	95-10-098	16-316-525	AMD-P	95-18-062
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16-144-145	NEW-P	95-12-084	16-158-150	NEW-P	95-10-098	16-316-715	AMD-P	95-18-062
16-144-145	NEW	95-16-062	16-158-150	NEW	95-13-072	16-316-715	AMD	95-22-036
16-144-146	NEW-P	95-12-084	16-164	PREP	95-07-017	16-316-727	AMD-P	95-18-062
16-144-146	NEW	95-16-062	16-164	AMD-P	95-10-099	16-316-727	AMD	95-22-036
16-144-147	NEW-P	95-12-084	16-164	AMD	95-13-073	16-319-041	PREP	95-23-069
16-144-147	NEW	95-16-062	16-164-010	AMD-P	95-10-099	16-354-005	AMD-P	95-15-099
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16-144-149	NEW-P	95-12-084	16-164-020	AMD	95-13-073	16-354-010	AMD	95-18-034
16-144-149	NEW	95-16-062	16-164-030	AMD-P	95-10-099	16-354-070	AMD-P	95-15-099
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16-145-020	NEW-P	95-21-044	16-164-080	AMD-P	95-10-099	16-414-085	NEW-P	95-09-038
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16-158	AMD	95-13-072	16-164-090	AMD	95-13-073	16-414-090	AMD	95-13-038
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Table of WAC Sections Affected

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16-461-010	AMD-P	95-09-038	16-580	PREP	95-08-004	30-01-020	AMD	95-15-040
16-461-010	AMD	95-13-038	16-580	AMD-C	95-17-115	30-01-030	REP-P	95-12-098
16-493-001	NEW-P	95-15-097	16-580-020	AMD-P	95-10-096	30-01-030	REP	95-15-040
16-493-001	NEW	95-17-098	16-580-020	AMD	95-22-035	30-01-040	AMD-P	95-12-098
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16-493-015	NEW-P	95-15-097	16-585-020	NEW-P	95-05-071	30-01-060	AMD	95-15-040
16-493-015	NEW	95-17-098	16-585-020	NEW	95-15-102	30-02-010	NEW-P	95-12-098
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16-493-025	NEW	95-17-098	16-585-040	NEW	95-15-102	30-04-050	AMD-P	95-12-098
16-493-030	NEW-P	95-15-097	16-585-050	NEW-P	95-05-071	30-04-050	AMD	95-15-040
16-493-030	NEW	95-17-098	16-585-050	NEW	95-15-102	30-04-060	AMD-P	95-12-098
16-493-035	NEW-P	95-15-097	16-585-060	NEW-P	95-05-071	30-04-060	AMD	95-15-040
16-493-035	NEW	95-17-098	16-585-060	NEW	95-15-102	30-04-090	AMD-P	95-12-098
16-493-040	NEW-P	95-15-097	16-585-070	NEW-P	95-05-071	30-04-090	AMD	95-15-040
16-493-040	NEW	95-17-098	16-585-070	NEW	95-15-102	30-04-100	REP-P	95-12-098
16-493-045	NEW-P	95-15-097	16-585-080	NEW-P	95-05-071	30-04-100	REP	95-15-040
16-493-045	NEW	95-17-098	16-585-080	NEW	95-15-102	30-04-110	REP-P	95-12-098
16-493-050	NEW-P	95-15-097	16-585-090	NEW-P	95-05-071	30-04-110	REP	95-15-040
16-493-050	NEW	95-17-098	16-585-090	NEW	95-15-102	30-08-030	AMD-P	95-12-098
16-495-200	NEW-P	95-11-118	16-620-105	NEW-P	95-18-103	30-08-030	AMD	95-15-040
16-495-200	NEW-W	95-14-034	16-620-105	NEW	95-23-019	30-08-040	AMD-P	95-12-098
16-495-205	NEW-P	95-11-118	16-674	PREP	95-17-034	30-08-040	AMD	95-15-040
16-495-205	NEW-W	95-14-034	16-674-010	AMD-P	95-21-098	30-12-010	AMD-P	95-12-098
16-495-210	NEW-P	95-11-118	16-674-059	NEW-P	95-09-090	30-12-010	AMD	95-15-040
16-495-210	NEW-W	95-14-034	16-674-059	NEW-W	95-11-070	30-12-020	REP-P	95-12-098
16-495-215	NEW-P	95-11-118	16-674-060	AMD-P	95-09-090	30-12-020	REP	95-15-040
16-495-215	NEW-W	95-14-034	16-674-060	AMD-W	95-11-070	30-12-030	AMD-P	95-12-098
16-495-220	NEW-P	95-11-118	16-674-060	REP-P	95-21-098	30-12-030	AMD	95-15-040
16-495-220	NEW-W	95-14-034	16-674-065	NEW-P	95-21-098	30-12-050	AMD-P	95-12-098
16-495-225	NEW-P	95-11-118	16-674-070	REP-P	95-21-098	30-12-050	AMD	95-15-040
16-495-225	NEW-W	95-14-034	16-674-080	AMD-P	95-09-090	30-12-060	AMD-P	95-12-098
16-495-230	NEW-P	95-11-118	16-674-080	AMD-W	95-11-070	30-12-060	AMD	95-15-040
16-495-230	NEW-W	95-14-034	16-674-080	AMD-P	95-21-098	30-12-070	REP-P	95-12-098
16-495-235	NEW-P	95-11-118	16-674-090	AMD-P	95-21-098	30-12-070	REP	95-15-040
16-495-235	NEW-W	95-14-034	16-674-092	NEW-P	95-21-098	30-12-080	AMD-P	95-12-098
16-495-240	NEW-P	95-11-118	16-674-095	NEW-P	95-21-098	30-12-080	AMD	95-15-040
16-495-240	NEW-W	95-14-034	16-674-100	REP-P	95-21-098	30-12-090	AMD-P	95-12-098
16-495-245	NEW-P	95-11-118	16-675-010	AMD-P	95-17-093	30-12-090	AMD	95-15-040
16-495-245	NEW-W	95-14-034	16-675-010	AMD	95-21-097	30-12-100	AMD-P	95-12-098
16-495-250	NEW-P	95-11-118	16-675-029	REP-P	95-09-089	30-12-100	AMD	95-15-040
16-495-250	NEW-W	95-14-034	16-675-029	REP-W	95-11-071	30-12-120	REP-P	95-12-098
16-495-255	NEW-P	95-11-118	16-675-029	REP-P	95-17-093	30-12-120	REP	95-15-040
16-495-255	NEW-W	95-14-034	16-675-029	REP	95-21-097	30-12-140	REP-P	95-12-098
16-497-005	AMD-P	95-15-098	16-675-030	AMD-P	95-09-089	30-12-140	REP	95-15-040
16-497-005	AMD	95-18-033	16-675-030	AMD-W	95-11-071	30-12-160	AMD-P	95-12-098
16-497-030	AMD-P	95-15-098	16-675-030	AMD-P	95-17-093	30-12-160	AMD	95-15-040
16-497-030	AMD	95-18-033	16-675-030	AMD	95-21-097	30-14-010	NEW-P	95-12-098
16-529-150	PREP	95-17-114	16-675-039	REP-P	95-09-089	30-14-010	NEW	95-15-040
16-529-150	AMD-P	95-20-085	16-675-039	REP-W	95-11-071	30-14-020	NEW-P	95-12-098
16-532-035	PREP	95-09-079	16-675-039	REP-P	95-17-093	30-14-020	NEW	95-15-040
16-532-035	AMD-P	95-10-095	16-675-039	REP	95-21-097	30-14-030	NEW-P	95-12-098
16-532-035	AMD	95-17-118	16-675-040	AMD-P	95-09-089	30-14-030	NEW	95-15-040
16-532-040	PREP	95-09-079	16-675-040	AMD-W	95-11-071	30-14-040	NEW-P	95-12-098
16-532-040	AMD-P	95-10-095	16-675-040	AMD-P	95-17-093	30-14-040	NEW	95-15-040
16-532-040	AMD	95-17-118	16-675-040	AMD	95-21-097	30-14-050	NEW-P	95-12-098
16-532-101	PREP	95-09-079	16-700-011	NEW-P	95-12-091	30-14-050	NEW	95-15-040
16-532-120	PREP	95-09-079	16-700-011	NEW	95-15-101	30-14-060	NEW-P	95-12-098
16-532-120	AMD-P	95-10-095	16-750	PREP	95-13-089	30-14-060	NEW	95-15-040
16-532-120	AMD	95-17-118	16-750-005	AMD-E	95-16-112	30-14-070	NEW-P	95-12-098
16-536-020	PREP	95-08-005	16-750-005	AMD-P	95-24-112	30-14-070	NEW	95-15-040
16-536-020	AMD-P	95-12-089	16-750-011	AMD	95-06-002	30-14-080	NEW-P	95-12-098
16-536-020	AMD	95-17-117	16-750-011	AMD-P	95-24-112	30-14-080	NEW	95-15-040
16-540-040	PREP	95-17-113	16-750-015	AMD	95-06-002	30-14-090	NEW-P	95-12-098
16-540-040	AMD-P	95-20-084	16-750-015	AMD-P	95-24-112	30-14-090	NEW	95-15-040
16-557-010	PREP	95-08-003	30	PREP	95-11-095	30-14-100	NEW-P	95-12-098
16-557-020	AMD-P	95-12-090	30-01-010	AMD-P	95-12-098	30-14-100	NEW	95-15-040
16-557-020	AMD	95-17-116	30-01-010	AMD	95-15-040	30-14-110	NEW-P	95-12-098

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
30-14-110	NEW	95-15-040	30-22-020	NEW-P	95-12-098	30-32-060	REP	95-15-040
30-16-010	REP-P	95-12-098	30-22-020	NEW	95-15-040	30-32-070	REP-P	95-12-098
30-16-010	REP	95-15-040	30-22-030	NEW-P	95-12-098	30-32-070	REP	95-15-040
30-16-020	REP-P	95-12-098	30-22-030	NEW	95-15-040	30-32-080	REP-P	95-12-098
30-16-020	REP	95-15-040	30-22-040	NEW-P	95-12-098	30-32-080	REP	95-15-040
30-16-030	REP-P	95-12-098	30-22-040	NEW	95-15-040	30-36-010	REP-P	95-12-098
30-16-030	REP	95-15-040	30-22-050	NEW-P	95-12-098	30-36-010	REP	95-15-040
30-16-040	REP-P	95-12-098	30-22-050	NEW	95-15-040	30-36-020	REP-P	95-12-098
30-16-040	REP	95-15-040	30-22-060	NEW-P	95-12-098	30-36-020	REP	95-15-040
30-16-050	REP-P	95-12-098	30-22-060	NEW	95-15-040	30-36-030	REP-P	95-12-098
30-16-050	REP	95-15-040	30-22-070	NEW-P	95-12-098	30-36-030	REP	95-15-040
30-16-060	REP-P	95-12-098	30-22-070	NEW	95-15-040	30-36-040	REP-P	95-12-098
30-16-060	REP	95-15-040	30-22-080	NEW-P	95-12-098	30-36-040	REP	95-15-040
30-16-070	REP-P	95-12-098	30-22-080	NEW	95-15-040	30-36-050	REP-P	95-12-098
30-16-070	REP	95-15-040	30-22-090	NEW-P	95-12-098	30-36-050	REP	95-15-040
30-16-080	REP-P	95-12-098	30-22-090	NEW	95-15-040	30-36-060	REP-P	95-12-098
30-16-080	REP	95-15-040	30-24-010	REP-P	95-12-098	30-36-060	REP	95-15-040
30-16-090	REP-P	95-12-098	30-24-010	REP	95-15-040	30-36-070	REP-P	95-12-098
30-16-090	REP	95-15-040	30-24-020	REP-P	95-12-098	30-36-070	REP	95-15-040
30-16-100	REP-P	95-12-098	30-24-020	REP	95-15-040	30-36-080	REP-P	95-12-098
30-16-100	REP	95-15-040	30-24-030	REP-P	95-12-098	30-36-080	REP	95-15-040
30-16-110	REP-P	95-12-098	30-24-030	REP	95-15-040	30-36-090	REP-P	95-12-098
30-16-110	REP	95-15-040	30-24-040	REP-P	95-12-098	30-36-090	REP	95-15-040
30-16-120	REP-P	95-12-098	30-24-040	REP	95-15-040	30-36-100	REP-P	95-12-098
30-16-120	REP	95-15-040	30-24-050	REP-P	95-12-098	30-36-100	REP	95-15-040
30-18-010	NEW-P	95-12-098	30-24-050	REP	95-15-040	30-36-110	REP-P	95-12-098
30-18-010	NEW	95-15-040	30-24-060	REP-P	95-12-098	30-36-110	REP	95-15-040
30-18-020	NEW-P	95-12-098	30-24-060	REP	95-15-040	30-40-020	AMD-P	95-12-098
30-18-020	NEW	95-15-040	30-24-070	REP-P	95-12-098	30-40-020	AMD	95-15-040
30-18-030	NEW-P	95-12-098	30-24-070	REP	95-15-040	30-40-030	REP-P	95-12-098
30-18-030	NEW	95-15-040	30-24-080	REP-P	95-12-098	30-40-030	REP	95-15-040
30-18-040	NEW-P	95-12-098	30-24-080	REP	95-15-040	30-40-050	AMD-P	95-12-098
30-18-040	NEW	95-15-040	30-24-090	REP-P	95-12-098	30-40-050	AMD	95-15-040
30-18-050	NEW-P	95-12-098	30-24-090	REP	95-15-040	30-40-060	AMD-P	95-12-098
30-18-050	NEW	95-15-040	30-24-100	REP-P	95-12-098	30-40-060	AMD	95-15-040
30-18-060	NEW-P	95-12-098	30-24-100	REP	95-15-040	30-40-070	AMD-P	95-12-098
30-18-060	NEW	95-15-040	30-26-010	NEW-P	95-12-098	30-40-070	AMD	95-15-040
30-18-070	NEW-P	95-12-098	30-26-010	NEW	95-15-040	30-40-080	AMD-P	95-12-098
30-18-070	NEW	95-15-040	30-26-020	NEW-P	95-12-098	30-40-080	AMD	95-15-040
30-18-080	NEW-P	95-12-098	30-26-020	NEW	95-15-040	30-40-090	AMD-P	95-12-098
30-18-080	NEW	95-15-040	30-26-030	NEW-P	95-12-098	30-40-090	AMD	95-15-040
30-18-090	NEW-P	95-12-098	30-26-030	NEW	95-15-040	30-44	AMD-P	95-12-098
30-18-090	NEW	95-15-040	30-26-040	NEW-P	95-12-098	30-44	AMD	95-15-040
30-18-100	NEW-P	95-12-098	30-26-040	NEW	95-15-040	30-44-010	AMD-P	95-12-098
30-18-100	NEW	95-15-040	30-26-050	NEW-P	95-12-098	30-44-010	AMD	95-15-040
30-18-110	NEW-P	95-12-098	30-26-050	NEW	95-15-040	30-44-020	AMD-P	95-12-098
30-18-110	NEW	95-15-040	30-26-060	NEW-P	95-12-098	30-44-020	AMD	95-15-040
30-20-010	REP-P	95-12-098	30-26-060	NEW	95-15-040	30-44-030	AMD-P	95-12-098
30-20-010	REP	95-15-040	30-26-070	NEW-P	95-12-098	30-44-030	AMD	95-15-040
30-20-020	REP-P	95-12-098	30-26-070	NEW	95-15-040	30-44-040	AMD-P	95-12-098
30-20-020	REP	95-15-040	30-26-080	NEW-P	95-12-098	30-44-040	AMD	95-15-040
30-20-030	REP-P	95-12-098	30-26-080	NEW	95-15-040	30-44-050	AMD-P	95-12-098
30-20-030	REP	95-15-040	30-26-090	NEW-P	95-12-098	30-44-050	AMD	95-15-040
30-20-040	REP-P	95-12-098	30-26-090	NEW	95-15-040	30-44-060	NEW-P	95-12-098
30-20-040	REP	95-15-040	30-28-010	REP-P	95-12-098	30-44-060	NEW	95-15-040
30-20-050	REP-P	95-12-098	30-28-010	REP	95-15-040	30-48-010	REP-P	95-12-098
30-20-050	REP	95-15-040	30-28-020	REP-P	95-12-098	30-48-010	REP	95-15-040
30-20-060	REP-P	95-12-098	30-28-020	REP	95-15-040	30-48-020	REP-P	95-12-098
30-20-060	REP	95-15-040	30-28-030	REP-P	95-12-098	30-48-020	REP	95-15-040
30-20-070	REP-P	95-12-098	30-28-030	REP	95-15-040	30-48-030	REP-P	95-12-098
30-20-070	REP	95-15-040	30-28-040	REP-P	95-12-098	30-48-030	REP	95-15-040
30-20-080	REP-P	95-12-098	30-28-040	REP	95-15-040	30-48-040	REP-P	95-12-098
30-20-080	REP	95-15-040	30-32-010	REP-P	95-12-098	30-48-040	REP	95-15-040
30-20-090	REP-P	95-12-098	30-32-010	REP	95-15-040	30-48-050	REP-P	95-12-098
30-20-090	REP	95-15-040	30-32-020	REP-P	95-12-098	30-48-050	REP	95-15-040
30-20-100	REP-P	95-12-098	30-32-020	REP	95-15-040	30-48-060	REP-P	95-12-098
30-20-100	REP	95-15-040	30-32-030	REP-P	95-12-098	30-48-060	REP	95-15-040
30-20-110	REP-P	95-12-098	30-32-030	REP	95-15-040	30-48-070	REP-P	95-12-098
30-20-110	REP	95-15-040	30-32-040	REP-P	95-12-098	30-48-070	REP	95-15-040
30-20-120	REP-P	95-12-098	30-32-040	REP	95-15-040	44-10	PREP	95-21-004
30-20-120	REP	95-15-040	30-32-050	REP-P	95-12-098	44-10-010	AMD-P	95-23-099
30-22-010	NEW-P	95-12-098	30-32-050	REP	95-15-040	44-10-020	NEW-P	95-23-099
30-22-010	NEW	95-15-040	30-32-060	REP-P	95-12-098	44-10-030	AMD-P	95-23-099

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
44-10-031	NEW-P	95-23-099	50-60-010	AMD-P	95-05-084	51-20	PREP	95-03-086
44-10-040	AMD-P	95-23-099	50-60-010	AMD	95-13-091	51-20-001	REP-P	95-04-106
44-10-050	AMD-P	95-23-099	50-60-020	AMD-P	95-05-084	51-20-001	REP	95-11-107
44-10-060	AMD-P	95-23-099	50-60-020	AMD	95-13-091	51-20-002	REP-P	95-04-106
44-10-070	AMD-P	95-23-099	50-60-030	AMD-P	95-05-084	51-20-002	REP	95-11-107
44-10-080	AMD-P	95-23-099	50-60-030	AMD	95-13-091	51-20-003	REP-P	95-04-106
44-10-090	AMD-P	95-23-099	50-60-035	NEW-P	95-05-084	51-20-003	REP	95-11-107
44-10-100	AMD-P	95-23-099	50-60-035	NEW	95-13-091	51-20-004	REP-P	95-04-106
44-10-110	AMD-P	95-23-099	50-60-040	AMD-P	95-05-084	51-20-004	REP	95-11-107
44-10-120	AMD-P	95-23-099	50-60-040	AMD	95-13-091	51-20-005	REP-P	95-04-106
44-10-130	AMD-P	95-23-099	50-60-042	NEW-P	95-05-084	51-20-005	REP	95-11-107
44-10-140	AMD-P	95-23-099	50-60-042	NEW	95-13-091	51-20-007	REP-P	95-04-106
44-10-150	AMD-P	95-23-099	50-60-045	AMD-P	95-05-084	51-20-007	REP	95-11-107
44-10-160	AMD-P	95-23-099	50-60-045	AMD	95-13-091	51-20-008	REP-P	95-04-106
44-10-165	REP-P	95-23-099	50-60-050	AMD-P	95-05-084	51-20-008	REP	95-11-107
44-10-170	AMD-P	95-23-099	50-60-050	AMD	95-13-091	51-20-009	REP-P	95-04-106
44-10-180	AMD-P	95-23-099	50-60-060	AMD-P	95-05-084	51-20-009	REP	95-11-107
44-10-200	AMD-P	95-23-099	50-60-060	AMD	95-13-091	51-20-0100	REP-P	95-04-106
44-10-210	AMD-P	95-23-099	50-60-070	AMD-P	95-05-084	51-20-0100	REP	95-11-107
44-10-220	REP-P	95-23-099	50-60-070	AMD	95-13-091	51-20-0104	REP-P	95-04-106
44-10-221	NEW-P	95-23-099	50-60-080	AMD-P	95-05-084	51-20-0104	REP	95-11-107
44-10-222	NEW-P	95-23-099	50-60-080	AMD	95-13-091	51-20-0300	REP-P	95-04-106
44-10-223	NEW-P	95-23-099	50-60-08001	NEW-P	95-05-084	51-20-0300	REP	95-11-107
44-10-230	REP-P	95-23-099	50-60-08002	NEW-P	95-05-084	51-20-0307	REP-P	95-04-106
44-10-300	AMD-P	95-23-099	50-60-08003	NEW-P	95-05-084	51-20-0307	REP	95-11-107
44-10-310	AMD-P	95-23-099	50-60-08004	NEW-P	95-05-084	51-20-0400	REP-P	95-04-106
44-10-320	REP-P	95-23-099	50-60-08005	NEW-P	95-05-084	51-20-0400	REP	95-11-107
50-20	PREP	95-13-090	50-60-08005	NEW	95-13-091	51-20-0404	REP-P	95-04-106
50-20-100	AMD-P	95-22-107	50-60-08006	NEW-P	95-05-084	51-20-0404	REP	95-11-107
50-20-110	AMD-P	95-22-107	50-60-08007	NEW-P	95-05-084	51-20-0407	REP-P	95-04-106
50-20-120	AMD-P	95-22-107	50-60-08008	NEW-P	95-05-084	51-20-0407	REP	95-11-107
50-20-130	AMD-P	95-22-107	50-60-08010	NEW	95-13-091	51-20-0409	REP-P	95-04-106
50-20-140	AMD-P	95-22-107	50-60-08015	NEW	95-13-091	51-20-0409	REP	95-11-107
50-20-150	AMD-P	95-22-107	50-60-08020	NEW	95-13-091	51-20-0414	REP-P	95-04-106
50-20-160	AMD-P	95-22-107	50-60-08025	NEW	95-13-091	51-20-0414	REP	95-11-107
50-20-170	REP-P	95-22-107	50-60-08030	NEW	95-13-091	51-20-0417	REP-P	95-04-106
50-20-190	AMD-P	95-22-107	50-60-08035	NEW	95-13-091	51-20-0417	REP	95-11-107
50-20-200	REP-P	95-22-107	50-60-08040	NEW	95-13-091	51-20-0420	REP-P	95-04-106
50-30	PREP	95-16-025	50-60-09001	NEW-P	95-05-084	51-20-0420	REP	95-11-107
50-30-005	NEW-E	95-18-060	50-60-09002	NEW-P	95-05-084	51-20-0500	REP-P	95-04-106
50-30-005	NEW-P	95-22-106	50-60-09003	NEW-P	95-05-084	51-20-0500	REP	95-11-107
50-30-010	AMD-E	95-18-060	50-60-09004	NEW-P	95-05-084	51-20-0503	REP-P	95-04-106
50-30-010	AMD-P	95-22-106	50-60-09005	NEW	95-13-091	51-20-0503	REP	95-11-107
50-30-015	NEW-E	95-18-060	50-60-09010	NEW	95-13-091	51-20-0514	REP-P	95-04-106
50-30-015	NEW-P	95-22-106	50-60-09015	NEW	95-13-091	51-20-0514	REP	95-11-107
50-30-020	AMD-E	95-18-060	50-60-09020	NEW	95-13-091	51-20-0515	REP-P	95-04-106
50-30-020	AMD-P	95-22-106	50-60-100	AMD-P	95-05-084	51-20-0515	REP	95-11-107
50-30-025	NEW-E	95-18-060	50-60-100	AMD	95-13-091	51-20-0551	REP-P	95-04-106
50-30-025	NEW-P	95-22-106	50-60-110	AMD-P	95-05-084	51-20-0551	REP	95-11-107
50-30-030	AMD-E	95-18-060	50-60-110	AMD	95-13-091	51-20-0600	REP-P	95-04-106
50-30-030	AMD-P	95-22-106	50-60-120	AMD-P	95-05-084	51-20-0600	REP	95-11-107
50-30-035	NEW-E	95-18-060	50-60-120	AMD	95-13-091	51-20-0605	REP-P	95-04-106
50-30-035	NEW-P	95-22-106	50-60-125	NEW-P	95-05-084	51-20-0605	REP	95-11-107
50-30-040	AMD-P	95-22-106	50-60-125	NEW	95-13-091	51-20-0700	REP-P	95-04-106
50-30-050	AMD-E	95-18-060	50-60-130	AMD-P	95-05-084	51-20-0700	REP	95-11-107
50-30-050	AMD-P	95-22-106	50-60-130	AMD	95-13-091	51-20-0702	REP-P	95-04-106
50-30-060	AMD-P	95-22-106	50-60-140	AMD-P	95-05-084	51-20-0702	REP	95-11-107
50-30-065	NEW-E	95-18-060	50-60-140	AMD	95-13-091	51-20-0800	REP-P	95-04-106
50-30-065	NEW-P	95-22-106	50-60-145	NEW	95-13-091	51-20-0800	REP	95-11-107
50-30-068	NEW-E	95-18-060	50-60-150	AMD-P	95-05-084	51-20-0801	REP-P	95-04-106
50-30-068	NEW-P	95-22-106	50-60-150	AMD	95-13-091	51-20-0801	REP	95-11-107
50-30-070	AMD-E	95-18-060	50-60-160	AMD-P	95-05-084	51-20-0802	REP-P	95-04-106
50-30-070	AMD-P	95-22-106	50-60-160	AMD	95-13-091	51-20-0802	REP	95-11-107
50-30-075	NEW-E	95-18-060	50-60-165	AMD-P	95-05-084	51-20-0900	REP-P	95-04-106
50-30-075	NEW-P	95-22-106	50-60-165	AMD	95-13-091	51-20-0900	REP	95-11-107
50-30-080	AMD-E	95-18-060	50-60-180	REP-P	95-05-084	51-20-0901	REP-P	95-04-106
50-30-080	AMD-P	95-22-106	50-60-180	REP	95-13-091	51-20-0901	REP	95-11-107
50-30-085	NEW-E	95-18-060	50-60-190	NEW-P	95-05-084	51-20-0902	REP-P	95-04-106
50-30-085	NEW-P	95-22-106	50-60-190	NEW	95-13-091	51-20-0902	REP	95-11-107
50-30-090	AMD-P	95-22-106	50-60-200	NEW-P	95-05-084	51-20-1000	REP-P	95-04-106
50-30-095	NEW-P	95-22-106	50-60-200	NEW	95-13-091	51-20-1000	REP	95-11-107
50-30-100	AMD-P	95-22-106	50-60-210	NEW-P	95-05-084	51-20-1011	REP-P	95-04-106
50-30-110	REP-P	95-22-106	50-60-210	NEW	95-13-091	51-20-1011	REP	95-11-107

TABLE

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
51-20-1200	REP-P	95-04-106	51-20-3112	REP	95-11-107	51-21-008	REP	95-11-107
51-20-1200	REP	95-11-107	51-20-3113	REP-P	95-04-106	51-21-31010	REP-P	95-04-106
51-20-1201	REP-P	95-04-106	51-20-3113	REP	95-11-107	51-21-31010	REP	95-11-107
51-20-1201	REP	95-11-107	51-20-3114	REP-P	95-04-106	51-21-38030	REP-P	95-04-106
51-20-1210	REP-P	95-04-106	51-20-3114	REP	95-11-107	51-21-38030	REP	95-11-107
51-20-1210	REP	95-11-107	51-20-3151	REP-P	95-04-106	51-21-38038	REP-P	95-04-106
51-20-1215	REP-P	95-04-106	51-20-3151	REP	95-11-107	51-21-38038	REP	95-11-107
51-20-1215	REP	95-11-107	51-20-3152	REP-P	95-04-106	51-21-38039	REP-P	95-04-106
51-20-1223	REP-P	95-04-106	51-20-3152	REP	95-11-107	51-21-38039	REP	95-11-107
51-20-1223	REP	95-11-107	51-20-3153	REP-P	95-04-106	51-22	PREP	95-03-086
51-20-1224	REP-P	95-04-106	51-20-3153	REP	95-11-107	51-22-001	REP-P	95-04-106
51-20-1224	REP	95-11-107	51-20-3154	REP-P	95-04-106	51-22-001	REP	95-11-107
51-20-1225	REP-P	95-04-106	51-20-3154	REP	95-11-107	51-22-002	REP-P	95-04-106
51-20-1225	REP	95-11-107	51-20-3155	REP-P	95-04-106	51-22-002	REP	95-11-107
51-20-1226	REP-P	95-04-106	51-20-3155	REP	95-11-107	51-22-003	REP-P	95-04-106
51-20-1226	REP	95-11-107	51-20-3156	REP-P	95-04-106	51-22-003	REP	95-11-107
51-20-1227	REP-P	95-04-106	51-20-3156	REP	95-11-107	51-22-004	REP-P	95-04-106
51-20-1227	REP	95-11-107	51-20-3300	REP-P	95-04-106	51-22-004	REP	95-11-107
51-20-1228	REP-P	95-04-106	51-20-3300	REP	95-11-107	51-22-005	REP-P	95-04-106
51-20-1228	REP	95-11-107	51-20-3304	REP-P	95-04-106	51-22-005	REP	95-11-107
51-20-1229	REP-P	95-04-106	51-20-3304	REP	95-11-107	51-22-007	REP-P	95-04-106
51-20-1229	REP	95-11-107	51-20-3306	REP-P	95-04-106	51-22-007	REP	95-11-107
51-20-1230	REP-P	95-04-106	51-20-3306	REP	95-11-107	51-22-008	REP-P	95-04-106
51-20-1230	REP	95-11-107	51-20-3315	REP-P	95-04-106	51-22-008	REP	95-11-107
51-20-1231	REP-P	95-04-106	51-20-3315	REP	95-11-107	51-22-0400	REP-P	95-04-106
51-20-1231	REP	95-11-107	51-20-3350	REP-P	95-04-106	51-22-0400	REP	95-11-107
51-20-1232	REP-P	95-04-106	51-20-3350	REP	95-11-107	51-22-0423	REP-P	95-04-106
51-20-1232	REP	95-11-107	51-20-3800	REP-P	95-04-106	51-22-0423	REP	95-11-107
51-20-1233	REP-P	95-04-106	51-20-3800	REP	95-11-107	51-22-0500	REP-P	95-04-106
51-20-1233	REP	95-11-107	51-20-3801	REP-P	95-04-106	51-22-0500	REP	95-11-107
51-20-1234	REP-P	95-04-106	51-20-3801	REP	95-11-107	51-22-0504	REP-P	95-04-106
51-20-1234	REP	95-11-107	51-20-3802	REP-P	95-04-106	51-22-0504	REP	95-11-107
51-20-1800	REP-P	95-04-106	51-20-3802	REP	95-11-107	51-22-0800	REP-P	95-04-106
51-20-1800	REP	95-11-107	51-20-3900	REP-P	95-04-106	51-22-0800	REP	95-11-107
51-20-1807	REP-P	95-04-106	51-20-3900	REP	95-11-107	51-22-0807	REP-P	95-04-106
51-20-1807	REP	95-11-107	51-20-3901	REP-P	95-04-106	51-22-0807	REP	95-11-107
51-20-2300	REP-P	95-04-106	51-20-3901	REP	95-11-107	51-22-1000	REP-P	95-04-106
51-20-2300	REP	95-11-107	51-20-3903	REP-P	95-04-106	51-22-1000	REP	95-11-107
51-20-2312	REP-P	95-04-106	51-20-3903	REP	95-11-107	51-22-1002	REP-P	95-04-106
51-20-2312	REP	95-11-107	51-20-5100	REP-P	95-04-106	51-22-1002	REP	95-11-107
51-20-2700	REP-P	95-04-106	51-20-5100	REP	95-11-107	51-22-1100	REP-P	95-04-106
51-20-2700	REP	95-11-107	51-20-5103	REP-P	95-04-106	51-22-1100	REP	95-11-107
51-20-2710	REP-P	95-04-106	51-20-5103	REP	95-11-107	51-22-1104	REP-P	95-04-106
51-20-2710	REP	95-11-107	51-20-5105	REP-P	95-04-106	51-22-1104	REP	95-11-107
51-20-3000	REP-P	95-04-106	51-20-5105	REP	95-11-107	51-22-1500	REP-P	95-04-106
51-20-3000	REP	95-11-107	51-20-5400	REP-P	95-04-106	51-22-1500	REP	95-11-107
51-20-3007	REP-P	95-04-106	51-20-5400	REP	95-11-107	51-22-1508	REP-P	95-04-106
51-20-3007	REP	95-11-107	51-20-5401	REP-P	95-04-106	51-22-1508	REP	95-11-107
51-20-3100	REP-P	95-04-106	51-20-5401	REP	95-11-107	51-22-1900	REP-P	95-04-106
51-20-3100	REP	95-11-107	51-20-5401	REP	95-11-107	51-22-1900	REP	95-11-107
51-20-3101	REP-P	95-04-106	51-20-93100	REP-P	95-04-106	51-22-1903	REP-P	95-04-106
51-20-3101	REP	95-11-107	51-20-93100	REP	95-11-107	51-22-1903	REP	95-11-107
51-20-3102	REP-P	95-04-106	51-20-93115	REP-P	95-04-106	51-24	PREP	95-03-086
51-20-3102	REP	95-11-107	51-20-93115	REP	95-11-107	51-24-001	REP-P	95-04-106
51-20-3103	REP-P	95-04-106	51-20-93116	REP-P	95-04-106	51-24-001	REP	95-11-107
51-20-3103	REP	95-11-107	51-20-93116	REP	95-11-107	51-24-002	REP-P	95-04-106
51-20-3104	REP-P	95-04-106	51-20-93117	REP-P	95-04-106	51-24-002	REP	95-11-107
51-20-3104	REP	95-11-107	51-20-93117	REP	95-11-107	51-24-003	REP-P	95-04-106
51-20-3105	REP-P	95-04-106	51-20-93118	REP-P	95-04-106	51-24-003	REP	95-11-107
51-20-3105	REP	95-11-107	51-20-93118	REP	95-11-107	51-24-007	REP-P	95-04-106
51-20-3106	REP-P	95-04-106	51-20-93119	REP-P	95-04-106	51-24-007	REP	95-11-107
51-20-3106	REP	95-11-107	51-20-93119	REP	95-11-107	51-24-008	REP-P	95-04-106
51-20-3107	REP-P	95-04-106	51-20-93120	REP-P	95-04-106	51-24-008	REP	95-11-107
51-20-3107	REP	95-11-107	51-20-93120	REP	95-11-107	51-24-04000	REP-P	95-04-106
51-20-3108	REP-P	95-04-106	51-21	PREP	95-03-086	51-24-04000	REP	95-11-107
51-20-3108	REP	95-11-107	51-21-001	REP-P	95-04-106	51-24-04123	REP-P	95-04-106
51-20-3109	REP-P	95-04-106	51-21-001	REP	95-11-107	51-24-04123	REP	95-11-107
51-20-3109	REP	95-11-107	51-21-002	REP-P	95-04-106	51-24-09000	REP-P	95-04-106
51-20-3110	REP-P	95-04-106	51-21-002	REP	95-11-107	51-24-09000	REP	95-11-107
51-20-3110	REP	95-11-107	51-21-003	REP-P	95-04-106	51-24-09105	REP-P	95-04-106
51-20-3111	REP-P	95-04-106	51-21-003	REP	95-11-107	51-24-09105	REP	95-11-107
51-20-3111	REP	95-11-107	51-21-007	REP-P	95-04-106	51-24-09107	REP-P	95-04-106
51-20-3112	REP-P	95-04-106	51-21-007	REP	95-11-107	51-24-09107	REP	95-11-107
			51-21-008	REP-P	95-04-106			

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
51-24-09110	REP-P	95-04-106	51-25-002	REP-P	95-04-106	67-25-075	AMD	95-06-057
51-24-09110	REP	95-11-107	51-25-002	REP	95-11-107	67-25-077	AMD	95-06-057
51-24-09117	REP-P	95-04-106	51-25-003	REP-P	95-04-106	67-25-080	AMD	95-06-057
51-24-09117	REP	95-11-107	51-25-003	REP	95-11-107	67-25-085	AMD	95-06-057
51-24-10000	REP-P	95-04-106	51-25-007	REP-P	95-04-106	67-25-090	AMD	95-06-057
51-24-10000	REP	95-11-107	51-25-007	REP	95-11-107	67-25-095	AMD	95-06-057
51-24-10201	REP-P	95-04-106	51-25-008	REP-P	95-04-106	67-25-100	AMD	95-06-057
51-24-10201	REP	95-11-107	51-25-008	REP	95-11-107	67-25-105	REP	95-06-057
51-24-10507	REP-P	95-04-106	51-30-0311	NEW-W	95-05-055	67-25-110	AMD	95-06-057
51-24-10507	REP	95-11-107	51-30-0417	NEW-W	95-05-055	67-25-120	REP	95-06-057
51-24-25000	REP-P	95-04-106	51-30-0502	NEW-W	95-05-055	67-25-255	AMD	95-06-057
51-24-25000	REP	95-11-107	51-30-3102	NEW-P	95-16-125	67-25-257	AMD	95-06-057
51-24-25107	REP-P	95-04-106	51-30-31200	NEW-P	95-16-125	67-25-260	AMD	95-06-057
51-24-25107	REP	95-11-107	51-30-31201	NEW-P	95-16-125	67-25-270	AMD	95-06-057
51-24-45000	REP-P	95-04-106	51-30-31202	NEW-P	95-16-125	67-25-275	AMD	95-06-057
51-24-45000	REP	95-11-107	51-30-31203	NEW-P	95-16-125	67-25-280	AMD	95-06-057
51-24-45211	REP-P	95-04-106	51-30-31204	NEW-P	95-16-125	67-25-281	REP	95-06-057
51-24-45211	REP	95-11-107	51-30-31205	NEW-P	95-16-125	67-25-284	NEW	95-06-057
51-24-78000	REP-P	95-04-106	51-30-31206	NEW-P	95-16-125	67-25-288	NEW	95-06-057
51-24-78000	REP	95-11-107	51-30-31207	NEW-P	95-16-125	67-25-300	AMD	95-06-057
51-24-78201	REP-P	95-04-106	51-30-31208	NEW-P	95-16-125	67-25-325	AMD	95-06-057
51-24-78201	REP	95-11-107	51-30-31209	NEW-P	95-16-125	67-25-326	AMD	95-06-057
51-24-79000	REP-P	95-04-106	51-30-31210	NEW-P	95-16-125	67-25-326	AMD	95-06-057
51-24-79000	REP	95-11-107	51-34-7901	NEW-W	95-05-054	67-25-350	AMD	95-06-057
51-24-79601	REP-P	95-04-106	51-35-09000	NEW-W	95-05-054	67-25-360	AMD	95-06-057
51-24-79601	REP	95-11-107	51-35-52404	NEW-W	95-05-054	67-25-384	AMD	95-06-057
51-24-79603	REP-P	95-04-106	51-35-52411	NEW-W	95-05-054	67-25-385	REP	95-06-057
51-24-79603	REP	95-11-107	51-35-52417	NEW-W	95-05-054	67-25-388	AMD	95-06-057
51-24-79809	REP-P	95-04-106	51-35-52501	NEW-W	95-05-054	67-25-390	AMD	95-06-057
51-24-79809	REP	95-11-107	51-35-52502	NEW-W	95-05-054	67-25-392	REP	95-06-057
51-24-79901	REP-P	95-04-106	51-35-52503	NEW-W	95-05-054	67-25-394	AMD	95-06-057
51-24-79901	REP	95-11-107	51-35-52504	NEW-W	95-05-054	67-25-396	AMD	95-06-057
51-24-80000	REP-P	95-04-106	51-35-52505	NEW-W	95-05-054	67-25-398	NEW	95-06-057
51-24-80000	REP	95-11-107	51-35-52506	NEW-W	95-05-054	67-25-399	NEW	95-06-057
51-24-80101	REP-P	95-04-106	51-35-52507	NEW-W	95-05-054	67-25-400	AMD	95-06-057
51-24-80101	REP	95-11-107	51-35-52508	NEW-W	95-05-054	67-25-404	AMD	95-06-057
51-24-80103	REP-P	95-04-106	51-35-52509	NEW-W	95-05-054	67-25-408	AMD	95-06-057
51-24-80103	REP	95-11-107	55-01	PREP	95-04-058	67-25-412	AMD	95-06-057
51-24-80108	REP-P	95-04-106	55-01	PREP	95-22-072	67-25-416	AMD	95-06-057
51-24-80108	REP	95-11-107	55-01-010	AMD-E	95-04-075	67-25-418	NEW	95-06-057
51-24-80109	REP-P	95-04-106	55-01-010	AMD-E	95-12-016	67-25-420	REP	95-06-057
51-24-80109	REP	95-11-107	55-01-010	AMD-E	95-20-012	67-25-428	REP	95-06-057
51-24-80110	REP-P	95-04-106	55-01-020	AMD-E	95-04-075	67-25-432	AMD	95-06-057
51-24-80110	REP	95-11-107	55-01-020	AMD-E	95-12-016	67-25-436	NEW	95-06-057
51-24-80111	REP-P	95-04-106	55-01-020	AMD-E	95-20-012	67-25-440	AMD	95-06-057
51-24-80111	REP	95-11-107	55-01-030	AMD-E	95-04-075	67-25-444	AMD	95-06-057
51-24-80113	REP-P	95-04-106	55-01-030	AMD-E	95-12-016	67-25-446	AMD	95-06-057
51-24-80113	REP	95-11-107	55-01-030	AMD-E	95-20-012	67-25-448	AMD	95-06-057
51-24-80114	REP-P	95-04-106	55-01-040	AMD-E	95-04-075	67-25-452	AMD	95-06-057
51-24-80114	REP	95-11-107	55-01-040	AMD-E	95-12-016	67-25-500	REP	95-06-057
51-24-80120	REP-P	95-04-106	55-01-040	AMD-E	95-20-012	67-25-505	REP	95-06-057
51-24-80120	REP	95-11-107	55-01-050	AMD-E	95-04-075	67-25-510	REP	95-06-057
51-24-80202	REP-P	95-04-106	55-01-050	AMD-E	95-12-016	67-25-525	REP	95-06-057
51-24-80202	REP	95-11-107	55-01-050	AMD-E	95-20-012	67-25-530	RBP	95-06-057
51-24-80301	REP-P	95-04-106	55-01-060	AMD-E	95-04-075	67-25-540	AMD	95-06-057
51-24-80301	REP	95-11-107	55-01-060	AMD-E	95-12-016	67-25-545	AMD	95-06-057
51-24-80303	REP-P	95-04-106	55-01-060	AMD-E	95-20-012	67-25-550	AMD	95-06-057
51-24-80303	REP	95-11-107	55-01-070	AMD-E	95-04-075	67-25-560	AMD	95-06-057
51-24-80305	REP-P	95-04-106	55-01-070	AMD-E	95-12-016	67-25-570	AMD	95-06-057
51-24-80305	REP	95-11-107	55-01-070	AMD-E	95-20-012	67-25-590	AMD	95-06-057
51-24-80315	REP-P	95-04-106	60-12-010	PREP	95-04-090	67-35-030	PREP	95-04-012
51-24-80315	REP	95-11-107	60-12-010	AMD-P	95-06-085	67-35-030	AMD-P	95-05-040
51-24-80401	REP-P	95-04-106	60-12-010	AMD	95-10-097	67-35-030	AMD	95-12-007
51-24-80401	REP	95-11-107	67-25-005	AMD	95-06-057	67-35-210	PREP	95-04-012
51-24-80402	REP-P	95-04-106	67-25-010	AMD	95-06-057	67-35-210	AMD-P	95-05-040
51-24-80402	REP	95-11-107	67-25-015	AMD	95-06-057	67-35-210	AMD	95-12-007
51-24-99500	REP-P	95-04-106	67-25-020	AMD	95-06-057	67-35-215	PREP	95-04-012
51-24-99500	REP	95-11-107	67-25-025	AMD	95-06-057	67-35-215	NEW-P	95-05-040
51-24-99510	REP-P	95-04-106	67-25-030	AMD	95-06-057	67-35-215	NEW	95-12-007
51-24-99510	REP	95-11-107	67-25-050	AMD	95-06-057	67-35-220	PREP	95-04-012
51-25	PREP	95-03-086	67-25-055	AMD	95-06-057	67-35-220	AMD-P	95-05-040
51-25-001	REP-P	95-04-106	67-25-056	NEW	95-06-057	67-35-220	AMD	95-12-007
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67-35-350	PREP	95-04-012	131-28-040	PREP	95-10-088	132G-126-330	REP	95-07-103
67-35-350	REP-P	95-05-040	131-28-040	AMD-P	95-10-090	132G-126-340	REP-P	95-04-008
67-35-350	REP	95-12-007	131-28-040	AMD	95-13-070	132G-126-340	REP	95-07-103
67-35-360	PREP	95-04-012	131-28-045	AMD-E	95-07-004	132G-126-350	REP-P	95-04-008
67-35-360	AMD-P	95-05-040	131-28-045	PREP	95-10-088	132G-126-350	REP	95-07-103
67-35-360	AMD	95-12-007	131-28-045	AMD-P	95-10-090	132G-126-360	REP-P	95-04-008
67-35-430	PREP	95-04-012	131-28-045	AMD	95-13-070	132G-126-360	REP	95-07-103
67-35-430	AMD-P	95-05-040	131-28-080	AMD-E	95-07-004	132G-126-370	REP-P	95-04-008
67-35-430	AMD	95-12-007	131-28-080	PREP	95-10-088	132G-126-370	REP	95-07-103
82-05-010	NEW-P	95-24-063	131-28-080	AMD-P	95-10-090	132G-126-380	REP-P	95-04-008
82-05-020	NEW-P	95-24-063	131-28-080	AMD	95-13-070	132G-126-380	REP	95-07-103
82-05-030	NEW-P	95-24-063	131-28-085	AMD-E	95-07-004	132G-126-390	REP-P	95-04-008
82-05-040	NEW-P	95-24-063	131-28-085	PREP	95-10-088	132G-126-390	REP	95-07-103
82-05-050	NEW-P	95-24-063	131-28-085	AMD-P	95-10-090	132G-126-400	REP-P	95-04-008
82-50-021	AMD-P	95-11-116	131-28-085	AMD	95-13-070	132G-126-400	REP	95-07-103
82-50-021	AMD	95-15-031	131-28-090	AMD-E	95-07-004	132G-160-075	PREP	95-15-016
106-72-005	PREP	95-18-087	131-28-090	PREP	95-10-088	132G-160-075	NEW-P	95-19-081
106-72-005	AMD-E	95-20-061	131-28-090	AMD-P	95-10-090	132G-160-075	NEW	95-23-015
106-72-005	AMD-P	95-22-045	131-28-090	AMD	95-13-070	132H-121-020	NEW-P	95-14-069
106-72-025	PREP	95-18-087	131-46-135	NEW-P	95-06-054	132H-121-020	NEW	95-19-050
106-72-025	AMD-E	95-20-061	131-46-135	NEW	95-10-013	132H-152-100	REP-P	95-21-093
106-72-025	AMD-P	95-22-045	132D-300	PREP	95-16-050	132H-152-110	REP-P	95-21-093
106-140-036	AMD-P	95-19-019	132D-300-005	PREP	95-16-050	132H-152-120	REP-P	95-21-093
106-140-036	AMD	95-22-058	132D-300-010	REP-P	95-19-080	132H-152-130	REP-P	95-21-093
130-10	PREP	95-06-051A	132D-300-020	REP-P	95-19-080	132H-152-135	NEW-P	95-21-093
131-12-010	AMD-E	95-10-012	132D-300-030	REP-P	95-19-080	132H-160-052	NEW-P	95-14-070
131-12-010	PREP	95-10-017	132D-300-040	REP-P	95-19-080	132H-160-052	NEW	95-19-049
131-12-010	AMD-P	95-10-018	132D-305-005	NEW-P	95-19-080	132H-160-093	REP-P	95-14-070
131-12-010	AMD-C	95-13-005	132D-310-005	NEW-P	95-19-080	132H-160-093	REP	95-19-049
131-12-010	AMD	95-13-068	132D-315-005	NEW-P	95-19-080	132H-160-094	REP-P	95-14-070
131-16-005	PREP	95-05-026	132G-126-010	REP-P	95-04-008	132H-160-094	REP	95-19-049
131-16-005	REP-P	95-06-064	132G-126-010	REP	95-07-103	132H-160-095	REP-P	95-14-070
131-16-005	REP	95-10-014	132G-126-020	REP-P	95-04-008	132H-160-095	REP	95-19-049
131-16-056	PREP	95-10-087	132G-126-020	REP	95-07-103	132H-160-182	AMD-E	95-11-098
131-16-056	NEW-P	95-10-089	132G-126-030	REP-P	95-04-008	132H-160-182	PREP	95-14-068
131-16-056	NEW-C	95-13-006	132G-126-030	REP	95-07-103	132H-160-182	AMD-P	95-21-092
131-16-056	NEW	95-13-069	132G-126-040	REP-P	95-04-008	132I-130	PREP	95-06-004
131-28	AMD-C	95-13-007	132G-126-040	REP	95-07-103	132I-130-030	NEW-P	95-06-083
131-28-010	AMD-E	95-07-004	132G-126-050	REP-P	95-04-008	132I-130-030	NEW	95-09-072
131-28-010	PREP	95-10-088	132G-126-050	REP	95-07-103	132I-160	PREP	95-10-021
131-28-010	AMD-P	95-10-090	132G-126-060	REP-P	95-04-008	132I-160-110	AMD-P	95-11-102
131-28-010	AMD	95-13-070	132G-126-060	REP	95-07-103	132I-160-110	AMD	95-15-026
131-28-015	AMD-E	95-07-004	132G-126-070	REP-P	95-04-008	132K-120	PREP	95-11-136
131-28-015	PREP	95-10-088	132G-126-070	REP	95-07-103	132K-120-005	REP-P	95-12-103
131-28-015	AMD-P	95-10-090	132G-126-080	REP-P	95-04-008	132K-120-005	REP	95-17-073
131-28-015	AMD	95-13-070	132G-126-080	REP	95-07-103	132K-120-010	REP-P	95-12-103
131-28-021	AMD-E	95-07-004	132G-126-200	REP-P	95-04-008	132K-120-010	REP	95-17-073
131-28-021	PREP	95-10-088	132G-126-200	REP	95-07-103	132K-120-015	REP-P	95-12-103
131-28-021	AMD-P	95-10-090	132G-126-210	REP-P	95-04-008	132K-120-015	REP	95-17-073
131-28-021	AMD	95-13-070	132G-126-210	REP	95-07-103	132K-120-020	REP-P	95-12-103
131-28-025	AMD-E	95-07-004	132G-126-220	REP-P	95-04-008	132K-120-020	REP	95-17-073
131-28-025	PREP	95-10-088	132G-126-220	REP	95-07-103	132K-120-025	REP-P	95-12-103
131-28-025	AMD-P	95-10-090	132G-126-230	REP-P	95-04-008	132K-120-025	REP	95-17-073
131-28-025	AMD	95-13-070	132G-126-230	REP	95-07-103	132K-120-030	REP-P	95-12-103
131-28-02501	NEW-E	95-07-004	132G-126-240	REP-P	95-04-008	132K-120-030	REP	95-17-073
131-28-02501	PREP	95-10-088	132G-126-240	REP	95-07-103	132K-120-035	REP-P	95-12-103
131-28-02501	NEW-P	95-10-090	132G-126-250	REP-P	95-04-008	132K-120-035	REP	95-17-073
131-28-02501	NEW	95-13-070	132G-126-250	REP	95-07-103	132K-120-040	REP-P	95-12-103
131-28-026	AMD-E	95-07-004	132G-126-260	REP-P	95-04-008	132K-120-040	REP	95-17-073
131-28-026	PREP	95-10-088	132G-126-260	REP	95-07-103	132K-120-045	REP-P	95-12-103
131-28-026	AMD-P	95-10-090	132G-126-270	REP-P	95-04-008	132K-120-045	REP	95-17-073
131-28-026	AMD	95-13-070	132G-126-270	REP	95-07-103	132K-120-050	REP-P	95-12-103
131-28-026	AMD-E	95-19-063	132G-126-280	REP-P	95-04-008	132K-120-050	REP	95-17-073
131-28-026	AMD-P	95-22-073	132G-126-280	REP	95-07-103	132K-120-055	REP-P	95-12-103
131-28-028	REP-E	95-07-004	132G-126-290	REP-P	95-04-008	132K-120-055	REP	95-17-073
131-28-028	PREP	95-10-088	132G-126-290	REP	95-07-103	132K-120-060	REP-P	95-12-103
131-28-028	REP-P	95-10-090	132G-126-300	REP-P	95-04-008	132K-120-060	REP	95-17-073
131-28-028	REP	95-13-070	132G-126-300	REP	95-07-103	132K-120-065	REP-P	95-12-103
131-28-030	AMD-E	95-07-004	132G-126-310	REP-P	95-04-008	132K-120-065	REP	95-17-073
131-28-030	PREP	95-10-088	132G-126-310	REP	95-07-103	132K-120-070	REP-P	95-12-103
131-28-030	AMD-P	95-10-090	132G-126-320	REP-P	95-04-008	132K-120-070	REP	95-17-073

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132K-120-075	REP	95-17-073	133-40-030	AMD	95-24-088	137-95-060	REP	95-22-059
132K-120-080	REP-P	95-12-103	133-40-040	PREP	95-12-082	137-95-070	REP	95-22-059
132K-120-080	REP	95-17-073	133-40-040	AMD-P	95-13-076	137-95-080	REP	95-22-059
132K-120-085	REP-P	95-12-103	133-40-040	AMD	95-24-088	137-95-090	REP	95-22-059
132K-120-085	REP	95-17-073	137-28-005	REP	95-15-044	137-95-100	REP	95-22-059
132K-130-010	PREP	95-11-137	137-28-006	REP	95-15-044	137-95-110	REP	95-22-059
132K-130-010	NEW-P	95-12-102	137-28-010	REP	95-15-044	137-95-120	REP	95-22-059
132K-130-010	NEW	95-17-072	137-28-015	REP	95-15-044	137-95-130	REP	95-22-059
132M-108-020	AMD-P	95-13-097	137-28-020	REP	95-15-044	137-95-140	REP	95-22-059
132M-108-020	AMD	95-16-069	137-28-025	REP	95-15-044	137-95-150	REP	95-22-059
132M-108-090	NEW-P	95-06-052	137-28-030	REP	95-15-044	137-95-160	REP	95-22-059
132M-108-090	NEW	95-11-014	137-28-031	REP	95-15-044	137-95-170	REP	95-22-059
132M-160-040	NEW-P	95-13-097	137-28-032	REP	95-15-044	137-95-180	REP	95-22-059
132M-160-040	NEW	95-16-069	137-28-035	REP	95-15-044	137-95-190	REP	95-22-059
132M-160-050	NEW-P	95-13-097	137-28-040	REP	95-15-044	137-95-200	REP	95-22-059
132M-160-050	NEW	95-16-069	137-28-045	REP	95-15-044	137-95-210	REP	95-22-059
132Q-04-076	NEW-P	95-11-019	137-28-050	REP	95-15-044	137-95-220	REP	95-22-059
132Q-04-076	NEW	95-16-066	137-28-055	REP	95-15-044	137-95-230	REP	95-22-059
132Q-04-077	NEW-P	95-11-020	137-28-065	REP	95-15-044	137-95-240	REP	95-22-059
132Q-04-077	NEW	95-16-067	137-28-072	REP	95-15-044	137-95-250	REP	95-22-059
132Q-04-078	NEW-P	95-11-021	137-28-075	REP	95-15-044	137-95-260	REP	95-22-059
132Q-04-078	NEW	95-16-068	137-28-080	REP	95-15-044	137-95-270	REP	95-22-059
132Q-04-097	NEW	95-03-060	137-28-085	REP	95-15-044	137-95-280	REP	95-22-059
133-10-010	PREP	95-12-079	137-28-090	REP	95-15-044	137-95-290	REP	95-22-059
133-10-010	AMD-P	95-13-075	137-28-093	REP	95-15-044	137-96-010	NEW	95-22-059
133-10-010	AMD	95-24-089	137-28-094	REP	95-15-044	137-96-020	NEW	95-22-059
133-10-020	PREP	95-12-079	137-28-095	REP	95-15-044	173-96-030	NEW	95-22-059
133-10-020	AMD-P	95-13-075	137-28-097	REP	95-15-044	137-96-040	NEW	95-22-059
133-10-020	AMD	95-24-089	137-28-100	REP	95-15-044	137-96-100	NEW	95-22-059
133-10-030	AMD-P	95-13-075	137-28-105	REP	95-15-044	137-96-110	NEW	95-22-059
133-10-030	AMD	95-24-089	137-28-107	REP	95-15-044	137-96-120	NEW	95-22-059
133-20-010	PREP	95-12-080	137-28-110	REP	95-15-044	137-96-130	NEW	95-22-059
133-20-010	AMD-P	95-13-078	137-28-115	REP	95-15-044	137-96-140	NEW	95-22-059
133-20-010	AMD	95-24-086	137-28-120	REP	95-15-044	137-96-150	NEW	95-22-059
133-20-020	PREP	95-12-080	137-28-130	REP	95-15-044	137-96-160	NEW	95-22-059
133-20-020	AMD-P	95-13-078	139-10-210	NEW	95-15-044	139-10-210	AMD-P	95-04-068
133-20-020	AMD	95-24-086	137-28-150	NEW	95-15-044	139-10-210	AMD	95-08-036
133-20-040	PREP	95-12-080	137-28-160	NEW	95-15-044	139-10-210	AMD	95-09-070
133-20-040	AMD-P	95-13-078	137-28-170	NEW	95-15-044	162-12	PREP	95-18-047
133-20-040	AMD	95-24-086	137-28-180	NEW	95-15-044	162-22	PREP	95-18-047
133-20-060	PREP	95-12-080	137-28-190	NEW	95-15-044	162-30	PREP	95-18-047
133-20-060	AMD-P	95-13-078	137-28-200	NEW	95-15-044	173-06-010	REP-P	95-03-081
133-20-060	AMD	95-24-086	137-28-210	NEW	95-15-044	173-06-010	REP	95-07-058
133-20-100	AMD-P	95-13-078	137-28-220	NEW	95-15-044	173-06-020	REP-P	95-03-081
133-20-100	AMD	95-24-086	137-28-230	NEW	95-15-044	173-06-020	REP	95-07-058
133-20-120	PREP	95-12-080	137-28-240	NEW	95-15-044	173-06-030	REP-P	95-03-081
133-20-120	AMD-P	95-13-078	137-28-250	NEW	95-15-044	173-06-030	REP	95-07-058
133-20-120	AMD	95-24-086	137-28-260	NEW	95-15-044	173-06-040	REP-P	95-03-081
133-30	PREP	95-12-081	137-28-270	NEW	95-15-044	173-06-040	REP	95-07-058
133-30-010	REP-P	95-13-077	137-28-280	NEW	95-15-044	173-06-100	NEW-P	95-03-081
133-30-010	REP	95-24-087	137-28-290	NEW	95-15-044	173-06-100	NEW	95-07-058
133-30-020	REP-P	95-13-077	137-28-300	NEW	95-15-044	173-06-110	NEW-P	95-03-081
133-30-020	REP	95-24-087	137-28-310	NEW	95-15-044	173-06-110	NEW	95-07-058
133-30-030	REP-P	95-13-077	137-28-320	NEW	95-15-044	173-06-120	NEW-P	95-03-081
133-30-030	REP	95-24-087	137-28-330	NEW	95-15-044	173-06-120	NEW	95-07-058
133-30-040	REP-P	95-13-077	137-28-340	NEW	95-15-044	173-06-130	NEW-P	95-03-081
133-30-040	REP	95-24-087	137-28-350	NEW	95-15-044	173-06-130	NEW	95-07-058
133-30-050	REP-P	95-13-077	137-28-360	NEW	95-15-044	173-08-010	REP-P	95-20-071
133-30-050	REP	95-24-087	137-28-370	NEW	95-15-044	173-08-010	REP	95-24-040
133-30-060	REP-P	95-13-077	137-28-380	NEW	95-15-044	173-08-020	REP-P	95-20-071
133-30-060	REP	95-24-087	137-28-390	NEW	95-15-044	173-08-020	REP	95-24-040
133-30-070	REP-P	95-13-077	137-28-400	NEW	95-15-044	173-08-030	REP-P	95-20-071
133-30-070	REP	95-24-087	137-28-410	NEW	95-15-044	173-08-030	REP	95-24-040
133-30-080	REP-P	95-13-077	137-28-420	NEW	95-15-044	173-08-040	REP-P	95-20-071
133-30-080	REP	95-24-087	137-28-430	NEW	95-15-044	173-08-040	REP	95-24-040
133-40-010	PREP	95-12-082	137-56-180	AMD	95-22-060	173-08-050	REP-P	95-20-071
133-40-010	AMD-P	95-13-076	137-56-210	AMD	95-22-060	173-08-050	REP	95-24-040
133-40-010	AMD	95-24-088	137-56-250	AMD	95-22-060	173-08-065	REP-P	95-20-071
133-40-020	PREP	95-12-082	137-95-010	REP	95-22-059	173-08-065	REP	95-24-040
133-40-020	AMD-P	95-13-076	137-95-020	REP	95-22-059	173-08-070	REP-P	95-20-071
133-40-020	AMD	95-24-088	137-95-030	REP	95-22-059	173-08-070	REP	95-24-040
133-40-030	PREP	95-12-082	137-95-040	REP	95-22-059	173-09-010	NEW-P	95-20-071

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173-09-020	NEW	95-24-040	173-19-4205	AMD-P	95-11-089	173-303-030	AMD-P	95-11-113
173-09-030	NEW-P	95-20-071	173-19-4205	AMD	95-16-048	173-303-030	AMD	95-22-008
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173-10-020	REP-P	95-20-071	173-175	PREP	95-15-064	173-303-045	AMD	95-22-008
173-10-020	REP	95-24-040	173-175-020	AMD-P	95-18-104	173-303-060	AMD-P	95-11-113
173-10-030	REP-P	95-20-071	173-175-020	AMD	95-22-030	173-303-060	AMD	95-22-008
173-10-030	REP	95-24-040	173-175-030	AMD-P	95-18-104	173-303-070	AMD-P	95-11-113
173-10-040	REP-P	95-20-071	173-175-030	AMD	95-22-030	173-303-070	AMD	95-22-008
173-10-040	REP	95-24-040	173-175-070	AMD-P	95-18-104	173-303-071	AMD-P	95-11-113
173-10-050	REP-P	95-20-071	173-175-070	AMD	95-22-030	173-303-071	AMD	95-22-008
173-10-050	REP	95-24-040	173-175-390	AMD-P	95-18-104	173-303-072	AMD-P	95-11-113
173-10-060	REP-P	95-20-071	173-175-390	AMD	95-22-030	173-303-072	AMD	95-22-008
173-10-060	REP	95-24-040	173-175-700	REP-P	95-18-104	173-303-073	NEW-P	95-11-113
173-10-070	REP-P	95-20-071	173-175-700	REP	95-22-030	173-303-073	NEW	95-22-008
173-10-070	REP	95-24-040	173-175-710	REP-P	95-18-104	173-303-075	AMD-P	95-11-113
173-10-080	REP-P	95-20-071	173-175-710	REP	95-22-030	173-303-075	AMD	95-22-008
173-10-080	REP	95-24-040	173-175-720	REP-P	95-18-104	173-303-081	AMD-P	95-11-113
173-10-090	REP-P	95-20-071	173-175-720	REP	95-22-030	173-303-081	AMD	95-22-008
173-10-090	REP	95-24-040	173-175-720	REP-P	95-18-104	173-303-082	AMD-P	95-11-113
173-10-090	REP	95-24-040	173-175-730	REP-P	95-18-104	173-303-082	AMD	95-22-008
173-10-100	REP-P	95-20-071	173-175-730	REP	95-22-030	173-303-083	AMD-P	95-11-113
173-10-100	REP	95-24-040	173-175-740	REP-P	95-18-104	173-303-083	AMD	95-22-008
173-10-110	REP-P	95-20-071	173-175-740	REP	95-22-030	173-303-083	AMD	95-22-008
173-10-110	REP	95-24-040	173-175-750	REP-P	95-18-104	173-303-090	AMD-P	95-11-113
173-12	PREP	95-03-080	173-175-750	REP	95-22-030	173-303-090	AMD	95-22-008
173-12-010	REP-P	95-05-065	173-175-760	REP-P	95-18-104	173-303-100	AMD-P	95-11-113
173-12-010	REP	95-09-036	173-175-760	REP	95-22-030	173-303-100	AMD	95-22-008
173-12-020	REP-P	95-05-065	173-175-770	REP-P	95-18-104	173-303-104	AMD-P	95-11-113
173-12-020	REP	95-09-036	173-175-770	REP	95-22-030	173-303-104	AMD	95-22-008
173-12-030	REP-P	95-05-065	173-175-780	REP-P	95-18-104	173-303-110	AMD-P	95-11-113
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173-12-040	REP-P	95-05-065	173-175-790	REP-P	95-18-104	173-303-120	AMD-P	95-11-113
173-12-040	REP	95-09-036	173-175-790	REP	95-22-030	173-303-120	AMD	95-22-008
173-12-050	REP-P	95-05-065	173-175-800	REP-P	95-18-104	173-303-140	AMD-P	95-11-113
173-12-050	REP	95-09-036	173-175-800	REP	95-22-030	173-303-140	AMD	95-22-008
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173-14	PREP	95-22-068	173-175-820	REP-P	95-18-104	173-303-145	AMD-P	95-11-113
173-16	PREP	95-22-068	173-175-820	REP	95-22-030	173-303-145	AMD	95-22-008
173-17	PREP	95-22-068	173-204-100	AMD-P	95-16-023	173-303-150	AMD-P	95-11-113
173-18	PREP	95-22-068	173-204-130	AMD-P	95-16-023	173-303-150	AMD	95-22-008
173-19	PREP	95-22-068	173-204-200	AMD-P	95-16-023	173-303-160	AMD-P	95-11-113
173-19-1202	PREP	95-11-087	173-204-315	AMD-P	95-16-023	173-303-160	AMD	95-22-008
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173-19-2513	PREP	95-05-063	173-204-415	AMD-P	95-16-023	173-303-180	AMD-P	95-11-113
173-19-2515	PREP	95-07-020	173-204-420	AMD-P	95-16-023	173-303-180	AMD	95-22-008
173-19-2519	PREP	95-07-022	173-204-510	AMD-P	95-16-023	173-303-190	AMD-P	95-11-113
173-19-2519	AMD-P	95-12-092	173-204-520	AMD-P	95-16-023	173-303-190	AMD	95-22-008
173-19-2519	AMD	95-17-039	173-204-530	AMD-P	95-16-023	173-303-200	AMD-P	95-11-113
173-19-2521	PREP	95-07-021	173-204-560	AMD-P	95-16-023	173-303-200	AMD	95-22-008
173-19-2521	AMD-P	95-11-088	173-204-590	AMD-P	95-16-023	173-303-201	AMD-P	95-11-113
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173-19-260	PREP	95-04-076	173-221A-030	AMD-P	95-17-107	173-303-210	AMD-P	95-11-113
173-19-260	AMD-P	95-05-064	173-221A-030	AMD	95-22-079	173-303-210	AMD	95-22-008
173-19-260	AMD-W	95-18-048	173-221A-100	AMD-P	95-17-107	173-303-220	AMD-P	95-11-113
173-19-280	PREP	95-11-085	173-221A-100	AMD	95-22-079	173-303-220	AMD	95-22-008
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173-19-3507	AMD-S	95-03-082	173-221A-110	NEW	95-22-079	173-303-230	AMD	95-22-008
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173-19-3514	AMD-P	95-03-078	173-224-050	AMD-P	95-15-045	173-303-240	AMD	95-22-008
173-19-3514	AMD	95-11-008	173-224-070	REP-P	95-15-045	173-303-250	AMD-P	95-11-113
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173-303-281	AMD	95-22-008	173-303-675	NEW	95-22-008	173-354-090	NEW-P	95-15-104
173-303-282	AMD-P	95-11-113	173-303-680	AMD-P	95-11-113	173-354-100	NEW-P	95-15-104
173-303-282	AMD	95-22-008	173-303-680	AMD	95-22-008	173-354-150	NEW-P	95-15-104
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173-303-300	AMD	95-22-008	173-303-695	NEW	95-22-008	173-354-360	NEW-P	95-15-104
173-303-310	AMD-P	95-11-113	173-303-700	AMD-P	95-11-113	173-354-380	NEW-P	95-15-104
173-303-310	AMD	95-22-008	173-303-700	AMD	95-22-008	173-354-400	NEW-P	95-15-104
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173-303-320	AMD	95-22-008	173-303-800	AMD	95-22-008	173-354-460	NEW-P	95-15-104
173-303-330	AMD-P	95-11-113	173-303-801	AMD-P	95-11-113	173-354-500	NEW-P	95-15-104
173-303-330	AMD	95-22-008	173-303-801	AMD	95-22-008	173-354-515	NEW-P	95-15-104
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173-303-335	NEW	95-22-008	173-303-802	AMD	95-22-008	173-354-535	NEW-P	95-15-104
173-303-340	AMD-P	95-11-113	173-303-804	AMD-P	95-11-113	173-354-545	NEW-P	95-15-104
173-303-340	AMD	95-22-008	173-303-804	AMD	95-22-008	173-354-555	NEW-P	95-15-104
173-303-350	AMD-P	95-11-113	173-303-805	AMD-P	95-11-113	173-354-600	NEW-P	95-15-104
173-303-350	AMD	95-22-008	173-303-805	AMD	95-22-008	173-354-620	NEW-P	95-15-104
173-303-355	AMD-P	95-11-113	173-303-806	AMD-P	95-11-113	173-354-640	NEW-P	95-15-104
173-303-355	AMD	95-22-008	173-303-806	AMD	95-22-008	173-354-660	NEW-P	95-15-104
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173-303-360	AMD	95-22-008	173-303-807	AMD	95-22-008	173-354-680	NEW-P	95-15-104
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173-303-370	AMD	95-22-008	173-303-808	AMD	95-22-008	173-354-720	NEW-P	95-15-104
173-303-380	AMD-P	95-11-113	173-303-809	AMD-P	95-11-113	173-354-800	NEW-P	95-15-104
173-303-380	AMD	95-22-008	173-303-809	AMD	95-22-008	173-354-900	NEW-P	95-15-104
173-303-390	AMD-P	95-11-113	173-303-810	AMD-P	95-11-113	173-354-990	NEW-P	95-15-104
173-303-390	AMD	95-22-008	173-303-810	AMD	95-22-008	173-360-100	AMD	95-04-102
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173-303-395	AMD	95-22-008	173-303-830	AMD	95-22-008	173-360-120	AMD	95-04-102
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173-303-400	AMD	95-22-008	173-303-840	AMD	95-22-008	173-360-190	AMD	95-04-102
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173-303-506	AMD	95-22-008	173-303-910	AMD	95-22-008	173-360-325	AMD	95-04-102
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173-303-510	AMD	95-22-008	173-303-9903	AMD	95-22-008	173-360-335	AMD	95-04-102
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173-303-550	AMD-P	95-11-113	173-303-9904	AMD	95-22-008	173-360-345	AMD	95-04-102
173-303-550	AMD	95-22-008	173-303-9905	AMD-P	95-11-113	173-360-350	AMD	95-04-102
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173-303-610	AMD	95-22-008	173-330-030	REP-P	95-15-104	173-360-620	NEW	95-04-102
173-303-620	AMD-P	95-11-113	173-330-040	REP-P	95-15-104	173-360-630	AMD	95-04-102
173-303-620	AMD	95-22-008	173-330-050	REP-P	95-15-104	173-360-640	REP	95-04-102
173-303-630	AMD-P	95-11-113	173-330-060	REP-P	95-15-104	173-360-650	REP	95-04-102
173-303-630	AMD	95-22-008	173-330-070	REP-P	95-15-104	173-360-655	REP	95-04-102
173-303-640	AMD-P	95-11-113	173-330-900	REP-P	95-15-104	173-360-660	REP	95-04-102
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173-303-660	AMD	95-22-008	173-354	NEW-C	95-20-066	173-400-104	NEW	95-07-126
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173-420-055	NEW-P	95-10-052	174-116-046	PREP	95-05-010	180-18-030	NEW	95-20-054
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173-420-070	AMD-P	95-10-052	174-116-060	PREP	95-05-010	180-18-060	NEW	95-20-054
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173-422-035	AMD	95-06-068	174-116-080	AMD	95-16-093	180-24-415	NEW-P	95-16-064
173-422-050	AMD	95-06-068	174-116-091	PREP	95-05-010	180-24-415	NEW	95-20-055
173-422-060	AMD	95-06-068	174-116-091	AMD-P	95-07-132	180-25-032	PREP	95-17-033
173-422-065	AMD	95-06-068	174-116-091	AMD	95-16-093	180-25-032	REP-P	95-20-087
173-422-070	AMD	95-06-068	174-116-092	PREP	95-05-010	180-25-032	REP	95-24-024
173-422-090	AMD	95-06-068	174-116-092	AMD-P	95-07-132	180-27	PREP	95-05-038
173-422-100	AMD	95-06-068	174-116-092	AMD	95-16-093	180-27-019	AMD-P	95-05-083
173-422-120	AMD	95-06-068	174-116-119	PREP	95-05-010	180-27-019	AMD	95-08-032
173-422-160	AMD	95-06-068	174-116-119	AMD-P	95-07-132	180-27-019	PREP	95-12-075
173-422-170	AMD	95-06-068	174-116-119	AMD	95-16-093	180-27-019	AMD-P	95-16-077
173-422-190	AMD	95-06-068	174-116-121	PREP	95-05-010	180-27-019	AMD	95-20-090
173-422-195	AMD	95-06-068	174-116-121	AMD-P	95-07-132	180-27-040	PREP	95-12-073
173-430-010	AMD	95-03-083	174-116-121	AMD	95-16-093	180-27-040	AMD-P	95-16-079
173-430-020	AMD	95-03-083	174-116-122	PREP	95-05-010	180-27-040	AMD	95-20-089
173-430-030	AMD	95-03-083	174-116-122	AMD-P	95-07-132	180-27-05605	AMD-E	95-11-092
173-430-040	AMD	95-03-083	174-116-122	AMD	95-16-093	180-27-05605	PREP	95-12-043
173-430-050	AMD	95-03-083	174-116-123	PREP	95-05-010	180-27-05605	AMD-P	95-12-074
173-430-060	AMD	95-03-083	174-116-123	AMD-P	95-07-132	180-27-05605	AMD	95-16-076
173-430-070	AMD	95-03-083	174-116-123	AMD	95-16-093	180-27-600	PREP	95-14-042
173-430-080	AMD	95-03-083	174-116-124	PREP	95-05-010	180-27-600	NEW-P	95-16-078
173-430-090	NEW	95-03-083	174-116-124	AMD-P	95-07-132	180-27-600	NEW	95-20-088
173-430-100	NEW	95-03-083	174-116-124	AMD	95-16-093	180-27-605	PREP	95-14-042
173-491	PREP	95-24-032	174-116-125	PREP	95-05-010	180-27-605	NEW-P	95-16-078
173-548	AMD-C	95-06-055	174-116-126	PREP	95-05-010	180-27-605	NEW	95-20-088
173-548	PREP	95-12-059	174-116-127	PREP	95-05-010	180-27-610	PREP	95-14-042
173-548-010	AMD-E	95-07-009	174-116-127	AMD-P	95-07-132	180-27-610	NEW-P	95-16-078
173-548-010	AMD-W	95-12-065	174-116-127	AMD	95-16-093	180-27-610	NEW	95-20-088
173-548-015	NEW-E	95-07-009	178-01	PREP	95-04-016	180-27-615	PREP	95-14-042
173-548-015	NEW-W	95-12-065	178-01-010	REP-P	95-04-017	180-27-615	NEW-P	95-16-078
173-548-030	AMD-E	95-07-009	178-01-010	REP	95-08-008	180-27-615	NEW	95-20-088
173-548-030	AMD-W	95-12-065	180-10	PREP	95-11-069	180-29-015	PREP	95-05-036
173-563-015	AMD	95-02-066	180-10-003	AMD-P	95-20-091	180-29-015	AMD-P	95-05-081
173-564-040	AMD	95-02-066	180-10-005	AMD-P	95-20-091	180-29-015	AMD	95-08-033
174-116-010	PREP	95-05-010	180-10-007	NEW-P	95-20-091	180-29-095	PREP	95-05-037
174-116-011	PREP	95-05-010	180-10-010	AMD-P	95-20-091	180-29-095	AMD-P	95-05-082
174-116-020	PREP	95-05-010	180-10-015	NEW-P	95-20-091	180-29-095	AMD	95-08-031
174-116-020	AMD-P	95-07-132	180-10-020	NEW-P	95-20-091	180-29-125	PREP	95-05-035
174-116-020	AMD	95-16-093	180-10-025	NEW-P	95-20-091	180-29-125	AMD-P	95-05-080
174-116-030	PREP	95-05-010	180-10-030	NEW-P	95-20-091	180-29-125	AMD	95-08-030
174-116-030	AMD-P	95-07-132	180-10-035	NEW-P	95-20-091	180-43-010	AMD-P	95-05-077
174-116-030	AMD	95-16-093	180-10-040	NEW-P	95-20-091	180-43-010	AMD	95-08-028
174-116-040	PREP	95-05-010	180-10-045	NEW-P	95-20-091	180-43-015	AMD-P	95-05-077
174-116-040	AMD-P	95-07-132	180-16-200	AMD-P	95-16-113	180-43-015	AMD	95-08-028
174-116-040	AMD	95-16-093	180-16-200	AMD	95-20-086	180-51-050	AMD-P	95-12-025
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174-116-041	AMD-P	95-07-132	180-16-205	AMD	95-20-086	180-53-070	AMD-P	95-16-113
174-116-041	AMD	95-16-093	180-16-210	AMD-P	95-16-113	180-53-070	AMD	95-20-086
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174-116-042	AMD-P	95-07-132	180-16-215	AMD-P	95-16-113	180-75-047	PREP	95-21-087
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180-77-002	NEW	95-12-056	180-79-062	AMD	95-20-038	182-20-001	NEW-P	95-08-060
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180-77-003	AMD	95-12-056	180-79-230	PREP	95-21-087	182-20-010	NEW-P	95-08-060
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180-77-005	AMD-P	95-08-058	180-79-241	AMD	95-20-040	182-20-100	NEW	95-12-010
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180-77-010	REP	95-12-056	180-79-340	PREP	95-16-073	182-20-160	NEW-P	95-08-060
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180-77-030	REP	95-12-056	180-95-070	NEW-P	95-05-076	192-04-060	AMD-P	95-15-063
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180-77-031	NEW	95-12-056	182-04	PREP	95-04-057	192-04-063	NEW-P	95-15-063
180-77-035	REP-P	95-08-058	182-08	PREP	95-04-057	192-04-063	NEW	95-18-055
180-77-035	REP	95-12-056	182-12	PREP	95-04-057	192-04-090	AMD-P	95-15-063
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180-77-040	REP	95-12-056	182-12-110	AMD-E	95-15-112	192-04-170	AMD-P	95-15-063
180-77-041	NEW-P	95-08-058	182-12-110	AMD-E	95-23-075	192-04-170	AMD	95-18-055
180-77-041	NEW	95-12-056	182-12-111	AMD-E	95-08-002	192-04-175	NEW-P	95-15-063
180-77-045	REP-P	95-08-058	182-12-111	AMD-E	95-15-112	192-04-175	NEW	95-18-055
180-77-045	REP	95-12-056	182-12-111	AMD-E	95-23-075	192-12	PREP	95-10-053
180-77-050	REP-P	95-08-058	182-12-115	AMD-E	95-08-002	192-12-005	PREP	95-21-095
180-77-050	REP	95-12-056	182-12-115	AMD-E	95-15-112	192-12-012	PREP	95-21-095
180-77-055	REP-P	95-08-058	182-12-115	AMD-E	95-23-075	192-12-013	PREP	95-21-095
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180-77-065	REP	95-12-056	182-13-010	NEW-W	95-03-074	192-12-141	PREP	95-07-075
180-77-068	NEW-P	95-08-058	182-13-010	NEW-P	95-03-075	192-12-141	AMD-P	95-15-094
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180-77-070	AMD-P	95-08-058	182-13-020	NEW-P	95-03-063	192-12-141	PREP	95-21-095
180-77-070	AMD	95-12-056	182-13-020	NEW-W	95-03-074	192-12-184	AMD-P	95-06-081
180-77-075	AMD-P	95-08-058	182-13-020	NEW-P	95-03-075	192-12-184	AMD	95-09-085
180-77-075	AMD	95-12-056	182-13-020	NEW	95-07-011	192-12-190	AMD-P	95-06-081
180-77-080	AMD-P	95-08-058	182-13-030	NEW-P	95-03-063	192-12-190	AMD	95-09-085
180-77-080	AMD	95-12-056	182-13-030	NEW-W	95-03-074	192-12-320	AMD-P	95-06-081
180-77-085	REP-P	95-08-058	182-13-030	NEW-P	95-03-075	192-12-320	AMD	95-09-085
180-77-085	REP	95-12-056	182-13-030	NEW	95-07-011	192-12-340	AMD-P	95-06-081
180-77-090	REP-P	95-08-058	182-13-040	NEW-P	95-03-063	192-12-340	AMD	95-09-085
180-77-090	REP	95-12-056	182-13-040	NEW-W	95-03-074	192-16	PREP	95-11-128
180-77-095	REP-P	95-08-058	182-13-040	NEW-P	95-03-075	192-16-002	PREP	95-11-128
180-77-095	REP	95-12-056	182-13-040	NEW	95-07-011	192-16-007	REP-P	95-06-081
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180-77-100	REP	95-12-056	182-14-010	NEW-E	95-15-092	192-16-017	AMD-P	95-06-081
180-77-105	REP-P	95-08-058	182-14-020	NEW-E	95-08-001	192-16-017	AMD	95-09-085
180-77-105	REP	95-12-056	182-14-020	NEW-E	95-15-092	192-16-019	AMD-P	95-06-081
180-77-106	NEW-P	95-08-058	182-14-030	NEW-E	95-08-001	192-16-019	AMD	95-09-085
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180-77-120	NEW-P	95-08-058	182-14-050	NEW-E	95-08-001	192-16-024	NEW-E	95-14-091
180-77-120	NEW	95-12-056	182-14-050	NEW-E	95-15-092	192-16-025	AMD-P	95-06-081
180-77-122	NEW-P	95-08-058	182-14-060	NEW-E	95-08-001	192-16-025	AMD	95-09-085
180-77-122	NEW	95-12-056	182-14-060	NEW-E	95-15-092	192-16-050	AMD-P	95-06-081
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180-78-145	AMD	95-12-055	182-14-080	NEW-E	95-08-001	192-16-051	AMD-E	95-14-091
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180-78-160	AMD-P	95-16-081	182-14-090	NEW-E	95-08-001	192-16-065	REP-P	95-06-081
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192-28-100	REP	95-09-085	208-620-150	NEW-P	95-22-107	220-40-021	AMD-C	95-13-062
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192-28-120	AMD-P	98-06-081	208-620-220	NEW-P	95-22-107	220-40-027	AMD-C	95-13-062
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192-32-045	AMD	95-09-085	220-24-02000W	REP-E	95-17-047	220-44-050	AMD	95-08-069
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192-42-021	REP	95-05-048	220-24-02000Y	NEW-E	95-17-076	220-44-05000N	REP-E	95-05-021
192-42-030	REP	95-05-048	220-24-02000Y	REP-E	95-18-077	220-44-05000P	NEW-E	95-05-021
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197-11-228	NEW	95-07-023	220-32-05500N	NEW-E	95-14-062	220-47-307	AMD-P	95-09-081
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222-21-040	NEW-C	95-14-028	230-02-350	AMD	95-07-094	230-12-079	NEW	95-09-062
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222-24-030	AMD-E	95-04-074	230-02-360	AMD	95-07-094	230-20-064	AMD-E	95-21-078
222-24-030	AMD-E	95-11-052	230-02-370	AMD-P	95-04-038	230-20-064	PREP	95-21-079
222-24-030	AMD-C	95-14-028	230-02-370	AMD	95-07-094	230-20-064	AMD-P	95-23-090
222-24-030	AMD-E	95-19-012	230-02-380	AMD-P	95-04-038	230-20-070	AMD-P	95-04-037
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222-30-065	NEW-E	95-11-052	230-04-120	AMD-P	95-14-095	230-20-220	AMD	95-12-051
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230-40-400	AMD-P	95-20-070	232-28-209	REP-E	95-22-112	232-28-60101	REP-P	95-22-112
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232-28-61950	REP	95-17-064	243-01-080	NEW	95-23-058	245-03-140	NEW-P	95-06-075
232-28-61951	REP-E	95-09-050	243-01-090	NEW-P	95-17-112	245-03-140	NEW-W	95-07-037
232-28-61951	REP-P	95-14-134	243-01-090	NEW	95-23-058	245-03-140	NEW-W	95-12-047
232-28-61951	REP	95-17-064	243-01-100	NEW-P	95-17-112	245-03-160	NEW-P	95-06-075
232-28-61952	NEW-W	95-03-066	243-01-100	NEW	95-23-058	245-03-160	NEW-W	95-07-037
232-28-61953	REP-E	95-09-050	243-01-110	NEW-P	95-17-112	245-03-160	NEW-W	95-12-047
232-28-61953	REP-P	95-14-134	243-01-110	NEW	95-23-058	245-03-180	NEW-P	95-06-075
232-28-61953	REP	95-17-064	243-01-120	NEW-P	95-17-112	245-03-180	NEW-W	95-07-037
232-28-61954	REP-E	95-09-050	243-01-120	NEW	95-23-058	245-03-180	NEW-W	95-12-047
232-28-61954	REP-P	95-14-134	243-01-130	NEW-P	95-17-112	245-03-200	NEW-P	95-06-075
232-28-61954	REP	95-17-064	243-01-130	NEW	95-23-058	245-03-200	NEW-W	95-07-037
232-28-61957	REP-E	95-09-050	243-01-140	NEW-P	95-17-112	245-03-200	NEW-W	95-12-047
232-28-61957	REP-P	95-14-134	243-01-140	NEW	95-23-058	245-03-220	NEW-P	95-06-075
232-28-61957	REP	95-17-064	243-01-150	NEW-P	95-17-112	245-03-220	NEW-W	95-07-037
232-28-812	REP-E	95-20-016	243-01-150	NEW	95-23-058	245-03-220	NEW-W	95-12-047
232-28-812	REP-P	95-22-112	245-01-010	DECOD	95-12-009	245-03-240	NEW-P	95-06-075
232-28-827	REP-P	95-22-112	245-01-020	DECOD	95-12-009	245-03-240	NEW-W	95-07-037
232-28-831	REP-P	95-22-112	245-01-030	DECOD	95-12-009	245-03-240	NEW-W	95-12-047
236-12	PREP	95-11-130	245-01-040	DECOD	95-12-009	245-03-260	NEW-P	95-06-075
236-12-015	AMD-P	95-13-107	245-01-050	DECOD	95-12-009	245-03-260	NEW-W	95-07-037
236-12-015	AMD	95-16-107	245-01-060	DECOD	95-12-009	245-03-260	NEW-W	95-12-047
236-12-360	AMD-P	95-13-107	245-01-070	DECOD	95-12-009	245-03-280	NEW-P	95-06-075
236-12-360	AMD	95-16-107	245-01-080	DECOD	95-12-009	245-03-280	NEW-W	95-07-037
236-12-361	AMD-P	95-13-107	245-01-090	DECOD	95-12-009	245-03-280	NEW-W	95-12-047
236-12-361	AMD	95-16-107	245-01-100	DECOD	95-12-009	245-03-300	NEW-P	95-06-075
236-12-362	AMD-P	95-13-107	245-01-110	DECOD	95-12-009	245-03-300	NEW-W	95-07-037
236-12-362	AMD	95-16-107	245-01-120	DECOD	95-12-009	245-03-300	NEW-W	95-12-047
236-15	PREP	95-11-131	245-01-130	DECOD	95-12-009	245-03-320	NEW-P	95-06-075
236-15-010	NEW	95-05-044	245-01-140	DECOD	95-12-009	245-03-320	NEW-W	95-07-037
236-15-010	REP-P	95-13-108	245-01-150	DECOD	95-12-009	245-03-320	NEW-W	95-12-047
236-15-010	REP	95-16-106	245-02-010	NEW	95-04-115	245-03-390	NEW-P	95-06-075
236-15-015	NEW	95-05-044	245-02-020	NEW	95-04-115	245-03-390	NEW-W	95-07-037
236-15-015	REP-P	95-13-108	245-02-025	NEW	95-04-115	245-03-390	NEW-W	95-12-047
236-15-015	REP	95-16-106	245-02-030	NEW	95-04-115	245-03-520	NEW-W	95-07-035
236-15-050	NEW	95-05-044	245-02-035	NEW	95-04-115	245-03-520	NEW-W	95-12-047
236-15-050	REP-P	95-13-108	245-02-040	NEW	95-04-115	245-03-540	NEW-W	95-07-035
236-15-050	REP	95-16-106	245-02-045	NEW	95-04-115	245-03-540	NEW-W	95-12-047
236-15-100	NEW	95-05-044	245-02-050	NEW	95-04-115	245-03-560	NEW-W	95-07-035
236-15-100	REP-P	95-13-108	245-02-100	NEW	95-04-112	245-03-560	NEW-W	95-12-047
236-15-100	REP	95-16-106	245-02-110	NEW	95-04-112	245-03-580	NEW-W	95-07-035
236-15-200	NEW	95-05-044	245-02-115	NEW	95-04-112	245-03-580	NEW-W	95-12-047
236-15-200	REP-P	95-13-108	245-02-120	NEW	95-04-112	245-03-610	NEW-P	95-06-076
236-15-200	REP	95-16-106	245-02-125	NEW	95-04-112	245-03-610	NEW-W	95-12-047
236-15-300	NEW	95-05-044	245-02-130	NEW	95-04-112	245-03-620	NEW-P	95-06-076
236-15-300	REP-P	95-13-108	245-02-131	NEW	95-04-112	245-03-620	NEW-W	95-07-036
236-15-300	REP	95-16-106	245-02-135	NEW	95-04-112	245-03-620	NEW-W	95-12-047
236-15-700	NEW	95-05-044	245-02-140	NEW	95-04-112	245-03-630	NEW-P	95-06-076
236-15-700	REP-P	95-13-108	245-02-145	NEW	95-04-112	245-03-630	NEW-W	95-12-047
236-15-700	REP	95-16-106	245-02-150	NEW	95-04-112	245-03-640	NEW-P	95-06-076
236-15-800	NEW	95-05-044	245-02-155	NEW	95-04-112	245-03-640	NEW-W	95-07-036
236-15-800	REP-P	95-13-108	245-02-160	NEW	95-04-112	245-03-640	NEW-W	95-12-047
236-15-800	REP	95-16-106	245-02-165	NEW	95-04-112	245-03-650	NEW-P	95-06-076
236-15-900	NEW	95-05-044	245-02-170	NEW	95-04-112	245-03-650	NEW-W	95-07-036
236-15-900	REP-P	95-13-108	245-02-175	NEW	95-04-112	245-03-650	NEW-W	95-12-047
236-15-900	REP	95-16-106	245-02-180	NEW	95-04-112	245-03-660	NEW-P	95-06-076
240-10-030	AMD	95-09-025	245-03-010	NEW-P	95-06-075	245-03-660	NEW-W	95-07-036
240-10-040	AMD	95-09-025	245-03-010	NEW-W	95-07-037	245-03-660	NEW-W	95-12-047
240-15-020	PREP	95-23-095	245-03-010	NEW-W	95-12-047	245-03-670	NEW-P	95-06-076
243-01-010	NEW-P	95-17-112	245-03-020	NEW-P	95-06-075	245-03-670	NEW-W	95-12-047
243-01-010	NEW	95-23-058	245-03-020	NEW-W	95-07-037	245-03-680	NEW-P	95-06-076
243-01-020	NEW-P	95-17-112	245-03-020	NEW-W	95-12-047	245-03-680	NEW-W	95-07-036
243-01-020	NEW	95-23-058	245-03-040	NEW-P	95-06-075	245-03-680	NEW-W	95-12-047
243-01-030	NEW-P	95-17-112	245-03-040	NEW-W	95-07-037	245-03-810	NEW-P	95-06-074
243-01-030	NEW	95-23-058	245-03-040	NEW-W	95-12-047	245-03-810	NEW-W	95-07-034
243-01-040	NEW-P	95-17-112	245-03-050	NEW-P	95-06-075	245-03-810	NEW-W	95-12-047
243-01-040	NEW	95-23-058	245-03-050	NEW-W	95-07-037	245-03-820	NEW-P	95-06-074
243-01-050	NEW-P	95-17-112	245-03-050	NEW-W	95-12-047	245-03-820	NEW-W	95-07-034
243-01-050	NEW	95-23-058	245-03-080	NEW-P	95-06-075	245-03-820	NEW-W	95-12-047
243-01-060	NEW-P	95-17-112	245-03-080	NEW-W	95-07-037	245-03-830	NEW-P	95-06-074
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245-03-840	NEW-P	95-06-074	245-04-185	NEW-W	95-12-047	246-130-030	AMD	95-23-018
245-03-840	NEW-W	95-07-034	245-04-190	NEW-P	95-04-113	246-130-040	AMD-P	95-15-109
245-03-840	NEW-W	95-12-047	245-04-190	NEW-W	95-12-047	246-130-040	AMD	95-23-018
245-03-860	NEW-P	95-06-074	245-04-195	NEW-P	95-04-113	246-130-050	REP-P	95-15-109
245-03-860	NEW-W	95-07-034	245-04-195	NEW-W	95-12-047	246-130-050	REP	95-23-018
245-03-860	NEW-W	95-12-047	245-04-200	NEW-P	95-06-079	246-130-060	AMD-P	95-15-109
245-03-880	NEW-P	95-06-074	245-04-200	NEW-W	95-07-032	246-130-060	AMD	95-23-018
245-03-880	NEW-W	95-07-034	245-04-200	NEW-W	95-12-047	246-130-070	AMD-P	95-15-109
245-03-880	NEW-W	95-12-047	245-04-210	NEW-P	95-06-079	246-130-070	AMD	95-23-018
245-04-010	NEW-P	95-06-077	245-04-210	NEW-P	95-07-032	246-170	AMD	95-04-035
245-04-010	NEW-W	95-07-033	245-04-210	NEW-W	95-12-047	246-170-001	REP	95-04-035
245-04-010	NEW-W	95-12-047	245-04-220	NEW-P	95-06-079	246-170-002	NEW	95-04-035
245-04-020	NEW-P	95-06-077	245-04-220	NEW-W	95-07-032	246-170-010	REP	95-04-035
245-04-020	NEW-W	95-12-047	245-04-220	NEW-W	95-12-047	246-170-011	NEW	95-04-035
245-04-020	NEW-W	95-12-047	245-04-230	NEW-P	95-06-079	246-170-020	REP	95-04-035
245-04-025	NEW-P	95-06-077	245-04-230	NEW-W	95-07-032	246-170-021	NEW	95-04-035
245-04-025	NEW-W	95-07-033	245-04-230	NEW-W	95-12-047	246-170-030	REP	95-04-035
245-04-025	NEW-W	95-12-047	245-04-240	NEW-P	95-06-079	246-170-031	NEW	95-04-035
245-04-030	NEW-P	95-06-077	245-04-240	NEW-W	95-07-032	246-170-040	REP	95-04-035
245-04-030	NEW-W	95-07-033	245-04-240	NEW-W	95-12-047	246-170-041	NEW	95-04-035
245-04-030	NEW-W	95-12-047	245-04-300	NEW-P	95-06-078	246-170-050	REP	95-04-035
245-04-040	NEW-P	95-06-077	245-04-300	NEW-W	95-07-031	246-170-051	NEW	95-04-035
245-04-040	NEW-W	95-07-033	245-04-300	NEW-W	95-12-047	246-170-055	NEW	95-04-035
245-04-040	NEW-W	95-12-047	245-04-310	NEW-P	95-06-078	246-170-060	REP	95-04-035
245-04-050	NEW-P	95-06-077	245-04-310	NEW-W	95-07-031	246-170-061	NEW	95-04-035
245-04-050	NEW-W	95-07-033	245-04-310	NEW-W	95-12-047	246-170-065	NEW	95-04-035
245-04-050	NEW-W	95-12-047	245-04-320	NEW-P	95-06-078	246-170-070	REP	95-04-035
245-04-060	NEW-P	95-06-077	245-04-320	NEW-W	95-07-031	246-170-080	REP	95-04-035
245-04-060	NEW-W	95-07-033	245-04-320	NEW-W	95-12-047	246-170-090	REP	95-04-035
245-04-060	NEW-W	95-12-047	245-04-330	NEW-P	95-06-078	246-249-020	AMD-P	95-04-100
245-04-070	NEW-P	95-06-077	245-04-330	NEW-W	95-07-031	246-249-020	AMD	95-13-094
245-04-070	NEW-W	95-07-033	245-04-330	NEW-W	95-12-047	246-249-080	AMD-P	95-04-100
245-04-070	NEW-W	95-12-047	245-04-340	NEW-P	95-06-078	246-249-080	AMD	95-13-094
245-04-080	NEW-P	95-06-077	245-04-340	NEW-W	95-07-031	246-254	PREP	95-05-058
245-04-080	NEW-W	95-07-033	245-04-340	NEW-W	95-12-047	246-254-053	AMD-P	95-08-066
245-04-080	NEW-W	95-12-047	245-04-350	NEW-P	95-06-078	246-254-053	AMD	95-12-004
245-04-090	AMD-P	95-03-101	245-04-350	NEW-W	95-07-031	246-254-070	AMD-P	95-08-066
245-04-090	AMD	95-06-048	245-04-350	NEW-W	95-12-047	246-254-070	AMD	95-12-004
245-04-090	DECOD	95-12-009	245-08-010	NEW-P	95-04-114	246-254-080	AMD-P	95-08-066
245-04-100	AMD-P	95-03-101	245-08-010	NEW-W	95-07-030	246-254-080	AMD	95-12-004
245-04-100	AMD	95-06-048	245-08-010	NEW-W	95-12-047	246-254-090	AMD-P	95-08-066
245-04-100	DECOD	95-12-009	245-08-020	NEW-P	95-04-114	246-254-090	AMD	95-12-004
245-04-110	AMD-P	95-03-101	245-08-020	NEW-W	95-07-030	246-254-100	AMD-P	95-08-066
245-04-110	AMD	95-06-048	245-08-020	NEW-W	95-12-047	246-254-100	AMD	95-12-004
245-04-110	DECOD	95-12-009	245-08-030	NEW-P	95-04-114	246-254-120	AMD-P	95-08-066
245-04-115	AMD-P	95-03-101	245-08-030	NEW-W	95-07-030	246-254-120	AMD	95-12-004
245-04-115	AMD	95-06-048	245-08-030	NEW-W	95-12-047	246-255	PREP	95-05-058
245-04-115	DECOD	95-12-009	245-08-040	NEW-P	95-04-114	246-272-25001	AMD-P	95-04-034
245-04-125	NEW-P	95-04-113	245-08-040	NEW-W	95-07-030	246-272-25001	AMD	95-09-018
245-04-125	NEW-W	95-12-047	245-08-040	NEW-W	95-12-047	246-273-001	NEW-P	95-21-056
245-04-130	NEW-P	95-04-113	245-08-050	NEW-P	95-04-114	246-273-001	NEW	95-24-062
245-04-130	NEW-W	95-12-047	245-08-050	NEW-W	95-07-030	246-273-010	NEW-P	95-21-056
245-04-135	NEW-P	95-04-113	245-08-050	NEW-W	95-12-047	246-273-010	NEW	95-24-062
245-04-135	NEW-W	95-12-047	246-01-040	AMD-P	95-07-054	246-273-020	NEW-P	95-21-056
245-04-140	NEW-P	95-04-113	246-01-040	AMD	95-10-043	246-273-020	NEW	95-24-062
245-04-140	NEW-W	95-12-047	246-01-080	AMD-P	95-07-054	246-273-030	NEW-P	95-21-056
245-04-145	NEW-P	95-04-113	246-01-080	AMD	95-10-043	246-273-030	NEW	95-24-062
245-04-145	NEW-W	95-12-047	246-08-400	NEW-E	95-14-108	246-273-040	NEW-P	95-21-056
245-04-150	NEW-P	95-04-113	246-08-400	NEW-P	95-17-126	246-273-040	NEW	95-24-062
245-04-150	NEW-W	95-12-047	246-08-400	NEW	95-20-080	246-273-050	NEW-P	95-21-056
245-04-155	NEW-P	95-04-113	246-100-166	PREP	95-05-012	246-273-050	NEW	95-24-062
245-04-155	NEW-W	95-12-047	246-100-166	AMD-P	95-22-089	246-273-060	NEW-P	95-21-056
245-04-160	NEW-P	95-04-113	246-100-236	AMD-S	95-08-026	246-273-060	NEW	95-24-062
245-04-160	NEW-W	95-12-047	246-100-236	AMD	95-13-037	246-273-065	NEW	95-24-062
245-04-165	NEW-P	95-04-113	246-130	AMD-P	95-15-109	246-273-070	NEW-P	95-21-056
245-04-165	NEW-W	95-12-047	246-130	AMD	95-23-018	246-273-070	NEW	95-24-062
245-04-170	NEW-P	95-04-113	246-130-001	AMD-P	95-15-109	246-273-080	NEW-P	95-21-056
245-04-170	NEW-W	95-12-047	246-130-001	AMD	95-23-018	246-273-080	NEW	95-24-062
245-04-175	NEW-P	95-04-113	246-130-010	AMD-P	95-15-109	246-273-990	NEW-P	95-21-056
245-04-175	NEW-W	95-12-047	246-130-010	AMD	95-23-018	246-273-990	NEW	95-24-062
245-04-180	NEW-P	95-04-113	246-130-020	AMD-P	95-15-109	246-290-990	PREP	95-05-059
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246-291-010	AMD	95-20-078	246-322-220	NEW-P	95-12-096	246-326-990	AMD-P	95-09-059
246-291-020	AMD-P	95-15-107	246-322-220	NEW	95-22-012	246-326-990	AMD	95-12-097
246-291-020	AMD	95-20-078	246-322-230	NEW-P	95-12-096	246-327	PREP	95-07-073
246-291-025	AMD-P	95-15-107	246-322-230	NEW	95-22-012	246-327-990	AMD-P	95-09-059
246-291-025	AMD	95-20-078	246-322-240	NEW-P	95-12-096	246-327-990	AMD	95-12-097
246-291-030	AMD-P	95-15-107	246-322-240	NEW	95-22-012	246-331	PREP	95-07-073
246-291-030	AMD	95-20-078	246-316-250	NEW-P	95-12-096	246-331-990	AMD-P	95-09-059
246-291-100	AMD-P	95-15-107	246-322-250	NEW	95-22-012	246-331-990	AMD	95-12-097
246-291-100	AMD	95-20-078	246-322-500	NEW-P	95-12-096	246-336	PREP	95-07-073
246-291-110	AMD-P	95-15-107	246-322-500	NEW	95-22-012	246-336-990	AMD-P	95-09-059
246-291-110	AMD	95-20-078	246-322-990	AMD-P	95-09-059	246-336-990	AMD	95-12-097
246-291-130	AMD-P	95-15-107	246-322-990	AMD	95-12-097	246-358	PREP	95-11-072
246-291-130	AMD	95-20-078	246-322-991	AMD-P	95-09-059	246-358-001	AMD-E	95-13-093
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246-314-990	AMD	95-12-097	246-323-990	AMD-P	95-09-059	246-358-010	AMD-P	95-20-075
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246-316-990	AMD-P	95-09-059	246-324-001	NEW-P	95-12-094	246-358-020	AMD-E	95-08-018
246-316-990	AMD	95-12-097	246-324-001	NEW	95-22-013	246-358-020	AMD-E	95-13-093
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246-318-990	AMD-P	95-09-059	246-324-010	NEW	95-22-013	246-358-020	AMD-E	95-22-009
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246-322	PREP	95-07-073	246-324-020	NEW	95-22-013	246-358-025	AMD-P	95-20-074
246-322-001	NEW-P	95-12-096	246-324-025	NEW-P	95-12-094	246-358-025	AMD-E	95-22-010
246-322-001	NEW	95-22-012	246-324-025	NEW	95-22-013	246-358-030	AMD-E	95-13-092
246-322-010	AMD-P	95-12-096	246-324-030	NEW-P	95-12-094	246-358-030	AMD-P	95-20-074
246-322-010	AMD	95-22-012	246-324-030	NEW	95-22-013	246-358-030	AMD-E	95-22-010
246-322-020	AMD-P	95-12-096	246-324-035	NEW-P	95-12-094	246-358-045	AMD-E	95-13-093
246-322-020	AMD	95-22-012	246-324-035	NEW	95-22-013	246-358-045	AMD-P	95-20-075
246-322-025	NEW-P	95-12-096	246-324-040	NEW-P	95-12-094	246-358-045	AMD-E	95-22-009
246-322-025	NEW	95-22-012	246-324-040	NEW	95-22-013	246-358-055	AMD-E	95-13-093
246-322-030	NEW-P	95-12-096	246-324-050	NEW-P	95-12-094	246-358-055	AMD-P	95-20-075
246-322-030	NEW	95-22-012	246-324-050	NEW	95-22-013	246-358-055	AMD-E	95-22-009
246-322-035	NEW-P	95-12-096	246-324-060	NEW-P	95-12-094	246-358-065	AMD-E	95-13-093
246-322-035	NEW	95-22-012	246-324-060	NEW	95-22-013	246-358-065	AMD-P	95-20-075
246-322-040	AMD-P	95-12-096	246-324-100	NEW-P	95-12-094	246-358-065	AMD-E	95-22-009
246-322-040	AMD	95-22-012	246-324-100	NEW	95-22-013	246-358-075	AMD-E	95-13-093
246-322-050	AMD-P	95-12-096	246-324-120	NEW-P	95-12-094	246-358-075	AMD-P	95-20-075
246-322-050	AMD	95-22-012	246-324-120	NEW	95-22-013	246-358-075	AMD-E	95-22-009
246-322-060	AMD-P	95-12-096	246-324-140	NEW-P	95-12-094	246-358-085	AMD-E	95-08-018
246-322-060	AMD	95-22-012	246-324-140	NEW	95-22-013	246-358-085	AMD-E	95-13-093
246-322-070	REP-P	95-12-096	246-324-150	NEW-P	95-12-094	246-358-085	AMD-P	95-20-075
246-322-070	REP	95-22-012	246-324-150	NEW	95-22-013	246-358-085	AMD-E	95-22-009
246-322-080	REP-P	95-12-096	246-324-160	NEW-P	95-12-094	246-358-090	NEW-E	95-13-093
246-322-080	REP	95-22-012	246-324-160	NEW	95-22-013	246-358-090	NEW-P	95-20-075
246-322-090	REP-P	95-12-096	246-324-170	NEW-P	95-12-094	246-358-090	NEW	95-22-009
246-322-090	REP	95-22-012	246-324-170	NEW	95-22-013	246-358-095	AMD-E	95-13-093
246-322-100	AMD-P	95-12-096	246-324-180	NEW-P	95-12-094	246-358-095	AMD-P	95-20-075
246-322-100	AMD	95-22-012	246-324-180	NEW	95-22-013	246-358-095	AMD-E	95-22-009
246-322-110	REP-P	95-12-096	246-324-190	NEW-P	95-12-094	246-358-100	NEW-E	95-13-093
246-322-110	REP	95-22-012	246-324-190	NEW	95-22-013	246-358-100	NEW-P	95-20-075
246-322-120	AMD-P	95-12-096	246-324-200	NEW-P	95-12-094	246-358-100	NEW	95-22-009
246-322-120	AMD	95-22-012	246-324-200	NEW	95-22-013	246-358-105	REP-E	95-13-093
246-322-130	REP-P	95-12-096	246-324-210	NEW-P	95-12-094	246-358-105	REP-P	95-20-075
246-322-130	REP	95-22-012	246-324-210	NEW	95-22-013	246-358-105	REP	95-22-009
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246-322-140	NEW	95-22-012	246-324-220	NEW	95-22-013	246-358-115	REP-P	95-20-075
246-322-150	NEW-P	95-12-096	246-324-230	NEW-P	95-12-094	246-358-115	REP	95-22-009
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246-322-190	NEW	95-22-012	246-324-990	NEW	95-22-013	246-358-140	AMD-P	95-20-075
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246-358-155	AMD-E	95-13-093	246-812-160	NEW-E	95-09-029
246-358-155	AMD-P	95-20-075	246-812-160	NEW-P	95-15-110
246-358-155	AMD-E	95-22-009	246-812-160	NEW-E	95-17-046
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246-358-175	AMD-P	95-20-075	246-812-170	NEW-E	95-09-029
246-358-175	AMD-E	95-22-009	246-812-170	NEW-P	95-15-110
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246-560-100	PREP	95-06-073	246-812-340	NEW-E	95-17-046
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246-780-010	NEW-P	95-20-076	246-812-350	NEW-P	95-15-110
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246-780-060	NEW-P	95-20-076	246-812-360	NEW-E	95-17-046
246-780-070	NEW-P	95-20-076	246-812-360	NEW	95-22-062
246-812	PREP	95-06-017	246-812-360	NEW-E	95-09-029
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246-812-001	NEW-P	95-15-110	246-812-390	NEW-E	95-17-046
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246-812-140	NEW-P	95-15-110	246-812-460	NEW-E	95-17-046
246-812-140	NEW-E	95-17-046	246-812-460	NEW	95-22-062
246-812-140	NEW	95-22-062	246-812-501	NEW-E	95-09-029
246-812-150	NEW-E	95-09-029	246-812-501	NEW-P	95-15-110
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246-816-380	REP-P	95-12-068	246-817-400	NEW	95-21-041	246-818-140	REP-P	95-12-068
246-816-390	REP-P	95-12-068	246-817-410	NEW-P	95-12-068	246-818-142	REP-P	95-12-068
246-816-400	REP-P	95-12-068	246-817-410	NEW	95-21-041	246-818-143	REP-P	95-12-068
246-816-410	REP-P	95-12-068	246-817-420	NEW-P	95-12-068	246-818-150	REP-P	95-12-068
246-816-501	REP-P	95-12-068	246-817-420	NEW	95-21-041	246-818-991	REP-P	95-12-067
246-816-510	REP-P	95-12-068	246-817-430	NEW-P	95-12-068	246-818-991	REP-P	95-12-068
246-816-520	REP-P	95-12-068	246-817-430	NEW	95-21-041	246-818-991	REP	95-16-122
246-816-530	REP-P	95-12-068	246-817-501	NEW-P	95-12-068	246-828-040	AMD-P	95-11-111
246-816-701	REP-P	95-12-068	246-817-501	NEW	95-21-041	246-828-040	AMD	95-19-017
246-816-710	REP-P	95-12-068	246-817-510	NEW-P	95-12-068	246-828-070	AMD-P	95-11-111
246-816-720	REP-P	95-12-068	246-817-510	NEW	95-21-041	246-828-070	AMD	95-19-017
246-816-730	REP-P	95-12-068	246-817-520	NEW-P	95-12-068	246-828-075	NEW-P	95-11-111
246-816-740	REP-P	95-12-068	246-817-520	NEW	95-21-041	246-828-075	NEW	95-19-017
246-816-990	REP-P	95-12-067	246-817-530	NEW-P	95-12-068	246-828-080	AMD-P	95-11-111
246-816-990	REP-P	95-12-068	246-817-530	NEW	95-21-041	246-828-080	AMD	95-19-017
246-816-990	REP	95-16-122	246-817-540	NEW-P	95-12-068	246-828-090	AMD-P	95-11-111
246-817-001	NEW-P	95-12-068	246-817-540	NEW	95-21-041	246-828-090	AMD	95-19-017
246-817-001	NEW	95-21-041	246-817-550	NEW-P	95-12-068	246-828-100	AMD-P	95-11-111
246-817-010	NEW-P	95-12-068	246-817-550	NEW	95-21-041	246-828-100	AMD	95-19-017
246-817-010	NEW	95-21-041	246-817-560	NEW-P	95-12-068	246-828-120	AMD-P	95-11-111
246-817-015	NEW-P	95-12-068	246-817-560	NEW	95-21-041	246-828-120	AMD	95-19-017
246-817-015	NEW	95-21-041	246-817-570	NEW-P	95-12-068	246-828-295	NEW-P	95-11-111
246-817-101	NEW-P	95-12-068	246-817-570	NEW	95-21-041	246-828-295	NEW	95-19-017
246-817-101	NEW	95-21-041	246-817-601	NEW-P	95-12-068	246-828-300	AMD-P	95-11-111
246-817-110	NEW-P	95-12-068	246-817-601	NEW	95-21-041	246-828-300	AMD	95-19-017
246-817-110	NEW	95-21-041	246-817-610	NEW-P	95-12-068	246-828-320	AMD-P	95-11-111
246-817-120	NEW-P	95-12-068	246-817-610	NEW	95-21-041	246-828-320	AMD	95-19-017
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246-817-130	NEW-P	95-12-068	246-817-620	NEW	95-21-041	246-828-360	AMD	95-19-017
246-817-130	NEW	95-21-041	246-817-630	NEW-P	95-12-068	246-828-370	AMD-P	95-11-111
246-817-135	NEW-P	95-12-068	246-817-630	NEW	95-21-041	246-828-370	AMD	95-19-017
246-817-135	NEW	95-21-041	246-817-701	NEW-P	95-12-068	246-828-400	AMD-P	95-11-111
246-817-140	NEW-P	95-12-068	246-817-701	NEW	95-21-041	246-828-400	AMD	95-19-017
246-817-140	NEW	95-21-041	246-817-710	NEW-P	95-12-068	246-828-410	AMD-P	95-11-111
246-817-150	NEW-P	95-12-068	246-817-710	NEW	95-21-041	246-828-410	AMD	95-19-017
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246-817-160	NEW-P	95-12-068	246-817-720	NEW	95-21-041	246-828-530	AMD	95-19-017
246-817-160	NEW	95-21-041	246-817-730	NEW-P	95-12-068	246-828-550	AMD-P	95-11-111
246-817-170	NEW-P	95-12-068	246-817-730	NEW	95-21-041	246-828-550	AMD	95-19-017
246-817-170	NEW	95-21-041	246-817-740	NEW-P	95-12-068	246-828-560	AMD-P	95-11-111
246-817-175	NEW-P	95-12-068	246-817-740	NEW	95-21-041	246-828-560	AMD	95-19-017
246-817-175	NEW	95-21-041	246-817-750	NEW-P	95-12-068	246-828-990	AMD-P	95-11-111
246-817-180	NEW-P	95-12-068	246-817-750	NEW	95-21-041	246-828-990	AMD	95-19-017
246-817-180	NEW	95-21-041	246-817-760	NEW-P	95-12-068	246-830-005	NEW-P	95-07-013
246-817-185	NEW-P	95-12-068	246-817-760	NEW	95-21-041	246-830-005	NEW	95-11-108
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246-817-210	NEW-P	95-12-068	246-817-790	NEW	95-21-041	246-830-037	NEW-W	95-22-063
246-817-210	NEW	95-21-041	246-817-801	NEW-P	95-12-068	246-830-201	AMD-E	95-15-009
246-817-301	NEW-P	95-12-068	246-817-801	NEW	95-21-041	246-830-201	AMD-P	95-21-090
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246-817-320	NEW-P	95-12-068	246-817-820	NEW	95-21-041	246-830-220	AMD-W	95-22-063
246-817-320	NEW	95-21-041	246-817-830	NEW-P	95-12-068	246-830-230	AMD-P	95-07-013
246-817-330	NEW-P	95-12-068	246-817-830	NEW	95-21-041	246-830-230	AMD	95-11-108
246-817-330	NEW	95-21-041	246-817-990	NEW-P	95-12-067	246-830-230	REP-E	95-15-009
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246-817-340	NEW	95-21-041	246-818-015	REP-P	95-12-068	246-830-230	REP-W	95-22-063
246-817-350	NEW-P	95-12-068	246-818-020	REP-P	95-12-068	246-830-240	REP-E	95-15-009
246-817-350	NEW	95-21-041	246-818-030	REP-P	95-12-068	246-830-240	REP-P	95-21-090
246-817-360	NEW-P	95-12-068	246-818-040	REP-P	95-12-068	246-830-240	REP-W	95-22-063
246-817-360	NEW	95-21-041	246-818-050	REP-P	95-12-068	246-830-250	REP-E	95-15-009
246-817-370	NEW-P	95-12-068	246-818-060	REP-P	95-12-068	246-830-250	REP-P	95-21-090
246-817-370	NEW	95-21-041	246-818-070	REP-P	95-12-068	246-830-250	REP-W	95-22-063
246-817-380	NEW-P	95-12-068	246-818-080	REP-P	95-12-068	246-830-255	AMD-E	95-15-009
246-817-380	NEW	95-21-041	246-818-090	REP-P	95-12-068	246-830-255	AMD-P	95-21-090
246-817-390	NEW-P	95-12-068	246-818-100	REP-P	95-12-068	246-830-255	AMD-W	95-22-063
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246-830-260	AMD-P	95-21-090	246-839-525	REP-P	95-12-095	246-851-060	REP-P	95-11-110
246-830-260	AMD-W	95-22-063	246-839-525	REP	95-21-072	246-851-060	REP	95-14-114
246-830-270	AMD-E	95-15-009	246-839-530	REP-P	95-12-095	246-851-070	REP-P	95-11-110
246-830-270	AMD-P	95-21-090	246-839-530	REP	95-21-072	246-851-070	REP	95-14-114
246-830-270	AMD-W	95-22-063	246-839-535	REP-P	95-12-095	246-851-080	REP-P	95-11-110
246-830-280	AMD-E	95-15-009	246-839-535	REP	95-21-072	246-851-080	REP-W	95-24-105
246-830-280	AMD-P	95-21-090	246-839-540	REP-P	95-12-095	246-851-480	AMD-P	95-11-110
246-830-280	AMD-W	95-22-063	246-839-540	REP	95-21-072	246-851-480	AMD-W	95-24-105
246-830-401	AMD-P	95-07-013	246-839-545	REP-P	95-12-095	246-851-490	AMD-P	95-11-110
246-830-401	AMD	95-11-108	246-839-545	REP	95-21-072	246-851-490	AMD	95-14-114
246-830-410	REP-P	95-07-013	246-839-550	REP-P	95-12-095	246-851-500	AMD-P	95-11-110
246-830-410	REP	95-11-108	246-839-550	REP	95-21-072	246-851-500	AMD	95-14-114
246-830-420	AMD-P	95-07-013	246-839-555	REP-P	95-12-095	246-851-560	NEW	95-04-084
246-830-420	AMD	95-11-108	246-839-555	REP	95-21-072	246-851-990	PREP	95-09-056
246-830-420	AMD-E	95-15-009	246-839-560	REP-P	95-12-095	246-851-990	AMD-P	95-11-109
246-830-423	NEW-E	95-15-009	246-839-560	REP	95-21-072	246-851-990	AMD	95-14-111
246-830-423	NEW-P	95-21-090	246-839-565	REP-P	95-12-095	246-858	AMD-C	95-18-095
246-830-423	NEW-W	95-22-063	246-839-565	REP	95-21-072	246-858-020	PREP	95-06-036
246-830-425	NEW-E	95-15-009	246-839-570	REP-P	95-12-095	246-858-020	AMD-P	95-14-113
246-830-425	NEW-P	95-21-090	246-839-570	REP	95-21-072	246-861	AMD-C	95-03-070
246-830-425	NEW-W	95-22-063	246-839-575	PREP	95-09-058	246-861-010	AMD	95-08-019
246-830-427	NEW-E	95-15-009	246-839-575	REP-P	95-12-095	246-861-020	AMD	95-08-019
246-830-427	NEW-P	95-21-090	246-839-575	REP	95-21-072	246-861-030	REP-W	95-08-062
246-830-427	NEW-W	95-22-063	246-839-990	PREP	95-04-069	246-861-040	AMD	95-08-019
246-830-430	AMD-P	95-07-013	246-839-990	REP-P	95-08-049	246-861-040	PREP	95-18-090
246-830-430	AMD	95-11-108	246-839-990	REP	95-12-021	246-861-050	AMD	95-08-019
246-830-440	AMD-P	95-07-013	246-840-500	NEW-P	95-12-095	246-861-055	NEW	95-08-019
246-830-440	AMD	95-11-108	246-840-500	NEW	95-21-072	246-861-060	AMD	95-08-019
246-830-450	AMD-P	95-07-013	246-840-505	NEW-P	95-12-095	246-861-090	AMD-W	95-08-051
246-830-450	AMD	95-11-108	246-840-505	NEW	95-21-072	246-861-090	PREP	95-12-019
246-830-475	AMD-P	95-07-013	246-840-510	NEW-P	95-12-095	246-861-090	PREP	95-12-093
246-830-475	AMD	95-11-108	246-840-510	NEW	95-21-072	246-861-090	AMD-P	95-16-121
246-830-475	AMD-E	95-15-009	246-840-520	NEW-P	95-12-095	246-861-090	AMD-C	95-18-092
246-830-610	AMD-P	95-07-013	246-840-520	NEW	95-21-072	246-863-095	NEW-P	95-14-112
246-830-610	AMD	95-11-108	246-840-525	NEW-P	95-12-095	246-863-095	NEW-C	95-18-094
246-830-990	AMD-P	95-07-013	246-840-525	NEW	95-21-072	246-869-240	REP-P	95-14-112
246-830-990	AMD	95-11-108	246-840-530	NEW-P	95-12-095	246-881-040	AMD-P	95-14-115
246-830-990	AMD-E	95-15-009	246-840-530	NEW	95-21-072	246-881-040	AMD-C	95-18-093
246-838-090	PREP	95-06-018	246-840-535	NEW-P	95-12-095	246-885-030	NEW-E	95-20-077
246-838-100	PREP	95-06-018	246-840-535	NEW	95-21-072	246-885-030	PREP	95-24-106
246-838-140	REP-P	95-12-095	246-840-540	NEW-P	95-12-095	246-887-160	PREP	95-07-086
246-838-140	REP	95-21-072	246-840-540	NEW	95-21-072	246-887-160	AMD-P	95-13-109
246-838-150	REP-P	95-12-095	246-840-545	NEW-P	95-12-095	246-887-160	AMD-C	95-18-091
246-838-150	REP	95-21-072	246-840-545	NEW	95-21-072	246-891-020	AMD-P	95-04-099
246-838-160	REP-P	95-12-095	246-840-550	NEW-P	95-12-095	246-891-020	AMD	95-08-020
246-838-160	REP	95-21-072	246-840-550	NEW	95-21-072	246-891-030	AMD-P	95-04-099
246-838-170	REP-P	95-12-095	246-840-555	NEW-P	95-12-095	246-891-030	AMD	95-08-020
246-838-170	REP	95-21-072	246-840-555	NEW	95-21-072	246-901-065	PREP	95-20-073
246-838-180	REP-P	95-12-095	246-840-560	NEW-P	95-12-095	246-917-020	REP-P	95-22-088
246-838-180	REP	95-21-072	246-840-560	NEW	95-21-072	246-917-025	REP-P	95-22-088
246-838-190	REP-P	95-12-095	246-840-565	NEW-P	95-12-095	246-917-026	REP-P	95-22-088
246-838-190	REP	95-21-072	246-840-565	NEW	95-21-072	246-917-030	REP-P	95-22-088
246-838-200	REP-P	95-12-095	246-840-570	NEW-P	95-12-095	246-917-040	REP-P	95-22-088
246-838-200	REP	95-21-072	246-840-570	NEW	95-21-072	246-917-050	REP-P	95-22-088
246-838-210	REP-P	95-12-095	246-840-575	NEW-P	95-12-095	246-917-060	REP-P	95-22-088
246-838-210	REP	95-21-072	246-840-575	NEW	95-21-072	246-917-070	REP-P	95-22-088
246-838-220	REP-P	95-12-095	246-840-910	NEW-P	95-23-115	246-917-080	REP-P	95-22-088
246-838-220	REP	95-21-072	246-840-920	NEW-P	95-23-115	246-917-090	REP-P	95-22-088
246-838-230	REP-P	95-12-095	246-840-930	NEW-P	95-23-115	246-917-100	REP-P	95-22-088
246-838-230	REP	95-21-072	246-840-940	NEW-P	95-23-115	246-917-110	REP-P	95-22-088
246-838-240	REP-P	95-12-095	246-840-950	NEW-P	95-23-115	246-917-120	REP-P	95-22-088
246-838-240	REP	95-21-072	246-840-960	NEW-P	95-23-115	246-917-121	REP-P	95-22-088
246-838-990	PREP	95-04-069	246-840-970	NEW-P	95-23-115	246-917-125	REP-P	95-22-088
246-838-990	REP-P	95-08-049	246-840-980	NEW-P	95-23-115	246-917-126	REP-P	95-22-088
246-838-990	REP	95-12-021	246-840-990	NEW-P	95-08-049	246-917-130	REP-P	95-22-088
246-839-030	PREP	95-09-058	246-840-990	NEW	95-12-021	246-917-135	REP-P	95-22-088
246-839-080	PREP	95-06-018	246-841-405	NEW-P	95-23-114	246-917-140	REP-P	95-22-088
246-839-090	PREP	95-06-018	246-841-990	AMD-P	95-23-113	246-917-150	REP-P	95-22-088
246-839-090	PREP	95-09-058	246-843-010	AMD	95-07-128	246-917-160	REP-P	95-22-088
246-839-505	REP-P	95-12-095	246-843-090	AMD	95-07-128	246-917-170	REP-P	95-22-088
246-839-505	REP	95-21-072	246-843-205	AMD	95-07-128	246-917-180	REP-P	95-22-088
246-839-506	REP-P	95-12-095	246-843-240	REP	95-07-128	246-917-190	REP-P	95-22-088
246-839-506	REP	95-21-072	246-843-320	AMD	95-07-128	246-917-200	REP-P	95-22-088

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246-917-210	REP-P	95-22-088	246-919-730	NEW-P	95-22-088	246-920-770	REP-P	95-22-088
246-917-220	REP-P	95-22-088	246-919-740	NEW-P	95-22-088	246-920-780	REP-P	95-22-088
246-917-300	REP-P	95-22-088	246-919-750	NEW-P	95-22-088	246-920-890	REP-P	95-22-088
246-917-990	REP-P	95-22-088	246-919-760	NEW-P	95-22-088	246-924-080	PREP	95-09-028
246-918	AMD-P	95-22-088	246-919-770	NEW-P	95-22-088	246-924-250	PREP	95-09-028
246-918-005	AMD-P	95-22-088	246-919-990	NEW-P	95-22-088	246-924-470	PREP	95-09-028
246-918-006	AMD-P	95-22-088	246-920-020	REP-P	95-22-088	246-924-500	PREP	95-09-028
246-918-007	AMD-P	95-22-088	246-920-030	REP-P	95-22-088	246-924-990	PREP	95-08-050
246-918-008	AMD-P	95-22-088	246-920-040	REP-P	95-22-088	246-928-015	NEW-P	95-14-110
246-918-009	AMD-P	95-22-088	246-920-120	REP-P	95-22-088	246-928-015	NEW	95-18-019
246-918-030	AMD-P	95-22-088	246-920-130	REP-P	95-22-088	246-928-990	PREP	95-10-042
246-918-035	AMD-P	95-22-088	246-920-140	REP-P	95-22-088	246-928-990	AMD-P	95-14-110
246-918-050	AMD-P	95-22-088	246-920-150	REP-P	95-22-088	246-928-990	AMD	95-18-019
246-918-070	AMD-P	95-22-088	246-920-160	REP-P	95-22-088	246-937-010	NEW	95-04-083
246-918-080	AMD-P	95-22-088	246-920-170	REP-P	95-22-088	246-937-020	NEW	95-04-083
246-918-085	AMD-P	95-22-088	246-920-180	REP-P	95-22-088	246-937-030	NEW	95-04-083
246-918-090	AMD-P	95-22-088	246-920-190	REP-P	95-22-088	246-937-040	NEW	95-04-083
246-918-095	AMD-P	95-22-088	246-920-200	REP-P	95-22-088	246-937-050	NEW	95-04-083
246-918-110	AMD-P	95-22-088	246-920-210	REP-P	95-22-088	246-937-060	NEW	95-04-083
246-918-120	AMD-P	95-22-088	246-920-220	REP-P	95-22-088	246-937-070	NEW	95-04-083
246-918-130	AMD-P	95-22-088	246-920-230	REP-P	95-22-088	246-937-080	NEW	95-04-083
246-918-140	AMD-P	95-22-088	246-920-240	REP-P	95-22-088	246-937-090	NEW	95-04-083
246-918-170	AMD-P	95-22-088	246-920-250	REP-P	95-22-088	246-937-100	NEW	95-04-083
246-918-180	AMD-P	95-22-088	246-920-260	REP-P	95-22-088	246-937-110	NEW	95-04-083
246-918-250	AMD-P	95-22-088	246-920-270	REP-P	95-22-088	246-976-010	PREP	95-13-052
246-918-260	AMD-P	95-22-088	246-920-280	REP-P	95-22-088	246-976-010	AMD-E	95-13-053
246-918-310	AMD-P	95-22-088	246-920-290	REP-P	95-22-088	246-976-010	AMD-E	95-21-040
246-918-990	AMD-P	95-22-088	246-920-300	REP-P	95-22-088	246-976-010	AMD-P	95-23-116
246-919-010	NEW-P	95-22-088	246-920-310	REP-P	95-22-088	246-976-045	NEW-E	95-13-053
246-919-020	NEW-P	95-22-088	246-920-320	REP-P	95-22-088	246-976-045	NEW-E	95-21-040
246-919-030	NEW-P	95-22-088	246-920-330	REP-P	95-22-088	246-976-045	NEW-P	95-23-116
246-919-100	NEW-P	95-22-088	246-920-340	REP-P	95-22-088	246-976-165	NEW-E	95-13-053
246-919-110	NEW-P	95-22-088	246-920-350	REP-P	95-22-088	246-976-165	NEW-E	95-21-040
246-919-120	NEW-P	95-22-088	246-920-360	REP-P	95-22-088	246-976-165	NEW-E	95-23-116
246-919-130	NEW-P	95-22-088	246-920-370	REP-P	95-22-088	250-20-011	AMD-P	95-03-014
246-919-140	NEW-P	95-22-088	246-920-380	REP-P	95-22-088	250-20-011	AMD	95-10-007
246-919-150	NEW-P	95-22-088	246-920-390	REP-P	95-22-088	250-20-011	AMD-P	95-13-111
246-919-200	NEW-P	95-22-088	246-920-400	REP-P	95-22-088	250-20-011	AMD	95-17-045
246-919-210	NEW-P	95-22-088	246-920-410	REP-P	95-22-088	250-20-013	NEW-P	95-13-111
246-919-220	NEW-P	95-22-088	246-920-420	REP-P	95-22-088	250-20-013	NEW	95-17-045
246-919-230	NEW-P	95-22-088	246-920-430	REP-P	95-22-088	250-20-015	AMD-P	95-13-111
246-919-240	NEW-P	95-22-088	246-920-440	REP-P	95-22-088	250-20-015	AMD	95-17-045
246-919-300	NEW-P	95-22-088	246-920-450	REP-P	95-22-088	250-20-021	AMD-P	95-03-014
246-919-305	NEW-P	95-22-088	246-920-460	REP-P	95-22-088	250-20-021	AMD	95-10-007
246-919-310	NEW-P	95-22-088	246-920-470	REP-P	95-22-088	250-20-021	AMD-P	95-13-111
246-919-320	NEW-P	95-22-088	246-920-480	REP-P	95-22-088	250-20-021	AMD-E	95-15-049
246-919-330	NEW-P	95-22-088	246-920-490	REP-P	95-22-088	250-20-021	AMD	95-17-045
246-919-340	NEW-P	95-22-088	246-920-500	REP-P	95-22-088	250-20-021	AMD-P	95-23-105
246-919-350	NEW-P	95-22-088	246-920-510	REP-P	95-22-088	250-20-031	AMD-P	95-13-111
246-919-355	NEW-P	95-22-088	246-920-520	REP-P	95-22-088	250-20-037	AMD-P	95-13-111
246-919-360	NEW-P	95-22-088	246-920-530	REP-P	95-22-088	250-20-041	AMD-P	95-13-111
246-919-365	NEW-P	95-22-088	246-920-540	REP-P	95-22-088	250-20-041	AMD	95-17-045
246-919-370	NEW-P	95-22-088	246-920-550	REP-P	95-22-088	250-20-051	AMD-P	95-13-111
246-919-380	NEW-P	95-22-088	246-920-560	REP-P	95-22-088	250-28-020	AMD	95-11-059
246-919-390	NEW-P	95-22-088	246-920-570	REP-P	95-22-088	250-28-030	AMD	95-11-059
246-919-395	NEW-P	95-22-088	246-920-580	REP-P	95-22-088	250-28-060	AMD	95-11-059
246-919-400	NEW-P	95-22-088	246-920-590	REP-P	95-22-088	250-28-060	AMD-P	95-11-125
246-919-410	NEW-P	95-22-088	246-920-600	REP-P	95-22-088	250-28-060	AMD	95-18-015
246-919-420	NEW-P	95-22-088	246-920-610	REP-P	95-22-088	250-28-070	AMD	95-11-059
246-919-430	NEW-P	95-22-088	246-920-620	REP-P	95-22-088	250-28-090	NEW-P	95-11-125
246-919-440	NEW-P	95-22-088	246-920-630	REP-P	95-22-088	250-28-090	NEW	95-18-015
246-919-450	NEW-P	95-22-088	246-920-640	REP-P	95-22-088	250-28-100	NEW-P	95-11-125
246-919-460	NEW-P	95-22-088	246-920-650	REP-P	95-22-088	250-28-100	NEW	95-18-015
246-919-470	NEW-P	95-22-088	246-920-660	REP-P	95-22-088	250-44	NEW	95-02-067
246-919-480	NEW-P	95-22-088	246-920-670	REP-P	95-22-088	250-44-050	AMD-C	95-02-067
246-919-500	NEW-P	95-22-088	246-920-680	REP-P	95-22-088	250-44-050	AMD-E	95-02-068
246-919-510	NEW-P	95-22-088	246-920-690	REP-P	95-22-088	250-44-110	AMD	95-07-087
246-919-600	NEW-P	95-22-088	246-920-710	REP-P	95-22-088	250-44-110	AMD-E	95-02-068
246-919-610	NEW-P	95-22-088	246-920-720	REP-P	95-22-088	250-44-130	AMD	95-07-087
246-919-620	NEW-P	95-22-088	246-920-730	REP-P	95-22-088	250-44-130	AMD-E	95-02-068
246-919-700	NEW-P	95-22-088	246-920-740	REP-P	95-22-088	250-66-020	AMD	95-07-087
246-919-710	NEW-P	95-22-088	246-920-750	REP-P	95-22-088	250-66-020	AMD-P	95-17-087
246-919-720	NEW-P	95-22-088	246-920-760	REP-P	95-22-088	250-66-040	AMD	95-22-105
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250-66-050	AMD	95-22-105	260-40-100	PREP	95-05-078	284-14-020	PREP	95-15-043
250-79	PREP	95-09-082	260-40-100	AMD-P	95-07-143	284-14-020	REP-P	95-17-121
250-79-010	AMD-P	95-10-061	260-40-100	AMD	95-18-016	284-14-020	REP	95-20-022
250-79-010	AMD	95-18-041	260-48-320	AMD-P	95-05-079	284-20-200	NEW-S	95-06-086
250-79-020	NEW-P	95-10-061	260-48-320	AMD	95-07-141	284-20-200	NEW	95-09-014
250-79-020	NEW	95-18-041	260-70	PREP	95-21-053	284-22-030	AMD-E	95-14-097
251-04-050	AMD-E	95-14-056	263-12-015	AMD	95-02-065	284-22-030	PREP	95-14-128
251-04-050	AMD-P	95-14-131	263-12-080	AMD	95-02-065	284-22-030	AMD-P	95-16-123
251-04-050	AMD	95-19-055	263-12-140	AMD	95-02-065	284-22-030	AMD	95-18-106
251-04-060	AMD-P	95-10-077	263-12-155	AMD	95-02-065	284-24-060	PREP	95-03-077
251-04-060	AMD-C	95-12-071	263-12-165	AMD	95-12-062	284-30	NEW-C	95-06-019
251-04-060	AMD-C	95-13-014	263-12-190	AMD	95-02-065	284-30-572	PREP	95-21-086
251-04-060	AMD	95-19-099	275-26	PREP	95-21-042	284-30-900	NEW-P	95-02-075
251-06-020	AMD-E	95-14-056	275-45	PREP	95-11-001	284-30-900	NEW-S	95-06-086
251-06-020	AMD-P	95-14-131	275-155	PREP	95-23-057	284-30-900	NEW	95-09-014
251-06-020	AMD	95-19-055	284-10-140	NEW-P	95-24-098	284-30-905	NEW-P	95-02-075
251-08-005	AMD-E	95-14-056	284-13-110	REP-P	95-16-029	284-30-905	NEW-S	95-06-086
251-08-005	AMD-P	95-14-131	284-13-110	REP	95-19-018	284-30-905	NEW	95-09-014
251-08-005	AMD	95-19-055	284-13-120	REP-P	95-16-029	284-30-910	NEW-P	95-02-075
251-08-090	AMD-E	95-14-056	284-13-120	REP	95-19-018	284-30-910	NEW-S	95-06-086
251-08-090	AMD-P	95-14-131	284-13-130	REP-P	95-16-029	284-30-910	NEW	95-09-014
251-08-090	AMD	95-19-055	284-13-130	REP	95-19-018	284-30-920	NEW-P	95-02-075
251-09-020	AMD-P	95-10-078	284-13-140	REP-P	95-16-029	284-30-920	NEW-S	95-06-086
251-09-020	AMD-C	95-12-071	284-13-140	REP	95-19-018	284-30-920	NEW	95-09-014
251-09-020	AMD-C	95-13-014	284-13-150	REP-P	95-16-029	284-30-930	NEW-P	95-02-075
251-09-020	AMD	95-19-099	284-13-150	REP	95-19-018	284-30-930	NEW-S	95-06-086
251-17-010	AMD-P	95-10-079	284-13-310	PREP	95-15-043	284-30-930	NEW	95-09-014
251-17-010	AMD-C	95-12-071	284-13-310	REP-P	95-17-121	284-30-940	NEW-P	95-02-075
251-17-010	AMD-C	95-13-014	284-13-310	REP	95-20-022	284-30-940	NEW-S	95-06-086
251-17-010	AMD	95-19-099	284-13-320	PREP	95-15-043	284-30-940	NEW	95-09-014
251-17-010	AMD-P	95-22-091	284-13-320	REP-P	95-17-121	284-30-950	NEW-P	95-02-075
251-17-020	AMD-P	95-10-080	284-13-320	REP	95-20-022	284-30-950	NEW-W	95-16-001
251-17-020	AMD-C	95-12-071	284-13-330	PREP	95-15-043	284-32-010	PREP	95-15-043
251-17-020	AMD-C	95-13-014	284-13-330	REP-P	95-17-121	284-32-010	REP-P	95-17-121
251-17-020	AMD	95-19-099	284-13-330	REP	95-20-022	284-32-010	REP	95-20-022
251-17-110	AMD-P	95-10-081	284-13-340	PREP	95-15-043	284-32-020	PREP	95-15-043
251-17-110	AMD-C	95-12-071	284-13-340	REP-P	95-17-121	284-32-020	REP-P	95-17-121
251-17-110	AMD-C	95-13-014	284-13-340	REP	95-20-022	284-32-020	REP	95-20-022
251-17-110	AMD	95-19-099	284-13-350	PREP	95-15-043	284-32-030	PREP	95-15-043
251-17-170	AMD-P	95-22-091	284-13-350	REP-P	95-17-121	284-32-030	REP-P	95-17-121
251-17-200	AMD-P	95-10-082	284-13-350	REP	95-20-022	284-32-030	REP	95-20-022
251-17-200	AMD-C	95-12-071	284-13-360	PREP	95-15-043	284-32-040	PREP	95-15-043
251-17-200	AMD-C	95-13-014	284-13-360	REP-P	95-17-121	284-32-040	REP-P	95-17-121
251-17-200	AMD	95-19-099	284-13-360	REP	95-20-022	284-32-040	REP	95-20-022
251-19-070	AMD-P	95-10-083	284-13-370	PREP	95-15-043	284-32-050	PREP	95-15-043
251-19-070	AMD-C	95-12-071	284-13-370	REP-P	95-17-121	284-32-050	REP-P	95-17-121
251-19-070	AMD-C	95-13-014	284-13-370	REP	95-20-022	284-32-050	REP	95-20-022
251-19-070	AMD	95-19-099	284-13-380	PREP	95-15-043	284-32-060	PREP	95-15-043
251-19-105	REP-P	95-22-091	284-13-380	REP-P	95-17-121	284-32-060	REP-P	95-17-121
251-19-157	AMD-P	95-10-084	284-13-380	REP	95-20-022	284-32-060	REP	95-20-022
251-19-157	AMD-C	95-12-071	284-13-390	PREP	95-15-043	284-32-070	PREP	95-15-043
251-19-157	AMD-C	95-13-014	284-13-390	REP-P	95-17-121	284-32-070	REP-P	95-17-121
251-19-157	AMD	95-19-099	284-13-390	REP	95-20-022	284-32-070	REP	95-20-022
251-22-040	AMD-P	95-10-085	284-13-400	PREP	95-15-043	284-32-080	PREP	95-15-043
251-22-040	AMD-C	95-12-071	284-13-400	REP-P	95-17-121	284-32-080	REP-P	95-17-121
251-22-040	AMD-C	95-13-014	284-13-400	REP	95-20-022	284-32-080	REP	95-20-022
251-22-040	AMD	95-19-099	284-13-410	PREP	95-15-043	284-32-090	PREP	95-15-043
251-22-270	AMD-P	95-22-091	284-13-410	REP-P	95-17-121	284-32-090	REP-P	95-17-121
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253-02-050	AMD	95-19-025	284-13-420	PREP	95-15-043	284-32-100	PREP	95-15-043
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253-16-030	AMD	95-19-025	284-13-855	NEW-P	95-16-029	284-32-110	REP	95-20-022
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253-16-100	AMD-P	95-12-072	284-13-860	NEW	95-19-018	284-32-120	REP	95-20-022
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296-52-419	AMD	95-07-014	296-62-14511	AMD	95-04-007	296-104-130	PREP	95-11-003
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296-155-24501	AMD-P	95-05-061	296-304-02005	AMD	95-04-006	296-305-060	AMD-P	95-15-118
296-155-24501	AMD	95-10-016	296-304-02007	AMD	95-04-006	296-305-06001	AMD-P	95-15-118
296-155-24503	AMD-P	95-05-061	296-304-02007	AMD-P	95-10-093	296-305-06003	AMD-P	95-15-118
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296-155-24505	AMD	95-10-016	296-304-02009	AMD-P	95-10-093	296-305-06009	AMD-P	95-15-118
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296-155-24515	AMD-P	95-05-061	296-304-03005	AMD	95-04-006	296-305-06503	AMD-P	95-15-118
296-155-24515	AMD	95-10-016	296-304-03007	AMD	95-04-006	296-305-06505	AMD-P	95-15-118
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296-155-24519	AMD	95-10-016	296-304-04005	AMD	95-04-006	296-305-06509	AMD-P	95-15-118
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296-155-24520	AMD	95-10-016	296-304-08009	AMD	95-04-006	296-305-06513	AMD-P	95-15-118
296-155-24521	AMD-P	95-05-061	296-305-001	AMD-P	95-15-118	296-305-06515	AMD-P	95-15-118
296-155-24521	AMD	95-10-016	296-305-003	AMD-P	95-15-118	296-305-06517	AMD-P	95-15-118
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296-306-120	AMD	95-10-045	308-56A-090	AMD-P	95-23-059	308-96A-490	REP	95-08-038
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296-401-175	AMD	95-15-034	308-88-060	REP-P	95-11-078	308-124A-425	AMD	95-03-012
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304-12-025	PREP	95-17-019	308-88-080	REP	95-15-028	308-124H-025	AMD	95-03-012
304-12-025	REP-P	95-21-091	308-88-090	REP-P	95-11-078	308-124H-035	REP	95-03-012
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304-25-550	REP-P	95-21-091	308-93-088	AMD-P	95-23-061	308-129-020	NEW-P	95-21-085
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308-10-045	PREP	95-19-030	308-96A-035	AMD	95-13-058	308-129-300	NEW-P	95-21-085
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374-50-035	NEW-E	95-08-039	388-15-212	REP	95-20-041	388-15-940	NEW-C	95-14-050
374-50-035	NEW-P	95-08-040	388-15-213	REP-P	95-16-016	388-15-940	NEW	95-15-011
374-50-035	NEW	95-11-042	388-15-213	REP	95-20-041	388-15-940	PREP	95-21-013
374-50-040	AMD-E	95-08-039	388-15-214	AMD-P	95-16-016	388-15-945	NEW-P	95-11-005
374-50-040	AMD-P	95-08-040	388-15-214	AMD	95-20-041	388-15-945	NEW-C	95-14-050
374-50-040	AMD	95-11-042	388-15-215	AMD-P	95-16-016	388-15-945	NEW	95-15-011
374-50-050	AMD-E	95-08-039	388-15-215	AMD	95-20-041	388-15-945	PREP	95-21-013
374-50-050	AMD-P	95-08-040	388-15-216	AMD-P	95-16-016	388-15-950	NEW-P	95-11-005
374-50-050	AMD	95-11-042	388-15-216	AMD	95-20-041	388-15-950	NEW-C	95-14-050
374-50-060	AMD-E	95-08-039	388-15-217	REP-E	95-20-049	388-15-950	NEW	95-15-011
374-50-060	AMD-P	95-08-040	388-15-217	REP-P	95-20-056	388-15-950	PREP	95-21-013
374-50-060	AMD	95-11-042	388-15-217	REP	95-23-032	388-15-955	NEW-P	95-11-005
374-50-070	AMD-E	95-08-039	388-15-219	NEW-P	95-16-016	388-15-955	NEW-C	95-14-050
374-50-070	AMD-P	95-08-040	388-15-219	NEW	95-20-041	388-15-955	NEW	95-15-011
374-50-070	AMD	95-11-042	388-15-222	NEW-P	95-16-016	388-15-955	PREP	95-21-013
374-50-080	AMD-E	95-08-039	388-15-222	NEW	95-20-041	388-18	PREP	95-06-034
374-50-080	AMD-P	95-08-040	388-15-600	AMD-P	95-16-016	388-43-010	AMD	95-03-049
374-50-080	AMD	95-11-042	388-15-600	AMD	95-20-041	388-43-020	AMD	95-03-049
374-50-090	AMD-E	95-08-039	388-15-610	AMD-P	95-16-016	388-43-130	NEW	95-03-049
374-50-090	AMD-P	95-08-040	388-15-610	AMD	95-20-041	388-46	AMD-P	95-16-017
374-50-090	AMD	95-11-042	388-15-615	REP-P	95-16-016	388-46	AMD-E	95-16-019
374-60-030	PREP	95-22-051	388-15-615	REP	95-20-041	388-46	AMD	95-19-003
374-60-120	PREP	95-22-051	388-15-620	AMD-P	95-16-016	388-46-110	PREP	95-14-039
374-70-010	NEW-P	95-22-085	388-15-620	AMD	95-20-041	388-46-110	NEW-P	95-16-017
374-70-020	NEW-P	95-22-085	388-15-630	AMD-P	95-16-016	388-46-110	NEW-E	95-16-019
374-70-030	NEW-P	95-22-085	388-15-630	AMD	95-20-041	388-46-110	NEW	95-19-003
374-70-040	NEW-P	95-22-085	388-15-820	REP-E	95-20-049	388-47	PREP	95-12-078
374-70-050	NEW-P	95-22-085	388-15-820	REP-P	95-20-056	388-47-010	REP-P	95-15-001
374-70-060	NEW-P	95-22-085	388-15-820	REP	95-23-032	388-47-010	REP	95-19-075
374-70-070	NEW-P	95-22-085	388-15-830	AMD-P	95-16-016	388-47-020	REP-P	95-15-001
374-70-080	NEW-P	95-22-085	388-15-830	AMD	95-20-041	388-47-020	REP	95-19-075
374-70-090	NEW-P	95-22-085	388-15-840	REP-E	95-20-049	388-47-030	REP-P	95-15-001
374-70-100	NEW-P	95-22-085	388-15-840	REP-P	95-20-056	388-47-030	REP	95-19-075
374-70-110	NEW-P	95-22-085	388-15-840	REP	95-23-032	388-47-050	AMD-P	95-14-078
374-70-120	NEW-P	95-22-085	388-15-850	REP-P	95-16-016	388-47-050	AMD-E	95-14-079
374-70-130	NEW-P	95-22-085	388-15-850	REP	95-20-041	388-47-050	REP-P	95-15-001
381-40-070	AMD	95-13-083	388-15-860	REP-P	95-16-016	388-47-050	AMD	95-18-020
381-60-040	AMD	95-13-083	388-15-860	REP	95-20-041	388-47-050	REP	95-19-075
381-70-400	AMD	95-06-008	388-15-870	REP-P	95-16-016	388-47-060	NEW-P	95-14-078
388-08-585	PREP	95-15-046	388-15-870	REP	95-20-041	388-47-060	NEW-E	95-14-079
388-08-585	NEW-P	95-20-067	388-15-880	AMD-P	95-16-016	388-47-060	NEW	95-18-020
388-08-585	NEW	95-23-029	388-15-880	AMD	95-20-041	388-47-060	REP	95-19-075
388-11	PREP	95-16-010	388-15-890	AMD-P	95-16-016	388-47-070	AMD-P	95-14-078
388-14	PREP	95-15-010	388-15-890	AMD	95-20-041	388-47-070	AMD-E	95-14-079
388-15	PREP	95-09-053	388-15-900	NEW-P	95-11-005	388-47-070	REP-P	95-15-001
388-15	PREP	95-10-033	388-15-900	NEW-C	95-14-050	388-47-070	AMD	95-18-020
388-15	PREP	95-12-032	388-15-900	NEW	95-15-011	388-47-070	REP	95-19-075
388-15	PREP	95-13-041	388-15-900	PREP	95-21-013	388-47-100	REP-P	95-15-001
388-15	PREP	95-18-045	388-15-905	NEW-P	95-11-005	388-47-100	REP	95-19-075
388-15-120	PREP	95-23-074	388-15-905	NEW-C	95-14-050	388-47-105	REP-P	95-15-001
388-15-192	NEW-P	95-16-016	388-15-905	NEW	95-15-011	388-47-105	REP	95-19-075
388-15-192	NEW	95-20-041	388-15-905	PREP	95-21-013	388-47-107	REP-P	95-15-001
388-15-194	NEW-P	95-16-016	388-15-910	NEW-P	95-11-005	388-47-107	REP	95-19-075
388-15-194	NEW	95-20-041	388-15-910	NEW-C	95-14-050	388-47-110	AMD-P	95-14-078
388-15-196	NEW-P	95-16-016	388-15-910	NEW	95-15-011	388-47-110	AMD-E	95-14-079
388-15-196	NEW	95-20-041	388-15-910	PREP	95-21-013	388-47-110	REP-P	95-15-001
388-15-202	AMD-P	95-16-016	388-15-915	NEW-P	95-11-005	388-47-110	AMD	95-18-020
388-15-202	AMD	95-20-041	388-15-915	NEW-C	95-14-050	388-47-110	REP	95-19-075
388-15-203	AMD-P	95-16-016	388-15-915	NEW	95-15-011	388-47-115	AMD-P	95-14-078
388-15-203	AMD	95-20-041	388-15-915	PREP	95-21-013	388-47-115	AMD-E	95-14-079
388-15-204	AMD-P	95-16-016	388-15-920	NEW-P	95-11-005	388-47-115	REP-P	95-15-001
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388-47-120	AMD-P	95-14-078	388-49-480	PREP	95-04-013	388-51-220	NEW	95-03-047
388-47-120	AMD-E	95-14-079	388-49-480	AMD-P	95-05-013	388-51-220	REP-P	95-19-021
388-47-120	REP-P	95-15-001	388-49-480	AMD	95-07-122	388-51-220	REP	95-23-028
388-47-120	AMD	95-18-020	388-49-500	PREP	95-07-053	388-51-250	AMD	95-03-047
388-47-120	REP	95-19-075	388-49-500	AMD-P	95-09-004	388-51-250	REP-P	95-19-021
388-47-125	AMD-P	95-14-078	388-49-500	AMD	95-11-120	388-51-250	REP	95-23-028
388-47-125	AMD-E	95-14-079	388-49-500	PREP	95-17-051	388-51-260	REP-P	95-19-021
388-47-125	REP-P	95-15-001	388-49-500	AMD-P	95-18-031	388-51-260	REP	95-23-028
388-47-125	AMD	95-18-020	388-49-500	AMD-E	95-20-032	388-55	PREP	95-22-046
388-47-125	REP	95-19-075	388-49-500	AMD	95-21-052	388-60	PREP	95-10-024
388-47-127	AMD-P	95-14-078	388-49-500	PREP	95-24-035	388-73	AMD-C	95-05-024
388-47-127	AMD-E	95-14-079	388-49-500	AMD-E	95-24-036	388-73	PREP	95-16-057
388-47-127	REP-P	95-15-001	388-49-505	PREP	95-07-071	388-73-010	AMD-S	95-07-024
388-47-127	AMD	95-18-020	388-49-505	AMD-P	95-09-003	388-73-010	AMD-W	95-11-051
388-47-127	REP	95-19-075	388-49-505	AMD	95-11-121	388-73-012	AMD-S	95-07-024
388-47-130	AMD-P	95-14-078	388-49-505	PREP	95-17-051	388-73-012	AMD-W	95-11-051
388-47-130	AMD-E	95-14-079	388-49-505	AMD-P	95-18-031	388-73-014	AMD-S	95-07-024
388-47-130	REP-P	95-15-001	388-49-505	AMD-E	95-20-032	388-73-014	AMD-W	95-11-051
388-47-130	AMD	95-18-020	388-49-505	AMD	95-21-052	388-73-014	AMD-E	95-19-076
388-47-130	REP	95-19-075	388-49-510	PREP	95-17-051	388-73-014	AMD-P	95-19-077
388-47-135	AMD-P	95-14-078	388-49-510	AMD-P	95-18-031	388-73-014	AMD	95-23-033
388-47-135	AMD-E	95-14-079	388-49-510	AMD-E	95-20-032	388-73-01950	AMD-S	95-07-024
388-47-135	REP-P	95-15-001	388-49-510	AMD	95-21-052	388-73-01950	AMD-W	95-11-051
388-47-135	AMD	95-18-020	388-49-510	PREP	95-17-097	388-73-026	AMD-S	95-07-024
388-47-135	REP	95-19-075	388-49-550	AMD-P	95-18-035	388-73-026	AMD-W	95-11-051
388-47-140	REP-P	95-15-001	388-49-550	AMD-E	95-20-029	388-73-030	AMD-E	95-18-006
388-47-140	REP	95-19-075	388-49-550	AMD	95-21-054	388-73-030	AMD-P	95-18-007
388-47-200	REP-P	95-15-001	388-49-600	PREP	95-14-007	388-73-030	AMD-C	95-22-042
388-47-200	REP	95-19-075	388-49-600	AMD-P	95-15-057	388-73-030	AMD-C	95-24-094
388-47-210	REP-P	95-15-001	388-49-600	AMD	95-18-003	388-73-036	AMD-S	95-07-024
388-47-210	REP	95-19-075	388-49-640	PREP	95-14-006	388-73-036	AMD-W	95-11-051
388-47-215	REP-P	95-15-001	388-49-640	AMD-P	95-15-058	388-73-054	AMD-S	95-07-024
388-47-215	REP	95-19-075	388-49-640	AMD	95-19-013	388-73-054	AMD-W	95-11-051
388-47-220	REP-P	95-15-001	388-49-660	PREP	95-14-006	388-73-058	AMD-E	95-19-076
388-47-220	REP	95-19-075	388-49-660	AMD-P	95-15-058	388-73-058	AMD-P	95-19-077
388-47-300	REP-P	95-15-001	388-49-660	AMD	95-19-013	388-73-058	AMD	95-23-033
388-47-300	REP	95-19-075	388-49-670	PREP	95-14-006	388-73-074	AMD-S	95-07-024
388-49-020	AMD	95-06-028	388-49-670	AMD-P	95-15-058	388-73-074	AMD-W	95-11-051
388-49-020	PREP	95-14-006	388-49-670	AMD	95-19-013	388-73-074	AMD-E	95-19-076
388-49-020	AMD-P	95-15-058	388-49-670	PREP	95-24-053	388-73-074	AMD-P	95-19-077
388-49-020	AMD	95-19-013	388-49-670	AMD-E	95-24-054	388-73-074	AMD	95-23-033
388-49-020	PREP	95-24-010	388-51	PREP	95-17-096	388-73-076	AMD-S	95-07-024
388-49-080	PREP	95-08-006	388-51-010	REP-P	95-19-021	388-73-076	AMD-W	95-11-051
388-49-080	AMD-P	95-09-026	388-51-010	REP	95-23-028	388-73-076	AMD-E	95-19-076
388-49-080	AMD	95-11-122	388-51-020	REP-P	95-19-021	388-73-076	AMD-P	95-19-077
388-49-110	PREP	95-08-007	388-51-020	REP	95-23-028	388-73-076	AMD	95-23-033
388-49-110	AMD-P	95-09-034	388-51-040	REP-P	95-19-021	388-73-118	AMD-S	95-07-024
388-49-110	AMD	95-11-123	388-51-040	REP	95-23-028	388-73-118	AMD-W	95-11-051
388-49-150	PREP	95-14-118	388-51-110	REP-P	95-19-021	388-73-144	AMD-S	95-07-024
388-49-150	AMD-P	95-15-059	388-51-110	REP	95-23-028	388-73-144	AMD-W	95-11-051
388-49-150	AMD	95-18-004	388-51-115	REP-P	95-19-021	388-73-146	AMD-S	95-07-024
388-49-160	AMD	95-06-030	388-51-115	REP	95-23-028	388-73-146	AMD-W	95-11-051
388-49-170	PREP	95-14-118	388-51-120	REP-P	95-19-021	388-73-146	AMD-E	95-19-076
388-49-170	AMD-P	95-15-059	388-51-120	REP	95-23-028	388-73-146	AMD-P	95-19-077
388-49-170	AMD	95-18-004	388-51-123	REP-P	95-19-021	388-73-146	AMD	95-23-033
388-49-190	AMD	95-06-027	388-51-123	REP	95-23-028	388-73-200	AMD-S	95-07-024
388-49-190	PREP	95-06-025	388-51-130	REP-P	95-19-021	388-73-200	AMD-W	95-11-051
388-49-190	AMD-P	95-09-033	388-51-130	REP	95-23-028	388-73-212	AMD-S	95-07-024
388-49-190	AMD	95-12-001	388-51-135	REP-P	95-19-021	388-73-212	AMD-W	95-11-051
388-49-250	AMD	95-06-026	388-51-135	REP	95-23-028	388-73-213	REP-S	95-07-024
388-49-260	AMD	95-06-029	388-51-140	REP-P	95-19-021	388-73-213	REP-W	95-11-051
388-49-380	PREP	95-09-032	388-51-140	REP	95-23-028	388-73-214	REP-S	95-07-024
388-49-410	AMD-P	95-03-044	388-51-155	REP-P	95-19-021	388-73-214	REP-W	95-11-051
388-49-410	AMD	95-06-031	388-51-155	REP	95-23-028	388-73-216	REP-S	95-07-024
388-49-410	PREP	95-24-096	388-51-160	REP-P	95-19-021	388-73-216	REP-W	95-11-051
388-49-420	AMD-P	95-03-045	388-51-160	REP	95-23-028	388-73-250	NEW-S	95-07-024
388-49-420	AMD	95-06-032	388-51-170	REP-P	95-19-021	388-73-250	NEW-W	95-11-051
388-49-430	AMD-P	95-03-044	388-51-170	REP	95-23-028	388-73-252	NEW-S	95-07-024
388-49-430	AMD	95-06-031	388-51-180	REP-P	95-19-021	388-73-252	NEW-W	95-11-051
388-49-430	PREP	95-19-004	388-51-180	REP	95-23-028	388-73-254	NEW-S	95-07-024
388-49-430	AMD-E	95-20-050	388-51-210	AMD	95-03-047	388-73-254	NEW-W	95-11-051
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388-73-258	NEW-W	95-11-051	388-73-385	NEW	95-23-033	388-77-015	REP	95-18-002
388-73-260	NEW-S	95-07-024	388-73-387	NEW-E	95-19-076	388-77-045	REP-P	95-15-068
388-73-260	NEW-W	95-11-051	388-73-387	NEW-P	95-19-077	388-77-045	REP	95-18-002
388-73-262	NEW-S	95-07-024	388-73-387	NEW	95-23-033	388-77-200	REP-P	95-15-068
388-73-262	NEW-W	95-11-051	388-73-389	NEW-E	95-19-076	388-77-200	REP	95-18-002
388-73-264	NEW-S	95-07-024	388-73-389	NEW-P	95-19-077	388-77-210	REP-P	95-15-068
388-73-264	NEW-W	95-11-051	388-73-389	NEW	95-23-033	388-77-210	REP	95-18-002
388-73-266	NEW-S	95-07-024	388-73-391	NEW-E	95-19-076	388-77-240	REP-P	95-15-068
388-73-266	NEW-W	95-11-051	388-73-391	NEW-P	95-19-077	388-77-240	REP	95-18-002
388-73-268	NEW-S	95-07-024	388-73-391	NEW	95-23-033	388-77-255	REP-P	95-15-068
388-73-268	NEW-W	95-11-051	388-73-393	NEW-E	95-19-076	388-77-255	REP	95-18-002
388-73-270	NEW-S	95-07-024	388-73-393	NEW-P	95-19-077	388-77-270	REP-P	95-15-068
388-73-270	NEW-W	95-11-051	388-73-393	NEW	95-23-033	388-77-270	REP	95-18-002
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388-73-272	NEW-W	95-11-051	388-73-395	NEW-P	95-19-077	388-77-285	REP	95-18-002
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388-73-274	NEW-W	95-11-051	388-73-400	REP-S	95-07-024	388-77-320	REP	95-18-002
388-73-276	NEW-S	95-07-024	388-73-400	REP-W	95-11-051	388-77-500	REP-P	95-15-068
388-73-276	NEW-W	95-11-051	388-73-402	REP-S	95-07-024	388-77-500	REP	95-18-002
388-73-278	NEW-S	95-07-024	388-73-402	REP-W	95-11-051	388-77-515	REP-P	95-15-068
388-73-278	NEW-W	95-11-051	388-73-403	REP-S	95-07-024	388-77-515	REP	95-18-002
388-73-304	AMD-S	95-07-024	388-73-403	REP-W	95-11-051	388-77-520	REP-P	95-15-068
388-73-304	AMD-W	95-11-051	388-73-404	REP-S	95-07-024	388-77-520	REP	95-18-002
388-73-351	NEW-E	95-19-076	388-73-404	REP-W	95-11-051	388-77-525	REP-P	95-15-068
388-73-351	NEW-P	95-19-077	388-73-406	REP-S	95-07-024	388-77-525	REP	95-18-002
388-73-353	NEW	95-23-033	388-73-406	REP-W	95-11-051	388-77-531	REP-P	95-15-068
388-73-351	NEW	95-23-033	388-73-408	REP-S	95-07-024	388-77-531	REP	95-18-002
388-73-353	NEW-E	95-19-076	388-73-408	REP-W	95-11-051	388-77-555	REP-P	95-15-068
388-73-353	NEW-P	95-19-077	388-73-409	REP-S	95-07-024	388-77-555	REP	95-18-002
388-73-355	NEW-E	95-19-076	388-73-409	REP-W	95-11-051	388-77-600	REP-P	95-15-068
388-73-355	NEW-P	95-19-077	388-73-410	REP-S	95-07-024	388-77-600	REP	95-18-002
388-73-355	NEW	95-23-033	388-73-410	REP-W	95-11-051	388-77-605	REP-P	95-15-068
388-73-357	NEW-E	95-19-076	388-73-412	REP-S	95-07-024	388-77-605	REP	95-18-002
388-73-357	NEW-P	95-19-077	388-73-412	REP-W	95-11-051	388-77-610	REP-P	95-15-068
388-73-357	NEW	95-23-033	388-73-414	REP-S	95-07-024	388-77-610	REP	95-18-002
388-73-361	NEW-E	95-19-076	388-73-414	REP-W	95-11-051	388-77-615	REP-P	95-15-068
388-73-361	NEW-P	95-19-077	388-73-430	REP-S	95-07-024	388-77-615	REP	95-18-002
388-73-361	NEW	95-23-033	388-73-430	REP-W	95-11-051	388-77-735	REP-P	95-15-068
388-73-363	NEW-E	95-19-076	388-73-432	REP-S	95-07-024	388-77-735	REP	95-18-002
388-73-363	NEW-P	95-19-077	388-73-432	REP-W	95-11-051	388-77-737	REP-P	95-15-068
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388-73-365	NEW-E	95-19-076	388-73-434	REP-W	95-11-051	388-77-810	REP-P	95-15-068
388-73-365	NEW-P	95-19-077	388-73-436	REP-S	95-07-024	388-77-810	REP	95-18-002
388-73-365	NEW	95-23-033	388-73-436	REP-W	95-11-051	388-77-820	REP-P	95-15-068
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388-73-367	NEW-P	95-19-077	388-73-438	REP-W	95-11-051	388-77-900	REP-P	95-15-068
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388-73-369	NEW-P	95-19-077	388-73-510	REP-S	95-07-024	388-77A-010	REP-P	95-15-068
388-73-369	NEW	95-23-033	388-73-510	REP-W	95-11-051	388-77A-010	REP	95-18-002
388-73-371	NEW-E	95-19-076	388-73-511	NEW-S	95-07-024	388-77A-020	REP-P	95-15-068
388-73-371	NEW-P	95-19-077	388-73-511	NEW-W	95-11-051	388-77A-020	REP	95-18-002
388-73-371	NEW	95-23-033	388-73-512	REP-S	95-07-024	388-77A-030	REP-P	95-15-068
388-73-373	NEW-E	95-19-076	388-73-512	REP-W	95-11-051	388-77A-030	REP	95-18-002
388-73-373	NEW-P	95-19-077	388-73-513	NEW-S	95-07-024	388-77A-040	REP-P	95-15-068
388-73-373	NEW	95-23-033	388-73-513	NEW-W	95-11-051	388-77A-040	REP	95-18-002
388-73-375	NEW-E	95-19-076	388-73-516	NEW-S	95-07-024	388-77A-041	REP-P	95-15-068
388-73-375	NEW-P	95-19-077	388-73-516	NEW-W	95-11-051	388-77A-041	REP	95-18-002
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388-73-377	NEW-E	95-19-076	388-73-522	NEW-W	95-11-051	388-77A-050	REP	95-18-002
388-73-377	NEW-P	95-19-077	388-73-524	NEW-S	95-07-024	388-77A-055	REP-P	95-15-068
388-73-377	NEW	95-23-033	388-73-524	NEW-W	95-11-051	388-77A-055	REP	95-18-002
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388-86-020	REP-P	95-17-023	388-91-013	REP-P	95-16-014	388-96-716	AMD-P	95-14-120
388-86-020	REP-W	95-17-049	388-91-013	REP-W	95-17-029	388-96-716	AMD	95-19-037
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388-86-030	PREP	95-13-020	388-91-030	REP-P	95-16-014	388-96-735	AMD-P	95-14-120
388-86-030	AMD-P	95-14-058	388-91-030	REP-W	95-17-029	388-96-735	AMD	95-19-037
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388-86-030	AMD-W	95-17-086	388-91-035	REP-W	95-17-029	388-96-737	AMD-P	95-14-120
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388-86-073	AMD-P	95-14-058	388-91-050	REP-W	95-17-029	388-96-745	AMD	95-19-037
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388-86-073	AMD-W	95-17-086	388-96-010	AMD-E	95-14-119	388-96-753	REP-P	95-14-120
388-86-073	AMD-P	95-18-005	388-96-010	AMD-P	95-14-120	388-96-753	REP	95-19-037
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388-86-075	AMD-P	95-14-058	388-96-032	AMD-P	95-14-120	388-96-754	AMD	95-19-037
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388-86-075	AMD-W	95-17-086	388-96-108	AMD-E	95-14-119	388-96-763	AMD-P	95-14-120
388-86-075	AMD-P	95-18-005	388-96-108	AMD-P	95-14-120	388-96-763	AMD	95-19-037
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388-86-090	AMD-P	95-14-058	388-96-204	AMD-P	95-14-120	388-96-765	AMD	95-19-037
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388-86-090	AMD-W	95-17-086	388-96-210	AMD-E	95-14-119	388-96-769	AMD-P	95-14-120
388-86-090	AMD-P	95-18-005	388-96-210	AMD-P	95-14-120	388-96-769	AMD	95-19-037
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388-86-098	AMD-P	95-14-058	388-96-216	REP	95-19-037	388-96-813	AMD-E	95-14-119
388-86-098	AMD-E	95-14-060	388-96-220	AMD-E	95-14-119	388-96-813	AMD-P	95-14-120
388-86-098	AMD-W	95-17-086	388-96-220	AMD-P	95-14-120	388-96-813	AMD	95-19-037
388-86-098	AMD-P	95-18-005	388-96-220	AMD	95-19-037	388-96-901	AMD-E	95-14-119
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388-87-005	AMD-E	95-16-115	388-96-221	AMD	95-19-037	388-96-902	REP-E	95-14-119
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388-87-005	AMD-W	95-17-049	388-96-224	AMD-P	95-14-120	388-96-902	REP	95-19-037
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388-91-007	REP-P	95-16-014	388-96-709	AMD-P	95-14-120	388-151-090	AMD-P	95-18-007
388-91-007	REP-W	95-17-029	388-96-709	AMD	95-19-037	388-151-090	AMD-C	95-22-042
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388-201-430	PREP	95-24-110	388-218-1050	AMD	95-14-047	388-250-1700	AMD	95-03-046
388-201-440	NEW-P	95-21-084	388-218-1200	PREP	95-08-023	388-250-1700	PREP	95-16-015
388-201-440	NEW	95-24-014	388-218-1200	AMD-P	95-09-035	388-250-1700	AMD-P	95-17-128
388-201-440	PREP	95-24-110	388-218-1200	AMD	95-11-124	388-250-1700	AMD	95-20-028
388-201-450	NEW-P	95-21-084	388-218-1230	PREP	95-24-012	388-250-1700	PREP	95-24-011
388-201-450	NEW	95-24-014	388-218-1350	PREP	95-08-023	388-250-1750	PREP	95-17-050
388-201-450	PREP	95-24-110	388-218-1350	AMD-P	95-09-035	388-250-1750	AMD-P	95-18-036
388-201-460	NEW-P	95-21-084	388-218-1350	AMD	95-11-124	388-250-1750	AMD-E	95-18-061
388-201-460	NEW	95-24-014	388-218-1400	AMD	95-04-048	388-250-1750	AMD	95-21-049
388-201-460	PREP	95-24-110	388-218-1450	PREP	95-08-023	388-255-1200	PREP	95-20-008
388-201-470	NEW-P	95-21-084	388-218-1450	AMD-P	95-09-035	388-255-1200	AMD-P	95-22-043
388-201-470	NEW	95-24-014	388-218-1450	AMD	95-11-124	388-265-1750	PREP	95-09-044
388-201-470	PREP	95-24-110	388-218-1500	AMD	95-04-048	388-265-1750	AMD-P	95-09-054
388-201-480	NEW-P	95-21-084	388-218-1510	PREP	95-11-007	388-265-1750	AMD-E	95-09-055
388-201-480	NEW	95-24-014	388-218-1510	AMD-P	95-11-101	388-265-1750	AMD	95-11-119
388-201-480	PREP	95-24-110	388-218-1510	AMD	95-14-047	388-290	PREP	95-13-061
388-215-1000	PREP	95-09-013	388-218-1510	PREP	95-21-014	388-290	PREP	95-17-096
388-215-1000	PREP	95-11-066	388-218-1510	AMD-P	95-24-059	388-290-010	NEW-P	95-19-021
388-215-1000	AMD-P	95-11-067	388-218-1515	PREP	95-11-007	388-290-010	NEW	95-23-028
388-215-1000	AMD	95-14-048	388-218-1515	REP-P	95-11-101	388-290-020	NEW-P	95-19-021
388-215-1130	PREP	95-16-041	388-218-1515	REP	95-14-047	388-290-020	NEW	95-23-028
388-215-1130	NEW-P	95-16-042	388-218-1520	AMD	95-04-048	388-290-040	NEW-P	95-19-021

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
388-290-040	NEW	95-23-028	388-300-2200	NEW-P	95-15-001	388-504-0470	AMD	95-22-040
388-290-110	NEW-P	95-19-021	388-300-2200	NEW	95-19-075	388-505-0520	PREP	95-19-036
388-290-110	NEW	95-23-028	388-300-2300	NEW-P	95-15-001	388-505-0520	AMD-P	95-21-101
388-290-115	NEW-P	95-19-021	388-300-2300	NEW	95-19-075	388-505-0520	AMD	95-24-016
388-290-115	NEW	95-23-028	388-300-2400	NEW-P	95-15-001	388-505-0580	PREP	95-17-060
388-290-120	NEW-P	95-19-021	388-300-2400	NEW	95-19-075	388-505-0580	AMD-P	95-22-041
388-290-120	NEW	95-23-028	388-300-2500	NEW-P	95-15-001	388-505-0590	AMD	95-04-047
388-290-123	NEW-P	95-19-021	388-300-2500	NEW	95-19-075	388-505-0590	PREP	95-07-090
388-290-123	NEW	95-23-028	388-300-2600	NEW-P	95-15-001	388-505-0590	AMD-P	95-13-085
388-290-130	NEW-P	95-19-021	388-300-2600	NEW	95-19-075	388-505-0590	AMD-P	95-14-037
388-290-130	NEW	95-23-028	388-300-2700	NEW-P	95-15-001	388-505-0590	AMD-W	95-14-038
388-290-135	NEW-P	95-19-021	388-300-2700	NEW	95-19-075	388-505-0590	AMD	95-17-031
388-290-135	NEW	95-23-028	388-300-2800	NEW-P	95-15-001	388-506-0610	AMD-P	95-07-049
388-290-135	PREP	95-24-031	388-300-2800	NEW	95-19-075	388-506-0610	AMD	95-10-025
388-290-140	NEW-P	95-19-021	388-300-2900	NEW-P	95-15-001	388-506-0610	PREP	95-15-038
388-290-140	NEW	95-23-028	388-300-2900	NEW	95-19-075	388-506-0610	AMD-P	95-16-013
388-290-155	NEW-P	95-19-021	388-300-3000	NEW-P	95-15-001	388-506-0610	AMD-E	95-16-018
388-290-155	NEW	95-23-028	388-300-3000	NEW	95-19-075	388-506-0610	AMD	95-19-007
388-290-160	NEW-P	95-19-021	388-300-3100	NEW-P	95-15-001	388-507-0710	AMD	95-05-022
388-290-160	NEW	95-23-028	388-300-3100	NEW	95-19-075	388-507-0710	PREP	95-08-009
388-290-170	NEW-P	95-19-021	388-300-3200	NEW-P	95-15-001	388-507-0710	AMD-P	95-13-087
388-290-170	NEW	95-23-028	388-300-3200	NEW	95-19-075	388-507-0710	AMD-W	95-14-038
388-290-180	NEW-P	95-19-021	388-300-3300	NEW-P	95-15-001	388-507-0740	PREP	95-24-097
388-290-180	NEW	95-23-028	388-300-3300	NEW	95-19-075	388-508-0805	PREP	95-06-071
388-290-210	NEW-P	95-19-021	388-300-3400	NEW-P	95-15-001	388-508-0805	AMD-P	95-08-045
388-290-210	NEW	95-23-028	388-300-3400	NEW	95-19-075	388-508-0805	AMD-E	95-08-046
388-290-250	NEW-P	95-19-021	388-300-3500	NEW-P	95-15-001	388-508-0805	AMD	95-11-045
388-290-250	NEW	95-23-028	388-300-3500	NEW	95-19-075	388-508-0820	AMD-P	95-13-086
388-290-260	NEW-P	95-19-021	388-300-3600	NEW-P	95-15-001	388-508-0820	AMD	95-16-058
388-290-260	NEW	95-23-028	388-300-3600	NEW	95-19-075	388-509-0920	PREP	95-06-071
388-300	PREP	95-08-021	388-300-3700	NEW-P	95-15-001	388-509-0920	AMD-P	95-08-045
388-300-0100	NEW-P	95-15-001	388-300-3700	NEW	95-19-075	388-509-0920	AMD-E	95-08-046
388-300-0100	NEW	95-19-075	388-300-3800	NEW-P	95-15-001	388-509-0920	AMD	95-11-056
388-300-0200	NEW-P	95-15-001	388-300-3800	NEW	95-19-075	388-509-0960	AMD	95-05-023
388-300-0200	NEW	95-19-075	388-300-3900	NEW-P	95-15-001	388-509-0960	PREP	95-06-071
388-300-0300	NEW-P	95-15-001	388-300-3900	NEW	95-19-075	388-509-0960	AMD-P	95-08-045
388-300-0300	NEW	95-19-075	388-330	PREP	95-11-006	388-509-0960	AMD-E	95-08-046
388-300-0400	NEW-P	95-15-001	388-330	PREP	95-16-057	388-509-0960	AMD	95-11-056
388-300-0400	NEW	95-19-075	388-330-010	AMD-P	95-16-086	388-511-1105	AMD-P	95-06-072
388-300-0500	NEW-P	95-15-001	388-330-010	AMD-E	95-16-087	388-511-1105	AMD	95-08-070
388-300-0500	NEW	95-19-075	388-330-010	RESCIND	95-16-100	388-511-1130	AMD-P	95-06-072
388-300-0600	NEW-P	95-15-001	388-330-010	AMD-W	95-16-101	388-511-1130	AMD-W	95-08-071
388-300-0600	NEW	95-19-075	388-330-010	AMD-E	95-18-006	388-511-1140	AMD-P	95-06-072
388-300-0700	NEW-P	95-15-001	388-330-010	AMD-P	95-18-007	388-511-1140	AMD	95-08-070
388-300-0700	NEW	95-19-075	388-330-010	AMD-C	95-22-042	388-511-1140	PREP	95-21-012
388-300-0800	NEW-P	95-15-001	388-330-010	AMD-C	95-24-094	388-511-1140	AMD-E	95-22-074
388-300-0800	NEW	95-19-075	388-330-035	NEW-P	95-16-086	388-511-1160	AMD-P	95-06-072
388-300-0900	NEW-P	95-15-001	388-330-035	NEW-E	95-16-087	388-511-1160	AMD	95-08-070
388-300-0900	NEW	95-19-075	388-330-035	RESCIND	95-16-100	388-513-1300	NEW-P	95-03-084
388-300-1000	NEW-P	95-15-001	388-330-035	NEW-W	95-16-101	388-513-1300	NEW	95-06-025
388-300-1000	NEW	95-19-075	388-330-035	NEW-E	95-18-006	388-513-1315	PREP	95-15-038
388-300-1100	NEW-P	95-15-001	388-330-035	NEW-P	95-18-007	388-513-1315	AMD-P	95-16-013
388-300-1100	NEW	95-19-075	388-330-035	AMD-C	95-22-042	388-513-1315	AMD-E	95-16-018
388-300-1200	NEW-P	95-15-001	388-330-035	AMD-C	95-24-094	388-513-1315	AMD	95-19-007
388-300-1200	NEW	95-19-075	388-500-0005	PREP	95-13-020	388-513-1330	PREP	95-07-072
388-300-1300	NEW-P	95-15-001	388-500-0005	AMD-P	95-14-058	388-513-1350	AMD	95-05-022
388-300-1300	NEW	95-19-075	388-500-0005	AMD-E	95-14-060	388-513-1380	AMD	95-05-022
388-300-1400	NEW-P	95-15-001	388-500-0005	AMD-W	95-17-086	388-513-1380	PREP	95-06-071
388-300-1400	NEW	95-19-075	388-500-0005	AMD-P	95-18-005	388-513-1380	AMD-P	95-08-045
388-300-1500	NEW-P	95-15-001	388-500-0005	AMD	95-22-039	388-513-1380	AMD-E	95-08-046
388-300-1500	NEW	95-19-075	388-501-0130	PREP	95-17-042	388-513-1380	AMD	95-11-045
388-300-1600	NEW-P	95-15-001	388-501-0135	PREP	95-21-011	388-513-1380	PREP	95-14-002
388-300-1600	NEW	95-19-075	388-503-0320	PREP	95-15-037	388-513-1395	PREP	95-15-037
388-300-1700	NEW-P	95-15-001	388-503-0320	AMD-P	95-21-071	388-513-1395	AMD-P	95-21-071
388-300-1700	NEW	95-19-075	388-503-0320	AMD	95-24-017	388-513-1395	AMD	95-24-017
388-300-1800	NEW-P	95-15-001	388-503-0370	PREP	95-13-020	388-515-1505	PREP	95-12-011
388-300-1800	NEW	95-19-075	388-503-0370	AMD-P	95-14-058	388-515-1505	AMD-P	95-17-061
388-300-1900	NEW-P	95-15-001	388-503-0370	AMD-E	95-14-060	388-515-1505	AMD	95-20-030
388-300-1900	NEW	95-19-075	388-503-0370	AMD-W	95-17-086	388-515-1530	PREP	95-11-077
388-300-2000	NEW-P	95-15-001	388-503-0370	AMD-P	95-18-005	388-515-1530	AMD-P	95-15-035
388-300-2000	NEW	95-19-075	388-503-0370	AMD	95-22-039	388-515-1530	AMD	95-18-001
388-300-2100	NEW-P	95-15-001	388-504-0470	PREP	95-14-005	388-517-1710	AMD-P	95-11-049
388-300-2100	NEW	95-19-075	388-504-0470	AMD-P	95-19-100	388-517-1710	AMD	95-14-046

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388-517-1715	AMD-P	95-11-049	388-527-2740	NEW-C	95-17-030	388-530-1900	NEW-W	95-17-029
388-517-1715	AMD	95-14-046	388-527-2740	NEW	95-19-001	388-530-1900	PREP	95-24-095
388-517-1720	PREP	95-06-071	388-527-2740	NEW-E	95-21-020	388-535	PREP	95-15-008
388-517-1720	AMD-P	95-08-045	388-527-2740	NEW	95-24-037	388-535-1000	NEW-E	95-16-115
388-517-1720	AMD-E	95-08-046	388-527-2742	NEW-P	95-14-116	388-535-1000	NEW-P	95-17-023
388-517-1720	AMD	95-11-056	388-527-2742	NEW-E	95-14-117	388-535-1000	NEW-W	95-17-049
388-517-1730	AMD-P	95-11-049	388-527-2742	NEW-C	95-17-030	388-535-1000	NEW-P	95-21-050
388-517-1730	AMD	95-14-046	388-527-2742	NEW	95-19-001	388-535-1050	NEW-E	95-16-115
388-517-1740	PREP	95-06-071	388-527-2744	NEW-P	95-14-116	388-535-1050	NEW-P	95-17-023
388-517-1740	AMD-P	95-08-045	388-527-2744	NEW-E	95-14-117	388-535-1050	NEW-W	95-17-049
388-517-1740	AMD-E	95-08-046	388-527-2744	NEW-C	95-17-030	388-535-1050	NEW-P	95-21-050
388-517-1740	AMD	95-11-056	388-527-2750	NEW	95-19-001	388-535-1100	NEW-E	95-16-115
388-517-1740	PREP	95-15-007	388-527-2750	NEW-E	95-21-020	388-535-1100	NEW-P	95-17-023
388-517-1740	AMD-P	95-20-011	388-527-2750	NEW	95-24-037	388-535-1100	NEW-W	95-17-049
388-517-1740	AMD	95-23-030	388-527-2752	NEW	95-19-001	388-535-1100	NEW-P	95-21-050
388-517-1750	AMD-P	95-11-049	388-527-2752	NEW-E	95-21-020	388-535-1150	NEW-E	95-16-115
388-517-1750	AMD	95-14-046	388-527-2752	NEW	95-24-037	388-535-1150	NEW-P	95-17-023
388-517-1760	PREP	95-06-071	388-527-2753	NEW	95-19-001	388-535-1150	NEW-W	95-17-049
388-517-1760	AMD-P	95-08-045	388-527-2754	NEW	95-19-001	388-535-1150	NEW-P	95-21-050
388-517-1760	AMD-E	95-08-046	388-527-2754	NEW-E	95-21-020	388-535-1200	NEW-E	95-16-115
388-517-1760	AMD	95-11-056	388-527-2754	NEW	95-24-037	388-535-1200	NEW-P	95-17-023
388-518-1805	AMD	95-04-049	388-527-2770	NEW-P	95-14-116	388-535-1200	NEW-W	95-17-049
388-518-1805	PREP	95-13-020	388-527-2770	NEW-E	95-14-117	388-535-1200	NEW-P	95-21-050
388-518-1805	AMD-P	95-14-058	388-527-2770	NEW-C	95-17-030	388-535-1250	NEW-E	95-16-115
388-518-1805	AMD-E	95-14-060	388-527-2790	NEW-P	95-14-116	388-535-1250	NEW-P	95-17-023
388-518-1805	AMD-W	95-17-086	388-527-2790	NEW-E	95-14-117	388-535-1250	NEW-W	95-17-049
388-518-1805	AMD-P	95-18-005	388-527-2790	NEW-C	95-17-030	388-535-1250	NEW-P	95-21-050
388-518-1805	AMD	95-22-039	388-527-2790	NEW	95-19-001	388-535-1300	NEW-E	95-16-115
388-518-1810	PREP	95-13-020	388-527-2790	NEW-E	95-21-020	388-535-1300	NEW-P	95-17-023
388-518-1810	AMD-P	95-14-058	388-527-2790	NEW	95-24-037	388-535-1300	NEW-W	95-17-049
388-518-1810	AMD-E	95-14-060	388-529-2950	PREP	95-13-020	388-535-1300	NEW-P	95-21-050
388-518-1810	AMD-W	95-17-086	388-529-2950	AMD-P	95-14-058	388-535-1350	NEW-E	95-16-115
388-518-1810	AMD-P	95-18-005	388-529-2950	AMD-E	95-14-060	388-535-1350	NEW-P	95-17-023
388-518-1810	AMD	95-22-039	388-529-2950	AMD-W	95-17-086	388-535-1350	NEW-W	95-17-049
388-518-1820	PREP	95-24-097	388-529-2950	AMD-P	95-18-005	388-535-1350	NEW-P	95-21-050
388-518-1840	PREP	95-13-020	388-529-2950	AMD	95-22-039	388-535-1400	NEW-E	95-16-115
388-518-1840	AMD-P	95-14-058	388-530-1000	NEW-P	95-16-014	388-535-1400	NEW-P	95-17-023
388-518-1840	AMD-E	95-14-060	388-530-1000	NEW-W	95-17-029	388-535-1400	NEW-W	95-17-049
388-518-1840	AMD-W	95-17-086	388-530-1050	NEW-P	95-16-014	388-535-1400	NEW-P	95-21-050
388-518-1840	AMD-P	95-18-005	388-530-1050	NEW-W	95-17-029	388-535-1450	NEW-E	95-16-115
388-518-1840	AMD	95-22-039	388-530-1100	NEW-P	95-16-014	388-535-1450	NEW-P	95-17-023
388-519-1905	PREP	95-13-020	388-530-1100	NEW-W	95-17-029	388-535-1450	NEW-W	95-17-049
388-519-1905	AMD-P	95-14-058	388-530-1150	NEW-P	95-16-014	388-535-1450	NEW-P	95-21-050
388-519-1905	AMD-E	95-14-060	388-530-1150	NEW-W	95-17-029	388-535-1500	NEW-E	95-16-115
388-519-1905	AMD-W	95-17-086	388-530-1200	NEW-P	95-16-014	388-535-1500	NEW-P	95-17-023
388-519-1905	AMD-P	95-18-005	388-530-1200	NEW-W	95-17-029	388-535-1500	NEW-W	95-17-049
388-519-1905	AMD	95-22-039	388-530-1250	NEW-P	95-16-014	388-535-1500	NEW-P	95-21-050
388-521-2140	PREP	95-13-020	388-530-1250	NEW-W	95-17-029	388-535-1550	NEW-E	95-16-115
388-521-2140	AMD-P	95-14-058	388-530-1300	NEW-P	95-16-014	388-535-1550	NEW-P	95-17-023
388-521-2140	AMD-E	95-14-060	388-530-1300	NEW-W	95-17-029	388-535-1550	NEW-W	95-17-049
388-521-2140	AMD-W	95-17-086	388-530-1350	NEW-P	95-16-014	388-535-1550	NEW-P	95-21-050
388-521-2140	AMD-P	95-18-005	388-530-1350	NEW-W	95-17-029	388-538	PREP	95-12-033
388-521-2140	AMD	95-22-039	388-530-1400	NEW-P	95-16-014	388-538-050	AMD-P	95-15-023
388-522-2230	PREP	95-06-033	388-530-1400	NEW-W	95-17-029	388-538-050	AMD	95-18-046
388-522-2230	AMD-P	95-12-031	388-530-1450	NEW-P	95-16-014	388-538-060	AMD-P	95-15-023
388-522-2230	AMD	95-15-039	388-530-1450	NEW-W	95-17-029	388-538-060	AMD	95-18-046
388-527-2710	REP-P	95-14-116	388-530-1500	NEW-P	95-16-014	388-538-070	AMD-P	95-15-023
388-527-2710	REP-E	95-14-117	388-530-1500	NEW-W	95-17-029	388-538-070	AMD	95-18-046
388-527-2710	REP-C	95-17-030	388-530-1550	NEW-P	95-16-014	388-538-080	AMD-P	95-15-023
388-527-2710	REP	95-19-001	388-530-1550	NEW-W	95-17-029	388-538-080	AMD	95-18-046
388-527-2720	REP-P	95-14-116	388-530-1600	NEW-P	95-16-014	388-538-090	AMD-P	95-15-023
388-527-2720	REP-E	95-14-117	388-530-1600	NEW-W	95-17-029	388-538-090	AMD	95-18-046
388-527-2720	REP-C	95-17-030	388-530-1650	NEW-P	95-16-014	388-538-095	AMD-P	95-15-023
388-527-2720	REP	95-19-001	388-530-1650	NEW-W	95-17-029	388-538-095	AMD	95-18-046
388-527-2730	NEW-P	95-14-116	388-530-1700	NEW-P	95-16-014	388-538-100	AMD	95-04-033
388-527-2730	NEW-E	95-14-117	388-530-1700	NEW-W	95-17-029	388-538-100	AMD-P	95-15-023
388-527-2730	NEW-C	95-17-030	388-530-1750	NEW-P	95-16-014	388-538-100	AMD	95-18-046
388-527-2730	NEW	95-19-001	388-530-1750	NEW-W	95-17-029	388-538-110	AMD-P	95-15-023
388-527-2730	NEW-E	95-21-020	388-530-1800	NEW-P	95-16-014	388-538-110	AMD	95-18-046
388-527-2730	NEW	95-24-037	388-530-1800	NEW-W	95-17-029	388-538-120	AMD-P	95-15-023
388-527-2735	NEW	95-19-001	388-530-1850	NEW-P	95-16-014	388-538-120	AMD	95-18-046
388-527-2740	NEW-P	95-14-116	388-530-1850	NEW-W	95-17-029	388-538-130	AMD-P	95-15-023
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388-538-150	AMD-P	95-15-023	392-121-280	AMD	95-21-096	392-140-582	NEW	95-18-051
388-538-150	AMD	95-18-046	392-121-295	AMD-P	95-18-096	392-140-583	NEW-P	95-15-054
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390-05-245	NEW-E	95-14-076	392-122-100	AMD-P	95-22-031	392-140-585	NEW	95-18-051
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391-35	PREP	95-20-036	392-122-205	AMD	95-08-025	392-141-151	NEW	95-18-050
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392-121-107	AMD	95-18-097	392-122-900	AMD-E	95-15-030	392-142-095	AMD-E	95-17-012
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392-121-215	AMD	95-21-096	392-140-571	NEW	95-18-051	392-142-155	AMD	95-17-011
392-121-220	AMD-P	95-18-096	392-140-572	NEW-P	95-15-054	392-142-155	AMD-E	95-17-012
392-121-220	AMD	95-21-096	392-140-572	NEW	95-18-051	392-142-162	NEW-P	95-13-100
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392-121-225	AMD	95-21-096	392-140-573	NEW	95-18-051	392-142-162	NEW-E	95-17-012
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392-121-245	AMD	95-21-096	392-140-574	NEW	95-18-051	392-142-163	NEW	95-17-011
392-121-255	AMD-P	95-18-096	392-140-575	NEW-P	95-15-054	392-142-163	NEW-E	95-17-012
392-121-255	AMD	95-21-096	392-140-575	NEW	95-18-051	392-142-165	AMD-P	95-13-100
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392-121-257	AMD	95-21-096	392-140-576	NEW	95-18-051	392-142-165	AMD-E	95-17-012
392-121-259	AMD-P	95-18-096	392-140-577	NEW-P	95-15-054	392-142-170	AMD-P	95-13-100
392-121-259	AMD	95-21-096	392-140-577	NEW	95-18-051	392-142-170	AMD	95-17-011
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392-142-212	NEW	95-17-011	392-169-075	AMD-P	95-06-084	392-171-386	REP	95-21-055
392-142-212	NEW-E	95-17-012	392-169-075	AMD	95-09-042	392-171-391	REP-P	95-15-114
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392-142-240	AMD	95-17-011	392-169-090	AMD-P	95-06-084	392-171-401	REP	95-21-055
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392-142-265	AMD	95-17-011	392-169-100	AMD	95-09-042	392-171-411	REP-P	95-15-114
392-142-265	AMD-E	95-17-012	392-169-105	AMD-P	95-06-084	392-171-411	REP	95-21-055
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392-162-067	AMD-P	95-15-076	392-171-310	REP-P	95-15-114	392-171-451	REP	95-21-055
392-162-067	AMD	95-19-031	392-171-310	REP	95-21-055	392-171-452	REP-P	95-15-114
392-162-070	REP-P	95-15-076	392-171-311	REP-P	95-15-114	392-171-452	REP	95-21-055
392-162-070	REP	95-19-031	392-171-311	REP	95-21-055	392-171-454	REP-P	95-15-114
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392-162-080	AMD	95-19-031	392-171-320	REP	95-21-055	392-171-457	REP-P	95-15-114
392-162-085	AMD-P	95-15-076	392-171-321	REP-P	95-15-114	392-171-457	REP	95-21-055
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392-162-095	AMD	95-19-031	392-171-322	REP	95-21-055	392-171-462	REP-P	95-15-114
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392-162-105	AMD-P	95-15-053	392-171-323	REP	95-21-055	392-171-463	REP-P	95-15-114
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392-169-022	AMD	95-09-042	392-171-346	REP-P	95-15-114	392-171-481	REP	95-21-055
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392-169-033	NEW	95-09-042	392-171-361	REP-P	95-15-114	392-171-496	REP	95-21-055
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392-172-136	NEW-P	392-172-216	NEW	392-172-342	NEW-P
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392-172-160	NEW-P	392-172-240	NEW	392-172-372	NEW-P
392-172-160	NEW	392-172-242	NEW-P	392-172-372	NEW
392-172-162	NEW-P	392-172-242	NEW	392-172-374	NEW-P
392-172-162	NEW	392-172-244	NEW-P	392-172-374	NEW
392-172-164	NEW-P	392-172-244	NEW	392-172-376	NEW-P
392-172-164	NEW	392-172-246	NEW-P	392-172-376	NEW
392-172-166	NEW-P	392-172-246	NEW	392-172-378	NEW-P
392-172-166	NEW	392-172-248	NEW-P	392-172-378	NEW
392-172-168	NEW-P	392-172-248	NEW	392-172-380	NEW-P
392-172-168	NEW	392-172-300	NEW-P	392-172-380	NEW
392-172-170	NEW-P	392-172-300	NEW	392-172-382	NEW-P
392-172-170	NEW	392-172-302	NEW-P	392-172-382	NEW
392-172-172	NEW-P	392-172-302	NEW	392-172-388	NEW-P
392-172-172	NEW	392-172-304	NEW-P	392-172-388	NEW
392-172-174	NEW-P	392-172-304	NEW	392-172-390	NEW-P
392-172-174	NEW	392-172-306	NEW-P	392-172-390	NEW
392-172-176	NEW-P	392-172-306	NEW	392-172-392	NEW-P
392-172-176	NEW	392-172-308	NEW-P	392-172-392	NEW
392-172-178	NEW-P	392-172-308	NEW	392-172-394	NEW-P
392-172-178	NEW	392-172-310	NEW-P	392-172-394	NEW
392-172-180	NEW-P	392-172-310	NEW	392-172-396	NEW-P
392-172-180	NEW	392-172-312	NEW-P	392-172-396	NEW
392-172-182	NEW-P	392-172-312	NEW	392-172-398	NEW-P
392-172-182	NEW	392-172-314	NEW-P	392-172-398	NEW
392-172-184	NEW-P	392-172-314	NEW	392-172-400	NEW-P
392-172-184	NEW	392-172-316	NEW-P	392-172-400	NEW
392-172-186	NEW-P	392-172-316	NEW	392-172-402	NEW-P
392-172-186	NEW	392-172-320	NEW-P	392-172-402	NEW
392-172-188	NEW-P	392-172-320	NEW	392-172-404	NEW-P
392-172-188	NEW	392-172-322	NEW-P	392-172-404	NEW
392-172-190	NEW-P	392-172-322	NEW	392-172-406	NEW-P
392-172-190	NEW	392-172-324	NEW-P	392-172-406	NEW
392-172-200	NEW-P	392-172-324	NEW	392-172-408	NEW-P
392-172-200	NEW	392-172-326	NEW-P	392-172-408	NEW
392-172-202	NEW-P	392-172-326	NEW	392-172-410	NEW-P
392-172-202	NEW	392-172-328	NEW-P	392-172-410	NEW
392-172-204	NEW-P	392-172-328	NEW	392-172-412	NEW-P
392-172-204	NEW	392-172-330	NEW-P	392-172-412	NEW
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392-172-416	NEW	95-21-055	329-172-588	NEW-P	95-15-114	415-108-0106	NEW	95-16-053
392-172-418	NEW-P	95-15-114	392-172-588	NEW	95-21-055	415-108-0107	NEW-P	95-09-069
392-172-418	NEW	95-21-055	392-172-590	NEW-P	95-15-114	415-108-0107	NEW	95-16-053
392-172-420	NEW-P	95-15-114	392-172-590	NEW	95-21-055	415-108-0108	NEW-P	95-09-069
392-172-420	NEW	95-21-055	392-172-592	NEW-P	95-15-114	415-108-0108	NEW	95-16-053
392-172-422	NEW-P	95-15-114	392-172-592	NEW	95-21-055	415-108-0109	NEW-P	95-09-069
392-172-422	NEW	95-21-055	392-172-594	NEW-P	95-15-114	415-108-0109	NEW	95-16-053
392-172-424	NEW-P	95-15-114	392-172-594	NEW	95-21-055	415-108-320	REP-P	95-22-081
392-172-424	NEW	95-21-055	399-10-010	AMD-P	95-07-107	415-108-322	REP-P	95-22-081
392-172-426	NEW-P	95-15-114	399-10-010	AMD	95-11-093	415-108-324	AMD-P	95-22-081
392-172-426	NEW	95-21-055	399-20-020	AMD-P	95-07-108	415-108-326	AMD-P	95-22-081
392-172-500	NEW-P	95-15-114	399-20-020	AMD	95-11-093	415-108-340	AMD-P	95-24-080
392-172-500	NEW	95-21-055	399-30-040	AMD-P	95-07-109	415-108-461	PREP	95-18-012
392-172-502	NEW-P	95-15-114	399-30-040	AMD	95-11-093	415-108-461	REP-P	95-22-080
392-172-502	NEW	95-21-055	415-02-099	REP-P	95-24-080	415-108-462	PREP	95-18-012
392-172-504	NEW-P	95-15-114	415-02-120	NEW-P	95-22-083	415-108-462	REP-P	95-22-080
392-172-504	NEW	95-21-055	415-02-120	NEW-W	95-23-072	415-108-470	AMD-P	95-18-009
392-172-506	NEW-P	95-15-114	415-100-041	REP-P	95-22-081	415-108-470	AMD	95-22-006
392-172-506	NEW	95-21-055	415-100-045	AMD-P	95-22-081	415-108-480	AMD-P	95-18-009
392-172-508	NEW-P	95-15-114	415-100-051	AMD-P	95-22-081	415-108-480	AMD	95-22-006
392-172-508	NEW	95-21-055	415-100-055	AMD-P	95-22-081	415-108-485	NEW-P	95-18-009
392-172-510	NEW-P	95-15-114	415-104-011	AMD-P	95-09-069	415-108-485	NEW	95-22-006
392-172-510	NEW	95-21-055	415-104-011	AMD	95-16-053	415-108-679	NEW-P	95-09-069
392-172-512	NEW-P	95-15-114	415-104-0111	NEW-P	95-09-069	415-108-679	NEW	95-16-053
392-172-512	NEW	95-21-055	415-104-0111	NEW	95-16-053	415-108-680	NEW-P	95-09-069
392-172-514	NEW-P	95-15-114	415-104-0112	NEW-P	95-09-069	415-108-680	NEW	95-16-053
392-172-514	NEW	95-21-055	415-104-0112	NEW	95-16-053	415-108-690	NEW-P	95-09-069
392-172-516	NEW-P	95-15-114	415-104-0113	NEW-P	95-09-069	415-108-690	NEW	95-16-053
392-172-516	NEW	95-21-055	415-104-0113	NEW-P	95-09-069	415-108-700	NEW-P	95-09-069
392-172-518	NEW-P	95-15-114	415-104-0113	NEW	95-16-053	415-108-700	NEW	95-16-053
392-172-518	NEW	95-21-055	415-104-0114	NEW-P	95-09-069	415-108-710	NEW-P	95-09-069
392-172-520	NEW-P	95-15-114	415-104-0114	NEW	95-16-053	415-108-710	NEW	95-16-053
392-172-520	NEW	95-21-055	415-104-0115	NEW-P	95-09-069	415-108-720	NEW-P	95-09-069
392-172-522	NEW-P	95-15-114	415-104-0115	NEW	95-16-053	415-108-720	NEW	95-16-053
392-172-522	NEW	95-21-055	415-104-0117	NEW-P	95-09-069	415-108-725	NEW-P	95-09-069
392-172-524	NEW-P	95-15-114	415-104-0117	NEW	95-16-053	415-108-725	NEW	95-16-053
392-172-524	NEW	95-21-055	415-104-0118	NEW-P	95-09-069	415-108-726	NEW-P	95-09-069
392-172-526	NEW-P	95-15-114	415-104-0118	NEW	95-16-053	415-108-726	NEW	95-16-053
392-172-526	NEW	95-21-055	415-104-0118	NEW	95-16-053	415-108-728	NEW-P	95-09-069
392-172-550	NEW-P	95-15-114	415-104-0120	NEW-P	95-09-069	415-108-728	NEW	95-16-053
392-172-550	NEW	95-21-055	415-104-0120	NEW	95-16-053	415-112-015	AMD-P	95-09-069
392-172-552	NEW-P	95-15-114	415-104-0121	NEW-P	95-09-069	415-112-015	AMD	95-16-053
392-172-552	NEW	95-21-055	415-104-0121	NEW	95-16-053	415-112-015	AMD-P	95-22-083
392-172-552	NEW	95-21-055	415-104-0122	NEW-P	95-09-069	415-112-015	AMD-W	95-23-072
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392-172-554	NEW	95-21-055	415-104-0125	NEW-P	95-22-082	415-112-0151	NEW	95-16-053
392-172-554	NEW	95-21-055	415-104-108	AMD-P	95-24-080	415-112-0152	NEW-P	95-09-069
392-172-556	NEW-P	95-15-114	415-104-201	REP-P	95-22-081	415-112-0152	NEW	95-16-053
392-172-556	NEW	95-21-055	415-104-205	REP-P	95-22-081	415-112-0152	NEW-P	95-09-069
392-172-558	NEW-P	95-15-114	415-104-211	AMD-P	95-22-081	415-112-0152	NEW	95-16-053
392-172-558	NEW	95-21-055	415-104-215	AMD-P	95-22-081	415-112-0153	NEW-P	95-09-069
392-172-560	NEW-P	95-15-114	415-104-224	NEW-P	95-09-069	415-112-0153	NEW-W	95-22-086
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392-172-562	NEW-P	95-15-114	415-104-225	NEW-P	95-09-069	415-112-0154	NEW	95-16-053
392-172-562	NEW	95-21-055	415-104-225	NEW	95-16-053	415-112-0155	NEW-P	95-09-069
392-172-564	NEW-P	95-15-114	415-104-225	AMD-P	95-22-082	415-112-0155	NEW-W	95-22-086
392-172-564	NEW	95-21-055	415-104-235	NEW-P	95-09-069	415-112-0156	NEW-P	95-09-069
392-172-566	NEW-P	95-15-114	415-104-235	NEW	95-16-053	415-112-0156	NEW	95-16-053
392-172-566	NEW	95-21-055	415-104-245	NEW-P	95-09-069	415-112-0157	NEW-P	95-09-069
392-172-568	NEW-P	95-15-114	415-104-245	NEW	95-16-053	415-112-0157	NEW	95-16-053
392-172-568	NEW	95-21-055	415-108-010	AMD-P	95-09-069	415-112-0158	NEW-P	95-09-069
392-172-570	NEW-P	95-15-114	415-108-010	AMD	95-16-053	415-112-0158	NEW	95-16-053
392-172-570	NEW	95-21-055	415-108-010	AMD-P	95-22-083	415-112-0158	NEW	95-16-053
392-172-572	NEW-P	95-15-114	415-108-010	AMD-W	95-23-072	415-112-0159	NEW-P	95-09-069
392-172-572	NEW	95-21-055	415-108-0101	NEW-P	95-09-069	415-112-0159	NEW	95-16-053
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392-172-574	NEW	95-21-055	415-108-0101	NEW	95-16-053	415-112-0161	NEW	95-16-053
392-172-580	NEW-P	95-15-114	415-108-0102	NEW-P	95-09-069	415-112-0162	NEW-P	95-09-069
392-172-580	NEW	95-21-055	415-108-0102	NEW	95-16-053	415-112-0162	NEW	95-16-053
392-172-582	NEW-P	95-15-114	415-108-0103	NEW-P	95-09-069	415-112-0163	NEW-P	95-09-069
392-172-582	NEW	95-21-055	415-108-0103	NEW	95-16-053	415-112-0163	NEW	95-16-053
392-172-584	NEW-P	95-15-114	415-108-0104	NEW-P	95-09-069	415-112-0164	NEW-P	95-09-069
392-172-584	NEW	95-21-055	415-108-0104	NEW	95-16-053	415-112-0164	NEW-W	95-22-086
392-172-586	NEW-P	95-15-114	415-108-0105	NEW-P	95-09-069	415-112-0165	NEW-P	95-09-069
392-172-586	NEW-P	95-15-114	415-108-0105	NEW	95-16-053	415-112-0165	NEW	95-16-053

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415-112-0166	NEW-W	95-22-086	419-18	AMD	95-06-066	434-75-190	AMD-P	95-23-117
415-112-0167	NEW-P	95-09-069	419-18-020	AMD-P	95-03-091	434-75-200	REP-P	95-23-117
415-112-0167	NEW	95-16-053	419-18-020	AMD	95-06-066	434-75-210	AMD-P	95-23-117
415-112-040	AMD-P	95-24-080	419-18-030	AMD-P	95-03-091	434-75-220	AMD-P	95-23-117
415-112-119	NEW-P	95-09-069	419-18-030	AMD	95-06-066	434-75-230	AMD-P	95-23-117
415-112-119	NEW	95-16-053	419-18-040	AMD-P	95-03-091	434-75-240	AMD-P	95-23-117
415-112-120	NEW-P	95-09-069	419-18-040	AMD	95-06-066	434-75-250	AMD-P	95-23-117
415-112-120	NEW	95-16-053	419-18-045	NEW-P	95-03-091	434-75-260	AMD-P	95-23-117
415-112-125	NEW-P	95-09-069	419-18-045	NEW	95-06-066	434-75-270	AMD-P	95-23-117
415-112-125	NEW	95-16-053	419-18-050	AMD-P	95-03-091	434-75-280	AMD-P	95-23-117
415-112-130	NEW-P	95-09-069	419-18-050	AMD	95-06-066	434-75-290	AMD-P	95-23-117
415-112-130	NEW	95-16-053	419-18-060	AMD-P	95-03-091	434-75-300	REP-P	95-23-117
415-112-135	NEW-P	95-09-069	419-18-060	AMD	95-06-066	434-75-310	AMD-P	95-23-117
415-112-135	NEW	95-16-053	419-18-070	AMD-P	95-03-091	434-75-320	AMD-P	95-23-117
415-112-140	NEW-P	95-09-069	419-18-070	AMD	95-06-066	434-75-330	AMD-P	95-23-117
415-112-140	NEW	95-16-053	419-18-080	NEW-P	95-03-091	434-75-340	AMD-P	95-23-117
415-112-145	NEW-P	95-09-069	419-18-080	NEW	95-06-066	434-75-350	AMD-P	95-23-117
415-112-145	NEW	95-16-053	419-70-010	REP	95-09-049	434-110-075	AMD-P	95-12-099
415-112-155	NEW-P	95-09-069	419-70-020	REP	95-09-049	434-110-075	AMD	95-16-130
415-112-155	NEW	95-16-053	419-70-030	REP	95-09-049	434-120-025	PREP	95-06-049
415-112-409	NEW-W	95-02-058	419-70-040	REP	95-09-049	434-120-025	AMD-P	95-08-073
415-112-412	AMD-P	95-18-009	419-70-050	REP	95-09-049	434-120-025	AMD	95-11-135
415-112-412	AMD	95-22-006	419-72-010	AMD	95-09-049	434-120-103	NEW-P	95-08-073
415-112-413	AMD-P	95-18-009	419-72-012	NEW	95-09-049	434-120-103	NEW	95-11-135
415-112-413	AMD	95-22-006	419-72-015	AMD	95-09-049	434-120-105	PREP	95-06-049
415-112-41301	NEW-P	95-18-009	419-72-020	AMD	95-09-049	434-120-105	AMD-P	95-08-073
415-112-41301	NEW	95-22-006	419-72-025	AMD	95-09-049	434-120-105	AMD-C	95-12-017
415-112-720	REP-P	95-22-081	419-72-030	REP	95-09-049	434-120-125	PREP	95-06-049
415-112-725	AMD-P	95-22-081	419-72-035	REP	95-09-049	434-120-125	AMD-P	95-08-073
415-112-727	AMD-P	95-22-081	419-72-040	REP	95-09-049	434-120-125	AMD	95-11-135
415-113-005	NEW	95-03-001	419-72-041	NEW	95-09-049	434-120-130	PREP	95-06-049
415-113-010	REP	95-03-001	419-72-045	AMD	95-09-049	434-120-130	AMD-P	95-08-073
415-113-020	REP	95-03-001	419-72-050	AMD	95-09-049	434-120-130	AMD-C	95-12-017
415-113-030	AMD	95-03-001	419-72-055	REP	95-09-049	434-120-140	PREP	95-06-049
415-113-0301	NEW	95-03-001	419-72-060	AMD	95-09-049	434-120-140	AMD-P	95-08-073
415-113-0302	NEW	95-03-001	419-72-065	AMD	95-09-049	434-120-140	AMD	95-11-135
415-113-0303	NEW	95-03-001	419-72-068	NEW-W	95-02-059	434-120-145	PREP	95-06-049
415-113-0304	NEW	95-03-001	419-72-070	AMD	95-09-049	434-120-145	AMD-P	95-08-073
415-113-0305	NEW	95-03-001	419-72-075	AMD	95-09-049	434-120-145	AMD	95-11-135
415-113-0306	NEW	95-03-001	419-72-080	AMD	95-09-049	434-120-200	NEW-P	95-08-073
415-113-0307	NEW	95-03-001	419-72-090	REP	95-09-049	434-120-200	NEW	95-11-135
415-113-0308	NEW	95-03-001	419-72-095	REP	95-09-049	434-120-210	PREP	95-06-049
415-113-0309	NEW	95-03-001	434-09-020	AMD-E	95-05-050	434-120-215	PREP	95-06-049
415-113-0310	NEW	95-03-001	434-09-030	AMD-E	95-05-050	434-120-215	AMD-P	95-08-073
415-113-040	REP	95-03-001	434-09-040	AMD-E	95-05-050	434-120-215	AMD	95-11-135
415-113-041	NEW	95-03-001	434-09-050	AMD-E	95-05-050	434-120-218	NEW-P	95-08-073
415-113-042	NEW	95-03-001	434-09-060	AMD-E	95-05-050	434-120-218	NEW	95-11-135
415-113-045	NEW	95-03-001	434-09-070	AMD-E	95-05-050	434-120-240	PREP	95-06-049
415-113-050	REP	95-03-001	434-09-080	AMD-E	95-05-050	434-120-255	PREP	95-06-049
415-113-055	NEW	95-03-001	434-09-090	AMD-E	95-05-050	434-120-255	AMD-P	95-08-073
415-113-057	NEW	95-03-001	434-36-120	AMD-E	95-19-068	434-120-255	AMD-C	95-12-017
415-113-059	NEW	95-03-001	434-36-130	AMD-E	95-19-068	434-120-260	PREP	95-06-049
415-113-060	REP	95-03-001	434-36-140	AMD-E	95-19-068	434-120-260	AMD-P	95-08-073
415-113-065	NEW	95-03-001	434-55-065	AMD-P	95-12-099	434-120-260	AMD	95-11-135
415-113-070	NEW	95-03-001	434-55-065	AMD	95-16-130	434-120-265	PREP	95-06-049
415-113-080	NEW	95-03-001	434-75-010	AMD-P	95-23-117	434-120-265	AMD-P	95-08-073
415-113-082	NEW	95-03-001	434-75-020	AMD-P	95-23-117	434-120-265	AMD	95-11-135
415-113-084	NEW	95-03-001	434-75-030	AMD-P	95-23-117	434-120-300	PREP	95-06-050
415-113-090	NEW	95-03-001	434-75-040	AMD-P	95-23-117	434-120-300	AMD-P	95-08-072
415-113-100	NEW	95-03-001	434-75-050	AMD-P	95-23-117	434-120-300	AMD	95-11-135
415-115-030	AMD-P	95-09-068	434-75-060	AMD-P	95-23-117	434-120-305	PREP	95-06-050
415-115-030	AMD	95-12-058	434-75-070	AMD-P	95-23-117	434-120-305	AMD-P	95-08-072
415-115-050	AMD-P	95-09-068	434-75-080	AMD-P	95-23-117	434-120-305	AMD	95-11-135
415-115-050	AMD	95-12-058	434-75-090	AMD-P	95-23-117	434-120-310	PREP	95-06-050
415-115-060	AMD-P	95-09-068	434-75-100	AMD-P	95-23-117	434-120-310	AMD-P	95-08-072
415-115-060	AMD	95-12-058	434-75-110	AMD-P	95-23-117	434-120-310	AMD	95-11-135
415-115-070	AMD-P	95-09-068	434-75-120	AMD-P	95-23-117	434-120-315	PREP	95-06-050
415-115-070	AMD	95-12-058	434-75-130	AMD-P	95-23-117	434-120-315	NEW-P	95-08-072
415-115-080	AMD-P	95-09-068	434-75-140	AMD-P	95-23-117	434-120-315	NEW	95-11-135
415-115-080	AMD	95-12-058	434-75-150	AMD-P	95-23-117	434-120-317	PREP	95-06-050
415-115-120	AMD-P	95-09-068	434-75-160	AMD-P	95-23-117	434-120-317	NEW-P	95-08-072
415-115-120	AMD	95-12-058	434-75-170	REP-P	95-23-117	434-120-317	NEW	95-11-135

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434-120-330	PREP	95-06-050	448-13-050	AMD	95-20-025	458-08-050	REP	95-07-067
434-120-330	AMD-P	95-08-072	448-13-055	NEW-P	95-16-118	458-08-060	REP-P	95-04-051
434-120-330	AMD	95-11-135	448-13-055	NEW	95-20-025	458-08-060	REP	95-07-067
434-120-335	PREP	95-06-050	448-13-060	AMD-P	95-16-118	458-08-070	REP-P	95-04-051
434-120-335	AMD-P	95-08-072	448-13-060	AMD	95-20-025	458-08-070	REP	95-07-067
434-120-335	AMD	95-11-135	448-13-065	NEW-P	95-16-118	458-08-080	REP-P	95-04-051
434-135-010	PREP	95-11-133	448-13-065	NEW	95-20-025	458-08-080	REP	95-07-067
434-135-010	NEW-P	95-12-101	448-13-070	AMD-P	95-16-118	458-08-090	REP-P	95-04-051
434-135-010	NEW	95-16-131	448-13-070	AMD	95-20-025	458-08-090	REP	95-07-067
434-135-020	PREP	95-11-133	448-13-080	AMD-P	95-16-118	458-08-100	REP-P	95-04-051
434-135-020	NEW-P	95-12-101	448-13-080	AMD	95-20-025	458-08-100	REP	95-07-067
434-135-020	NEW	95-16-131	448-13-090	AMD-P	95-16-118	458-08-110	REP-P	95-04-051
434-135-030	PREP	95-11-133	448-13-090	AMD	95-20-025	458-08-110	REP	95-07-067
434-135-030	NEW-P	95-12-101	448-13-100	AMD-P	95-16-118	458-08-120	REP-P	95-04-051
434-135-030	NEW	95-16-131	448-13-100	AMD	95-20-025	458-08-120	REP	95-07-067
434-135-040	PREP	95-11-133	448-13-110	AMD-P	95-16-118	458-08-130	REP-P	95-04-051
434-135-040	NEW-P	95-12-101	448-13-110	AMD	95-20-025	458-08-130	REP	95-07-067
434-135-040	NEW	95-16-131	448-13-130	AMD-P	95-16-118	458-08-140	REP-P	95-04-051
434-135-050	PREP	95-11-133	448-13-130	AMD	95-20-025	458-08-140	REP	95-07-067
434-135-050	NEW-P	95-12-101	448-13-140	AMD-P	95-16-118	458-08-150	REP-P	95-04-051
434-135-050	NEW	95-16-131	448-13-140	AMD	95-20-025	458-08-150	REP	95-07-067
434-135-060	PREP	95-11-133	448-13-150	AMD-P	95-16-118	458-08-160	REP-P	95-04-051
434-135-060	NEW-P	95-12-101	448-13-150	AMD	95-20-025	458-08-160	REP	95-07-067
434-135-060	NEW	95-16-131	448-13-160	AMD-P	95-16-118	458-08-170	REP-P	95-04-051
434-135-070	PREP	95-11-133	448-13-160	AMD	95-20-025	458-08-170	REP	95-07-067
434-135-070	NEW-P	95-12-101	448-13-170	AMD-P	95-16-118	458-08-180	REP-P	95-04-051
434-135-070	NEW	95-16-131	448-13-170	AMD	95-20-025	458-08-180	REP	95-07-067
434-135-080	PREP	95-11-133	448-13-200	AMD-P	95-16-118	458-08-190	REP-P	95-04-051
434-135-080	NEW-P	95-12-101	448-13-200	AMD	95-20-025	458-08-190	REP	95-07-067
434-135-080	NEW	95-16-131	448-13-210	AMD-P	95-16-118	458-08-200	REP-P	95-04-051
434-135-090	PREP	95-11-133	448-13-210	AMD	95-20-025	458-08-200	REP	95-07-067
434-135-090	NEW-P	95-12-101	448-13-220	AMD-P	95-16-118	458-08-210	REP-P	95-04-051
434-135-090	NEW	95-16-131	448-13-220	AMD	95-20-025	458-08-210	REP	95-07-067
434-135-100	PREP	95-11-133	456-09-110	AMD	95-05-033	458-08-220	REP-P	95-04-051
434-135-110	PREP	95-11-133	456-09-130	AMD	95-05-033	458-08-220	REP	95-07-067
434-135-120	PREP	95-11-133	456-09-230	AMD	95-05-033	458-08-230	REP-P	95-04-051
434-135-120	NEW-P	95-12-101	456-09-320	AMD	95-05-033	458-08-230	REP	95-07-067
434-135-120	NEW	95-16-131	456-09-325	AMD	95-05-033	458-08-240	REP-P	95-04-051
434-135-130	PREP	95-11-133	456-09-330	AMD	95-05-033	458-08-240	REP	95-07-067
434-135-140	PREP	95-11-133	456-09-340	AMD	95-05-033	458-08-250	REP-P	95-04-051
434-135-150	PREP	95-11-133	456-09-350	AMD	95-05-033	458-08-250	REP	95-07-067
434-135-150	NEW-P	95-12-101	456-09-365	AMD	95-05-033	458-08-260	REP-P	95-04-051
434-135-150	NEW	95-16-131	456-09-540	AMD	95-05-033	458-08-260	REP	95-07-067
434-135-160	PREP	95-11-133	456-09-705	AMD	95-05-033	458-08-270	REP-P	95-04-051
434-135-160	NEW-P	95-12-101	456-09-710	AMD	95-05-033	458-08-270	REP	95-07-067
434-135-160	NEW	95-16-131	456-09-725	AMD	95-05-033	458-14-005	PREP	95-07-139
434-135-170	PREP	95-11-133	456-09-730	AMD	95-05-033	458-14-005	AMD-P	95-12-087
434-135-170	NEW-P	95-12-101	456-09-930	AMD	95-05-033	458-14-005	AMD	95-17-099
434-135-170	NEW	95-16-131	456-09-935	AMD	95-05-033	458-14-015	PREP	95-07-139
434-135-180	PREP	95-11-133	456-09-945	AMD	95-05-033	458-14-015	AMD-P	95-12-087
434-135-190	PREP	95-11-133	456-09-955	AMD	95-05-033	458-14-015	AMD	95-17-099
434-135-190	NEW-P	95-12-101	456-10-110	AMD	95-05-032	458-14-056	PREP	95-07-139
434-135-190	NEW	95-16-131	456-10-140	AMD	95-05-032	458-14-056	AMD-P	95-12-087
434-166-260	PREP	95-24-107	456-10-320	AMD	95-05-032	458-14-056	AMD	95-17-099
434-166-280	PREP	95-24-107	456-10-325	AMD	95-05-032	458-14-066	PREP	95-07-139
434-166-290	PREP	95-24-107	456-10-330	AMD	95-05-032	458-14-066	AMD-P	95-12-087
434-615-020	PREP	95-19-048	456-10-340	AMD	95-05-032	458-14-066	AMD	95-17-099
446-10-030	PREP	95-16-028	456-10-360	AMD	95-05-032	458-14-116	PREP	95-07-139
446-10-030	AMD-P	95-18-085	456-10-505	AMD	95-05-032	458-14-116	AMD-P	95-12-086
446-10-030	AMD	95-24-041	456-10-510	AMD	95-05-032	458-14-116	AMD	95-17-099
446-65-010	AMD-E	95-08-048	456-10-525	AMD	95-05-032	458-14-127	PREP	95-07-139
446-65-010	PREP	95-09-075	456-10-530	AMD	95-05-032	458-14-127	AMD-P	95-12-086
446-65-010	AMD-P	95-10-058	456-10-730	AMD	95-05-032	458-14-127	AMD	95-17-099
446-65-010	AMD	95-13-080	456-10-755	AMD	95-05-032	458-14-146	PREP	95-07-139
446-65-020	NEW-E	95-08-048	458-08-010	REP-P	95-04-051	458-14-146	AMD-P	95-12-086
446-65-020	PREP	95-09-075	458-08-010	REP	95-07-067	458-14-146	AMD	95-17-099
446-65-020	NEW-P	95-10-058	458-08-020	REP-P	95-04-051	458-14-160	PREP	95-07-139
446-65-020	NEW	95-13-080	458-08-020	REP	95-07-067	458-14-160	AMD-P	95-12-086
448-13-020	AMD-P	95-16-118	458-08-030	REP-P	95-04-051	458-14-160	AMD	95-17-099
448-13-020	AMD	95-20-025	458-08-030	REP	95-07-067	458-14-170	PREP	95-07-139
448-13-030	AMD-P	95-16-118	458-08-040	REP-P	95-04-051	458-14-170	AMD-P	95-12-086
448-13-030	AMD	95-20-025	458-08-040	REP	95-07-067	458-14-170	AMD	95-17-099
448-13-050	AMD-P	95-16-118	458-08-050	REP-P	95-04-051	458-14-171	PREP	95-07-139

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458-14-171	AMD	95-17-099	458-30-265	AMD-P	95-13-066	458-40-610	PREP	95-19-087
458-16-265	REP	95-06-042	458-30-265	AMD	95-21-002	458-40-610	AMD-P	95-22-096
458-16A-010	NEW	95-06-041	458-30-267	NEW-P	95-13-066	458-40-615	PREP	95-08-078
458-16A-020	NEW	95-06-042	458-30-267	NEW	95-21-002	458-40-615	AMD-P	95-11-039
458-18-220	AMD-P	95-02-064	458-30-270	AMD-P	95-13-066	458-40-615	AMD	95-14-086
458-18-220	AMD	95-06-044	458-30-270	AMD	95-21-002	458-40-634	AMD-P	95-22-097
458-18-220	AMD-P	95-22-095	458-30-275	AMD-P	95-13-066	458-40-640	PREP	95-08-078
458-20-10001	NEW-P	95-04-054	458-30-275	AMD	95-21-002	458-40-640	AMD-P	95-11-039
458-20-10001	NEW	95-07-070	458-30-280	AMD-P	95-13-066	458-40-640	AMD	95-14-086
458-20-10002	NEW-P	95-04-052	458-30-280	AMD	95-21-002	458-40-650	PREP	95-04-094
458-20-10002	NEW	95-07-069	458-30-285	AMD-P	95-13-066	458-40-650	AMD-E	95-10-035
458-20-101	AMD-P	95-04-019	458-30-285	AMD	95-21-002	458-40-650	AMD-P	95-10-064
458-20-101	AMD	95-07-089	458-30-290	REP-P	95-13-066	458-40-650	AMD	95-14-084
458-20-104	AMD-P	95-04-018	458-30-290	REP	95-21-002	458-40-650	PREP	95-19-087
458-20-104	AMD	95-07-088	458-30-295	AMD-P	95-13-066	458-40-650	AMD-P	95-22-096
458-20-114	PREP	95-11-080	458-30-295	AMD	95-21-002	458-40-660	PREP	95-08-078
458-20-114	REP-P	95-15-065	458-30-300	AMD-P	95-13-066	458-40-660	AMD-P	95-11-041
458-20-114	REP	95-22-099	458-30-300	AMD	95-21-002	458-40-660	AMD-E	95-14-087
458-20-174	PREP	95-24-051	458-30-305	AMD-P	95-13-066	458-40-660	AMD-C	95-15-067
458-20-17401	PREP	95-24-051	458-30-305	AMD	95-21-002	458-40-660	AMD	95-18-027
458-20-180	PREP	95-24-051	458-30-310	AMD-P	95-13-066	458-40-660	PREP	95-19-087
458-20-183	PREP	95-03-092	458-30-310	AMD	95-21-002	458-40-660	AMD-P	95-22-098
458-20-183	AMD-P	95-11-081	458-30-315	AMD-P	95-13-066	458-40-660	AMD-P	95-04-094
458-20-183	AMD	95-22-100	458-30-315	AMD	95-21-002	458-40-670	PREP	95-08-078
458-20-18601	AMD-P	95-04-053	458-30-317	NEW-P	95-13-066	458-40-670	AMD-E	95-10-036
458-20-18601	AMD	95-07-068	458-30-317	NEW	95-21-002	458-40-670	AMD-P	95-10-064
458-20-189	PREP	95-04-079	458-30-320	AMD-P	95-13-066	458-40-670	AMD-P	95-11-041
458-20-189	AMD-P	95-16-004	458-30-320	AMD	95-21-002	458-40-670	AMD-W	95-11-076
458-20-189	AMD	95-24-104	458-30-325	AMD-P	95-13-066	458-40-670	AMD-E	95-14-087
458-20-199	PREP	95-24-052	458-30-325	AMD	95-21-002	458-40-670	AMD-C	95-15-067
458-20-207	AMD-P	95-11-040	458-30-330	AMD-P	95-13-066	458-40-670	AMD	95-18-027
458-20-207	AMD	95-15-013	458-30-330	AMD	95-21-002	458-40-670	AMD-W	95-23-047
458-20-211	PREP	95-05-025	458-30-335	AMD-P	95-13-066	458-40-680	PREP	95-04-094
458-20-211	AMD-P	95-16-006	458-30-335	AMD	95-21-002	458-40-680	AMD-E	95-10-037
458-20-238	AMD-P	95-16-005	458-30-340	AMD-P	95-13-066	458-40-680	AMD-P	95-10-064
458-20-238	AMD	95-24-103	458-30-340	AMD	95-21-002	458-40-680	AMD-W	95-11-075
458-20-258	AMD-P	95-03-050	458-30-345	AMD-P	95-13-066	458-40-680	AMD	95-14-084
458-20-258	AMD-C	95-14-085	458-30-345	AMD	95-21-002	458-40-680	AMD-P	95-22-097
458-20-258	AMD-W	95-15-093	458-30-350	AMD-P	95-13-066	458-40-680	PREP	95-08-078
458-30-200	AMD-P	95-13-066	458-30-350	AMD	95-21-002	458-40-684	AMD-P	95-11-039
458-30-200	AMD	95-21-002	458-30-355	AMD-P	95-13-066	458-40-684	AMD	95-14-086
458-30-205	AMD-P	95-13-066	458-30-355	AMD	95-21-002	458-40-690	PREP	95-08-078
458-30-205	AMD	95-21-002	458-30-360	NEW-P	95-13-066	458-53-010	PREP	95-09-083
458-30-210	AMD-P	95-13-066	458-30-360	NEW	95-21-002	458-53-010	AMD-P	95-16-034
458-30-210	AMD	95-21-002	458-30-500	AMD-P	95-13-066	458-53-020	PREP	95-09-083
458-30-215	AMD-P	95-13-066	458-30-500	AMD	95-21-002	458-53-020	AMD-P	95-16-034
458-30-215	AMD	95-21-002	458-30-510	AMD-P	95-13-066	458-53-030	PREP	95-09-083
458-30-220	AMD-P	95-13-066	458-30-510	AMD	95-21-002	458-53-030	AMD-P	95-16-034
458-30-220	AMD	95-21-002	458-30-520	AMD-P	95-13-066	458-53-040	PREP	95-09-083
458-30-225	AMD-P	95-13-066	458-30-520	AMD	95-21-002	458-53-040	REP-P	95-16-034
458-30-225	AMD	95-21-002	458-30-525	NEW-P	95-13-066	458-53-050	PREP	95-09-083
458-30-230	AMD-P	95-13-066	458-30-525	NEW	95-21-002	458-53-050	AMD-P	95-16-034
458-30-230	AMD	95-21-002	458-30-530	AMD-P	95-13-066	458-53-051	PREP	95-09-083
458-30-232	NEW-P	95-13-066	458-30-530	AMD	95-21-002	458-53-051	REP-P	95-16-034
458-30-232	NEW	95-21-002	458-30-540	AMD-P	95-13-066	458-53-070	PREP	95-09-083
458-30-235	REP-P	95-13-066	458-30-540	AMD	95-21-002	458-53-070	AMD-P	95-16-034
458-30-235	REP	95-21-002	458-30-550	AMD-P	95-13-066	458-53-080	PREP	95-09-083
458-30-240	AMD-P	95-13-066	458-30-550	AMD	95-21-002	458-53-080	AMD-P	95-16-036
458-30-240	AMD	95-21-002	458-30-560	AMD-P	95-13-066	458-53-090	PREP	95-09-083
458-30-242	NEW-P	95-13-066	458-30-560	AMD	95-21-002	458-53-090	AMD-P	95-16-036
458-30-242	NEW	95-21-002	458-30-570	AMD-P	95-13-066	458-53-095	PREP	95-09-083
458-30-245	AMD-P	95-13-066	458-30-570	AMD	95-21-002	458-53-095	NEW-P	95-13-036
458-30-245	AMD	95-21-002	458-30-580	AMD-P	95-13-066	458-53-100	PREP	95-09-083
458-30-250	AMD-P	95-13-066	458-30-580	AMD	95-21-002	458-53-100	AMD-P	95-16-036
458-30-250	AMD	95-21-002	458-30-590	AMD-P	95-02-062	458-53-105	PREP	95-09-083
458-30-255	AMD-P	95-13-066	458-30-590	AMD	95-06-043	458-53-105	NEW-P	95-13-036
458-30-255	AMD	95-21-002	458-30-590	AMD-P	95-22-094	458-53-110	PREP	95-09-083
458-30-260	AMD-P	95-13-066	458-40-540	AMD-P	95-22-097	458-53-110	REP-P	95-16-036
458-30-260	AMD	95-21-002	458-40-610	PREP	95-04-094	458-53-120	PREP	95-09-083
458-30-262	PREP	95-02-063	458-40-610	AMD-E	95-10-034	458-53-120	REP-P	95-16-036
458-30-262	AMD-P	95-06-040	458-40-610	AMD-P	95-10-064	458-53-130	PREP	95-09-083
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458-53-135	NEW-P	95-16-035	460-20A-008	REP	95-16-026	460-21B-060	NEW-P	95-11-079
458-53-140	PREP	95-09-083	460-20A-010	REP-P	95-11-079	460-21B-060	NEW	95-16-026
458-53-140	AMD-P	95-16-035	460-20A-010	REP	95-16-026	460-21B-070	NEW-P	95-11-079
458-53-141	PREP	95-09-083	460-20A-015	REP-P	95-11-079	460-21B-070	NEW	95-16-026
458-53-141	REP-P	95-16-035	460-20A-015	REP	95-16-026	460-21B-080	NEW-P	95-11-079
458-53-142	PREP	95-09-083	460-20A-020	REP-P	95-11-079	460-21B-080	NEW	95-16-026
458-53-142	REP-P	95-16-035	460-20A-020	REP	95-16-026	460-22B-010	NEW-P	95-11-079
458-53-150	PREP	95-09-083	460-20A-025	REP-P	95-11-079	460-22B-010	NEW	95-16-026
458-53-150	REP-P	95-16-035	460-20A-025	REP	95-16-026	460-22B-020	NEW-P	95-11-079
458-53-160	PREP	95-09-083	460-20A-030	REP-P	95-11-079	460-22B-020	NEW	95-16-026
458-53-160	AMD-P	95-16-035	460-20A-030	REP	95-16-026	460-22B-030	NEW-P	95-11-079
458-53-163	PREP	95-09-083	460-20A-035	REP-P	95-11-079	460-22B-030	NEW	95-16-026
458-53-163	REP-P	95-16-035	460-20A-035	REP	95-16-026	460-22B-040	NEW-P	95-11-079
458-53-165	PREP	95-09-083	460-20A-045	REP-P	95-11-079	460-22B-040	NEW	95-16-026
458-53-165	REP-P	95-16-035	460-20A-045	REP	95-16-026	460-22B-050	NEW-P	95-11-079
458-53-180	PREP	95-09-083	460-20A-050	REP-P	95-11-079	460-22B-050	NEW	95-16-026
458-53-180	REP-P	95-16-035	460-20A-050	REP	95-16-026	460-22B-060	NEW-P	95-11-079
458-53-200	PREP	95-09-083	460-20A-100	REP-P	95-11-079	460-22B-060	NEW	95-16-026
458-53-200	AMD-P	95-16-035	460-20A-100	REP	95-16-026	460-22B-070	NEW-P	95-11-079
458-53-210	PREP	95-09-083	460-20A-105	REP-P	95-11-079	460-22B-070	NEW	95-16-026
458-53-210	AMD-P	95-16-035	460-20A-105	REP	95-16-026	460-22B-080	NEW-P	95-11-079
460-10A-015	AMD-P	95-11-079	460-20A-200	REP-P	95-11-079	460-22B-080	NEW	95-16-026
460-10A-015	AMD	95-16-026	460-20A-200	REP	95-16-026	460-22B-090	NEW-P	95-11-079
460-10A-035	PREP	95-15-091	460-20A-205	REP-P	95-11-079	460-22B-090	NEW	95-16-026
460-10A-050	PREP	95-15-091	460-20A-205	REP	95-16-026	460-23B-010	NEW-P	95-11-079
460-10A-055	PREP	95-15-091	460-20A-210	REP-P	95-11-079	460-23B-010	NEW	95-16-026
460-10A-060	PREP	95-15-091	460-20A-210	REP	95-16-026	460-23B-020	NEW-P	95-11-079
460-10A-065	PREP	95-15-091	460-20A-215	REP-P	95-11-079	460-23B-020	NEW	95-16-026
460-10A-075	PREP	95-15-091	460-20A-215	REP	95-16-026	460-23B-030	NEW-P	95-11-079
460-10A-080	PREP	95-15-091	460-20A-220	REP-P	95-11-079	460-23B-030	NEW	95-16-026
460-10A-090	PREP	95-15-091	460-20A-220	REP	95-16-026	460-23B-040	NEW-P	95-11-079
460-10A-095	PREP	95-15-091	460-20A-230	REP-P	95-11-079	460-23B-040	NEW	95-16-026
460-10A-100	PREP	95-15-091	460-20A-230	REP	95-16-026	460-23B-050	NEW-P	95-11-079
460-10A-105	PREP	95-15-091	460-20A-235	REP-P	95-11-079	460-23B-050	NEW	95-16-026
460-10A-110	PREP	95-15-091	460-20A-235	REP	95-16-026	460-23B-060	NEW-P	95-11-079
460-10A-115	PREP	95-15-091	460-20A-400	REP-P	95-11-079	460-23B-060	NEW	95-16-026
460-10A-120	PREP	95-15-091	460-20A-400	REP	95-16-026	460-24A-046	NEW-P	95-11-079
460-10A-125	PREP	95-15-091	460-20A-405	REP-P	95-11-079	460-24A-046	NEW	95-16-026
460-10A-130	PREP	95-15-091	460-20A-405	REP	95-16-026	460-24A-050	AMD-P	95-11-079
460-10A-135	PREP	95-15-091	460-20A-410	REP-P	95-11-079	460-24A-050	AMD	95-16-026
460-10A-140	PREP	95-15-091	460-20A-410	REP	95-16-026	460-24A-055	AMD-P	95-11-079
460-10A-145	PREP	95-15-091	460-20A-415	REP-P	95-11-079	460-24A-055	AMD	95-16-026
460-10A-150	PREP	95-15-091	460-20A-415	REP	95-16-026	460-33A-080	AMD-P	95-11-079
460-10A-155	PREP	95-15-091	460-20A-420	REP-P	95-11-079	460-33A-080	AMD	95-16-026
460-10A-170	PREP	95-15-091	460-20A-420	REP	95-16-026	460-33A-081	NEW-P	95-11-079
460-10A-180	PREP	95-15-091	460-20A-425	REP-P	95-11-079	460-33A-081	NEW	95-16-026
460-10A-185	PREP	95-15-091	460-20A-425	REP	95-16-026	460-33A-085	AMD-P	95-11-079
460-10A-190	PREP	95-15-091	460-20B-010	NEW-P	95-11-079	460-33A-085	AMD	95-16-026
460-10A-195	PREP	95-15-091	460-20B-010	NEW	95-16-026	460-33A-086	NEW-P	95-11-079
460-10A-200	PREP	95-15-091	460-20B-020	NEW-P	95-11-079	460-33A-086	NEW	95-16-026
460-10A-205	PREP	95-15-091	460-20B-020	NEW	95-16-026	460-42A-081	PREP	95-14-052
460-10A-210	PREP	95-15-091	460-20B-020	AMD-P	95-20-001	460-46A-050	AMD-P	95-14-053
460-16A-101	REP-P	95-14-053	460-20B-020	AMD	95-24-002	460-46A-050	AMD	95-17-068
460-16A-101	REP	95-17-068	460-20B-030	NEW-P	95-11-079	460-52A-010	AMD-P	95-08-016
460-16A-102	REP-P	95-14-053	460-20B-030	NEW	95-16-026	460-52A-010	AMD	95-12-003
460-16A-102	REP	95-17-068	460-20B-040	NEW-P	95-11-079	460-80-315	AMD-P	95-04-097
460-16A-103	REP-P	95-14-053	460-20B-040	NEW	95-16-026	460-80-315	AMD	95-08-015
460-16A-103	REP	95-17-068	460-20B-050	NEW-P	95-11-079	463-39	PREP	95-09-078
460-16A-104	REP-P	95-14-053	460-20B-050	NEW	95-16-026	463-39-005	AMD-P	95-13-039
460-16A-104	REP	95-17-068	460-20B-060	NEW-P	95-11-079	463-39-005	AMD	95-17-088
460-16A-105	REP-P	95-14-053	460-20B-060	NEW	95-16-026	463-39-020	AMD-P	95-13-039
460-16A-105	REP	95-17-068	460-21B-008	NEW-P	95-11-079	463-39-020	AMD	95-17-088
460-16A-106	REP-P	95-14-053	460-21B-008	NEW	95-16-026	463-39-030	AMD-P	95-13-039
460-16A-106	REP	95-17-068	460-21B-010	NEW-P	95-11-079	463-39-030	AMD	95-17-088
460-16A-106	REP	95-14-053	460-21B-010	NEW	95-16-026	463-39-090	AMD-P	95-13-039
460-16A-108	REP-P	95-14-053	460-21B-020	NEW-P	95-11-079	463-39-090	AMD	95-17-088
460-16A-108	REP	95-17-068	420-21B-020	NEW	95-16-026	463-39-095	NEW-P	95-13-039
460-16A-109	REP-P	95-14-053	460-21B-030	NEW-P	95-11-079	463-39-095	NEW	95-17-088
460-16A-109	REP	95-17-068	460-21B-030	NEW	95-16-026	463-39-105	NEW-P	95-13-039
460-16A-205	AMD-P	95-14-053	460-21B-040	NEW-P	95-11-079	463-39-105	NEW	95-17-088
460-16A-205	AMD	95-17-068	460-21B-040	NEW	95-16-026	463-39-120	AMD-P	95-13-039
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468-32-010	PREP	95-04-070	468-200-080	NEW-P	95-23-041	478-168-090	REP-P	95-08-053
468-32-010	NEW-P	95-04-071	468-200-100	NEW-P	95-23-041	478-168-090	REP	95-14-045
468-32-010	NEW	95-07-106	468-200-110	NEW-P	95-23-041	478-168-092	AMD-P	95-08-053
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468-34-010	AMD	95-21-037	468-200-160	NEW-P	95-23-041	478-168-094	AMD-P	95-08-053
468-34-020	AMD-P	95-17-015	468-200-180	NEW-P	95-23-041	478-168-094	AMD	95-14-045
468-34-020	AMD	95-21-037	468-200-200	NEW-P	95-23-041	478-168-096	AMD-P	95-08-053
468-34-050	AMD-P	95-17-015	468-200-220	NEW-P	95-23-041	478-168-096	AMD	95-14-045
468-34-050	AMD	95-21-037	468-200-230	NEW-P	95-23-041	478-168-100	REP-P	95-08-053
468-34-110	AMD-P	95-17-015	468-200-240	NEW-P	95-23-041	478-168-100	REP	95-14-045
468-34-110	AMD	95-21-037	468-200-250	NEW-P	95-23-041	478-168-110	REP-P	95-08-053
468-34-170	AMD-P	95-17-015	468-200-260	NEW-P	95-23-041	478-168-110	REP	95-14-045
468-34-170	AMD	95-21-037	468-200-280	NEW-P	95-23-041	478-168-120	REP-P	95-08-053
468-34-340	AMD-P	95-17-015	468-200-300	NEW-P	95-23-041	478-168-120	REP	95-14-045
468-34-340	AMD	95-21-037	468-200-320	NEW-P	95-23-041	478-168-130	REP-P	95-08-053
468-38-120	PREP	95-18-039	468-200-340	NEW-P	95-23-041	478-168-130	REP	95-14-045
468-38-120	AMD-P	95-21-076	468-200-350	NEW-P	95-23-041	478-168-140	REP-P	95-08-053
468-38-120	AMD	95-24-073	468-200-360	NEW-P	95-23-041	478-168-140	REP	95-14-045
468-38-265	NEW-P	95-21-075	468-300-010	AMD-E	95-16-071	478-168-150	REP-P	95-08-053
468-38-265	NEW	95-24-074	468-300-010	AMD-P	95-19-079	478-168-150	REP	95-14-045
468-38-280	PREP	95-18-040	468-300-010	AMD-W	95-21-077	478-168-160	AMD-P	95-08-053
468-38-280	AMD-P	95-21-074	468-300-010	PREP	95-22-044	478-168-160	AMD	95-14-045
468-38-280	AMD	95-24-075	468-300-010	PREP	95-22-076	478-168-170	AMD-P	95-08-053
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468-38-405	NEW	95-24-076	474-02-010	NEW-P	95-16-032	478-168-180	AMD-P	95-08-053
468-51	PREP	95-10-001A	474-02-010	NEW	95-19-029	478-168-180	AMD	95-14-045
468-66	PREP	95-21-019	474-02-020	NEW-P	95-16-032	478-168-200	AMD-P	95-08-053
468-66-080	AMD-P	95-24-072	474-02-020	NEW	95-19-029	478-168-200	AMD	95-14-045
468-70-070	AMD-P	95-20-045	478-120	PREP	95-20-033	478-168-200	AMD-P	95-08-053
468-70-070	AMD	95-23-098	478-120-010	AMD-P	95-24-077	478-168-270	AMD-P	95-08-053
468-86-010	NEW-P	95-21-039	478-120-020	AMD-P	95-24-077	478-168-270	AMD	95-14-045
468-86-020	NEW-P	95-21-039	478-120-030	AMD-P	95-24-077	478-168-280	AMD-P	95-08-053
468-86-030	NEW-P	95-21-039	478-120-040	AMD-P	95-24-077	478-168-280	AMD	95-14-045
468-86-040	NEW-P	95-21-039	478-120-050	AMD-P	95-24-077	478-168-290	AMD-P	95-08-053
468-86-050	NEW-P	95-21-039	478-120-060	REP-P	95-24-077	478-168-290	AMD	95-14-045
468-86-060	NEW-P	95-21-039	478-120-065	NEW-P	95-24-077	478-168-294	AMD	95-14-045
468-86-070	NEW-P	95-21-039	478-120-070	REP-P	95-24-077	478-168-294	AMD	95-14-045
468-86-080	NEW-P	95-21-039	478-120-075	NEW-P	95-24-077	478-168-300	AMD-P	95-08-053
468-86-090	NEW-P	95-21-039	478-120-080	REP-P	95-24-077	478-168-300	AMD	95-14-045
468-86-100	NEW-P	95-21-039	478-120-085	NEW-P	95-24-077	478-168-310	AMD-P	95-08-053
468-86-110	NEW-P	95-21-039	478-120-090	REP-P	95-24-077	478-168-310	AMD	95-14-045
468-86-120	NEW-P	95-21-039	478-120-095	NEW-P	95-24-077	478-168-320	AMD-P	95-08-053
468-86-130	NEW-P	95-21-039	478-120-100	AMD-P	95-24-077	478-168-320	AMD	95-14-045
468-86-140	NEW-P	95-21-039	478-120-105	NEW-P	95-24-077	478-168-325	NEW-P	95-08-053
468-86-150	NEW-P	95-21-039	478-120-110	REP-P	95-24-077	478-168-325	NEW	95-14-045
468-86-160	NEW-P	95-21-039	478-120-115	NEW-P	95-24-077	478-168-330	AMD-P	95-08-053
468-86-170	NEW-P	95-21-039	478-120-120	REP-P	95-24-077	478-168-330	AMD	95-14-045
468-86-180	NEW-P	95-21-039	478-120-125	NEW-P	95-24-077	478-168-340	AMD-P	95-08-053
468-86-190	NEW-P	95-21-039	478-120-130	REP-P	95-24-077	478-168-340	AMD	95-14-045
468-86-200	NEW-P	95-21-039	478-120-135	NEW-P	95-24-077	478-168-345	NEW-P	95-08-053
468-86-210	NEW-P	95-21-039	478-120-140	NEW-P	95-24-077	478-168-345	NEW	95-14-045
468-86-220	NEW-P	95-21-039	478-120-145	NEW-P	95-24-077	478-168-350	AMD-P	95-08-053
468-86-230	NEW-P	95-21-039	478-124	PREP	95-20-033	478-168-350	AMD	95-14-045
468-86-240	NEW-P	95-21-039	478-124-037	NEW-P	95-24-077	478-168-360	AMD-P	95-08-053
468-86-260	NEW-P	95-21-039	478-168	PREP	95-07-101	478-168-360	AMD	95-14-045
468-95-055	NEW-P	95-21-082	478-168-010	AMD-P	95-08-053	478-168-380	AMD-P	95-08-053
468-95-055	NEW	95-23-097	478-168-010	AMD	95-14-045	478-168-380	AMD	95-14-045
468-95-100	AMD-E	95-07-051	478-168-020	AMD-P	95-08-053	478-168-390	AMD-P	95-08-053
468-95-100	AMD-P	95-07-081	478-168-020	AMD	95-14-045	478-168-390	AMD	95-14-045
468-95-100	AMD	95-11-022	478-168-030	REP-P	95-08-053	479-01-010	AMD	95-04-072
468-95-100	AMD-P	95-21-082	478-168-030	REP	95-14-045	479-01-010	AMD-P	95-19-091
468-95-100	AMD	95-23-097	478-168-035	NEW-P	95-08-053	479-01-010	AMD	95-22-056
468-105-010	NEW-P	95-23-096	478-168-035	NEW	95-14-045	479-01-020	AMD	95-04-072
468-105-020	NEW-P	95-23-096	478-168-040	REP-P	95-08-053	479-01-030	AMD	95-04-072
468-105-030	NEW-P	95-23-096	478-168-040	REP	95-14-045	479-01-040	AMD	95-04-072
468-105-040	NEW-P	95-23-096	478-168-050	REP-P	95-08-053	479-01-050	NEW-P	95-19-091
468-105-050	NEW-P	95-23-096	478-168-050	REP	95-14-045	479-01-050	NEW	95-22-056
468-105-060	NEW-P	95-23-096	478-168-060	REP-P	95-08-053	479-02-030	AMD	95-04-072
468-105-070	NEW-P	95-23-096	478-168-060	REP	95-14-045	479-02-070	AMD	95-04-072
468-105-080	NEW-P	95-23-096	478-168-070	AMD-P	95-08-053	479-02-100	AMD	95-04-072
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479-12-008	AMD-P	95-19-091	479-120-016	NEW	95-04-072	480-09-310	AMD-P	95-21-103
479-12-008	AMD	95-22-056	479-120-025	NEW	95-04-072	480-09-330	AMD-P	95-21-103
479-12-008	PREP	95-22-084	479-120-027	NEW	95-04-072	480-09-340	AMD-P	95-21-103
479-12-010	AMD	95-04-072	479-120-031	NEW	95-04-072	480-09-390	NEW-P	95-21-103
479-12-020	AMD	95-04-072	479-120-033	REP	95-04-072	480-09-426	NEW-P	95-21-103
479-13-010	AMD	95-04-072	479-120-037	NEW	95-04-072	480-09-460	AMD-P	95-21-103
479-13-011	NEW	95-04-072	479-120-086	NEW	95-04-072	480-09-465	AMD-P	95-21-103
479-13-025	AMD	95-04-072	479-120-089	NEW	95-04-072	480-09-466	NEW-P	95-21-103
479-13-035	AMD	95-04-072	479-120-095	NEW	95-04-072	480-09-467	NEW-P	95-21-103
479-13-060	REP	95-04-072	479-216	AMD	95-04-072	480-09-470	AMD-P	95-21-103
479-13-070	AMD	95-04-072	479-216-050	AMD	95-04-072	480-09-480	AMD-P	95-21-103
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479-16-015	AMD	95-04-072	479-310-200	AMD	95-04-072	480-09-750	AMD-P	95-21-103
479-16-016	AMD	95-04-072	479-312-100	AMD	95-04-072	480-09-751	NEW-P	95-21-103
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479-16-045	AMD	95-04-072	479-410-150	NEW	95-04-072	480-12-001	NEW	95-24-001
479-16-060	AMD	95-04-072	479-410-160	NEW	95-04-072	480-12-075	REP-E	95-10-038
479-16-070	REP	95-04-072	479-410-170	NEW	95-04-072	480-12-075	REP-P	95-17-125
479-16-072	REP	95-04-072	479-410-180	NEW	95-04-072	480-12-075	REP-E	95-18-018
479-16-080	AMD	95-04-072	479-410-200	NEW	95-04-072	480-12-075	REP	95-24-001
479-16-085	NEW	95-04-072	479-412-020	NEW	95-04-072	480-12-082	REP-E	95-10-038
479-16-090	REP	95-04-072	479-412-100	NEW	95-04-072	480-12-082	REP-P	95-17-125
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479-16-092	REP	95-04-072	479-412-200	NEW	95-04-072	480-12-082	REP	95-24-001
479-16-094	REP	95-04-072	479-412-250	NEW	95-04-072	480-12-085	REP-E	95-10-038
479-16-096	REP	95-04-072	479-412-300	NEW	95-04-072	480-12-085	REP-P	95-17-125
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479-20-007	AMD	95-04-072	479-416-010	NEW	95-04-072	480-12-085	REP	95-24-001
479-20-010	AMD	95-04-072	479-416-015	NEW	95-04-072	480-12-090	REP-E	95-10-038
479-20-011	AMD	95-04-072	479-416-016	NEW	95-04-072	480-12-090	REP-P	95-17-125
479-20-013	AMD	95-04-072	479-416-018	NEW	95-04-072	480-12-090	REP-E	95-18-018
479-20-013	PREP	95-22-084	479-416-020	NEW	95-04-072	480-12-090	REP	95-24-001
479-20-016	AMD	95-04-072	479-416-030	NEW	95-04-072	480-12-095	REP-E	95-10-038
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479-20-031	AMD	95-04-072	479-416-050	NEW	95-04-072	480-12-105	REP-E	95-10-038
479-20-033	REP	95-04-072	479-420-010	NEW	95-04-072	480-12-105	REP-P	95-17-125
479-20-036	REP	95-04-072	479-420-011	NEW	95-04-072	480-12-105	REP-E	95-18-018
479-20-037	AMD	95-04-072	479-420-013	NEW	95-04-072	480-12-105	REP	95-24-001
479-20-075	REP	95-04-072	479-420-016	NEW	95-04-072	480-12-110	REP-E	95-10-038
479-20-086	AMD	95-04-072	479-420-020	NEW	95-04-072	480-12-110	REP-P	95-17-125
479-20-095	AMD	95-04-072	479-420-025	NEW	95-04-072	480-12-110	REP-E	95-18-018
479-24-030	AMD	95-04-072	479-420-027	NEW	95-04-072	480-12-110	REP	95-24-001
479-112	AMD	95-04-072	479-420-031	NEW	95-04-072	480-12-131	REP-E	95-10-038
479-112-001	NEW	95-04-072	479-420-037	NEW	95-04-072	480-12-131	REP-P	95-17-125
479-112-003	NEW	95-04-072	479-420-086	NEW	95-04-072	480-12-131	REP-E	95-18-018
479-112-005	REP	95-04-072	479-420-089	NEW	95-04-072	480-12-131	REP	95-24-001
479-112-0055	NEW	95-04-072	479-420-095	NEW	95-04-072	480-12-137	REP-E	95-10-038
479-112-0055	AMD-P	95-19-091	479-510-060	NEW-P	95-19-091	480-12-137	REP-P	95-17-125
479-112-0055	AMD	95-22-056	479-510-060	NEW	95-22-056	480-12-137	REP-E	95-18-018
479-112-0055	PREP	95-22-084	479-510-076	NEW-P	95-19-091	480-12-137	REP	95-24-001
479-112-008	AMD	95-04-072	479-510-076	NEW	95-22-056	480-12-140	REP-E	95-10-038
479-112-009	AMD	95-04-072	479-510-080	NEW-P	95-19-091	480-12-140	REP-P	95-17-125
479-112-017	AMD	95-04-072	479-510-080	NEW	95-22-056	480-12-140	REP-E	95-18-018
479-113-010	AMD	95-04-072	479-510-110	NEW-P	95-19-091	480-12-140	REP	95-24-001
479-113-011	AMD	95-04-072	479-510-110	NEW	95-22-056	480-12-155	REP-E	95-10-038
479-113-029	AMD	95-04-072	479-510-120	NEW-P	95-19-091	480-12-155	REP-P	95-17-125
479-113-031	AMD	95-04-072	479-510-120	NEW	95-22-056	480-12-155	REP-E	95-18-018
479-113-032	REP	95-04-072	479-510-210	NEW-P	95-19-091	480-12-155	REP	95-24-001
479-113-035	AMD	95-04-072	479-510-210	NEW	95-22-056	480-12-160	REP-E	95-10-038
479-113-070	NEW	95-04-072	479-510-220	NEW-P	95-19-091	480-12-160	REP-P	95-17-125
479-116-010	NEW	95-04-072	479-510-220	NEW	95-22-056	480-12-160	REP-E	95-18-018
479-116-016	AMD	95-04-072	479-510-410	NEW-P	95-19-091	480-12-160	REP	95-24-001
479-116-035	AMD	95-04-072	479-510-410	NEW	95-22-056	480-12-181	REP-E	95-10-038
479-116-045	AMD	95-04-072	479-510-420	NEW-P	95-19-091	480-12-181	REP-P	95-17-125
479-116-070	NEW	95-04-072	479-510-420	NEW	95-22-056	480-12-181	REP-E	95-18-018
479-116-080	NEW	95-04-072	479-510-500	NEW-P	95-19-091	480-12-181	REP	95-24-001



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480-14-390	NEW-P	95-17-125	480-51-080	NEW	95-22-001	490-500-050	AMD	95-04-050
480-14-390	NEW-E	95-18-018	480-51-090	NEW-P	95-17-122	490-500-055	AMD	95-04-050
480-14-390	NEW	95-24-001	480-51-090	NEW	95-22-001	490-500-060	REP	95-04-050
480-14-400	NEW-E	95-10-038	480-51-100	NEW-P	95-17-122	490-500-065	NEW	95-04-050
480-14-400	NEW-P	95-17-125	480-51-100	NEW	95-22-001	490-500-070	AMD	95-04-050
480-14-400	NEW-E	95-18-018	480-51-110	NEW-P	95-17-122	490-500-075	REP	95-04-050
480-14-400	NEW	95-24-001	480-51-110	NEW	95-22-001	490-500-077	REP	95-04-050
480-14-410	NEW-E	95-10-038	480-51-120	NEW-P	95-17-122	490-500-080	AMD	95-04-050
480-14-410	NEW-P	95-17-125	480-51-120	NEW	95-22-001	490-500-085	REP	95-04-050
480-14-410	NEW-E	95-18-018	480-51-130	NEW-P	95-17-122	490-500-090	REP	95-04-050
480-14-410	NEW-W	95-24-001A	480-51-130	NEW	95-22-001	490-500-095	REP	95-04-050
480-14-420	NEW-E	95-10-038	480-51-140	NEW-P	95-17-122	490-500-100	REP	95-04-050
480-14-420	NEW-P	95-17-125	480-51-140	NEW	95-22-001	490-500-105	REP	95-04-050
480-14-420	NEW-E	95-18-018	480-51-150	NEW-P	95-17-122	490-500-110	REP	95-04-050
480-14-420	NEW	95-24-001	480-51-150	NEW	95-22-001	490-500-120	REP	95-04-050
480-14-900	NEW-E	95-10-038	480-93-005	AMD-E	95-05-047	490-500-145	REP	95-04-050
480-14-900	NEW-P	95-17-125	480-93-005	AMD-P	95-08-067	490-500-170	NEW	95-04-050
480-14-900	NEW-E	95-18-018	480-93-005	AMD	95-13-082	490-500-180	AMD	95-04-050
480-14-900	NEW	95-24-001	480-93-010	AMD-E	95-05-047	490-500-185	AMD	95-04-050
480-50	PREP	95-14-025	480-93-010	AMD-P	95-08-067	490-500-190	AMD	95-04-050
480-50-010	REP-P	95-17-122	480-93-010	AMD	95-13-082	490-500-200	AMD	95-04-050
480-50-010	REP	95-22-001	480-93-223	NEW-P	95-16-033	490-500-205	NEW	95-04-050
480-50-020	REP-P	95-17-122	480-93-223	NEW	95-19-057	490-500-255	REP	95-04-050
480-50-020	REP	95-22-001	480-110-023	PREP	95-14-135	490-500-257	AMD	95-04-050
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480-50-035	REP-P	95-17-122	480-120-081	AMD	95-05-003	490-500-275	AMD	95-04-050
480-50-035	REP	95-22-001	480-120-141	PREP	95-05-046	490-500-280	REP	95-04-050
480-50-040	REP-P	95-17-122	480-120-141	AMD-P	95-07-130	490-500-300	AMD	95-04-050
480-50-040	REP	95-22-001	480-120-141	AMD	95-10-039	490-500-325	AMD	95-04-050
480-50-050	REP-P	95-17-122	480-120-530	AMD-P	95-04-111	490-500-340	REP	95-04-050
480-50-050	REP	95-22-001	480-120-530	AMD	95-09-002	490-500-350	AMD	95-04-050
480-50-060	REP-P	95-17-122	480-146-010	AMD-P	95-08-068	490-500-380	AMD	95-04-050
480-50-060	REP	95-22-001	480-146-010	AMD	95-16-009	490-500-385	AMD	95-04-050
480-50-070	REP-P	95-17-122	480-146-020	AMD-P	95-08-068	490-500-389	AMD	95-04-050
480-50-070	REP	95-22-001	480-146-020	AMD	95-16-009	490-500-390	AMD	95-04-050
480-50-080	REP-P	95-17-122	480-146-030	AMD-P	95-08-068	490-500-395	REP	95-04-050
480-50-080	REP	95-22-001	480-146-030	AMD	95-16-009	490-500-400	REP	95-04-050
480-50-090	REP-P	95-17-122	480-146-050	AMD-P	95-08-068	490-500-405	REP	95-04-050
480-50-090	REP	95-22-001	480-146-050	AMD	95-16-009	490-500-410	REP	95-04-050
480-50-100	REP-P	95-17-122	480-146-060	AMD-P	95-08-068	490-500-415	REP	95-04-050
480-50-100	REP	95-22-001	480-146-060	AMD	95-16-009	490-500-417	REP	95-04-050
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480-50-110	REP	95-22-001	480-146-070	AMD-P	95-08-068	490-500-420	AMD	95-04-050
480-50-120	REP-P	95-17-122	480-146-070	AMD	95-16-009	490-500-425	REP	95-04-050
480-50-120	REP	95-22-001	480-146-080	PREP	95-03-094	490-500-430	AMD	95-04-050
480-50-130	REP-P	95-17-122	480-146-080	AMD-P	95-08-068	490-500-435	AMD	95-04-050
480-50-130	REP	95-22-001	480-146-080	AMD	95-16-009	490-500-437	NEW	95-04-050
480-50-140	REP-P	95-17-122	480-146-100	PREP	95-03-094	490-500-440	REP	95-04-050
480-50-140	REP	95-22-001	480-146-100	REP-P	95-08-068	490-500-445	AMD	95-04-050
480-51-010	NEW-P	95-17-122	480-146-100	REP	95-16-009	490-500-450	AMD	95-04-050
480-51-010	NEW	95-22-001	480-146-200	PREP	95-03-094	490-500-455	AMD	95-04-050
480-51-020	NEW-P	95-17-122	480-146-200	AMD-P	95-08-068	490-500-460	NEW	95-04-050
480-51-020	NEW	95-22-001	480-146-200	AMD	95-16-009	490-500-465	NEW	95-04-050
480-51-022	NEW-P	95-17-122	480-146-210	PREP	95-03-094	490-500-470	NEW	95-04-050
480-51-022	NEW	95-22-001	480-146-210	AMD-P	95-08-068	490-500-475	NEW	95-04-050
480-51-025	NEW-P	95-17-122	480-146-210	AMD	95-16-009	490-500-477	NEW	95-04-050
480-51-025	NEW	95-22-001	480-146-220	PREP	95-03-094	490-500-480	NEW	95-04-050
480-51-030	NEW-P	95-17-122	480-146-220	AMD-P	95-08-068	490-500-485	NEW	95-04-050
480-51-030	NEW	95-22-001	480-146-220	AMD	95-16-009	490-500-500	AMD	95-04-050
480-51-040	NEW-P	95-17-122	480-146-230	NEW-P	95-08-068	490-500-505	AMD	95-04-050
480-51-040	NEW	95-22-001	480-146-230	NEW	95-16-009	490-500-510	AMD	95-04-050
480-51-050	NEW-P	95-17-122	484-20-065	AMD-P	95-02-072	490-500-520	AMD	95-04-050
480-51-050	NEW	95-22-001	484-20-065	AMD	95-07-082	490-500-525	AMD	95-04-050
480-51-060	NEW-P	95-17-122	484-20-085	AMD	95-03-053	490-500-530	AMD	95-04-050
480-51-060	NEW	95-22-001	490-500	AMD	95-04-050	490-500-540	REP	95-04-050
480-51-070	NEW-P	95-17-122	490-500-005	AMD	95-04-050	490-500-542	NEW	95-04-050
480-51-070	NEW	95-22-001	490-500-010	AMD	95-04-050	490-500-545	AMD	95-04-050
480-51-075	NEW-P	95-17-122	490-500-015	AMD	95-04-050	490-500-550	REP	95-04-050
480-51-075	NEW	95-22-001	490-500-020	REP	95-04-050	490-500-555	NEW	95-04-050
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490-500-580	NEW	95-04-050	504-24-020	REP-W	95-19-038	516-22-035	REP-P	95-21-035
490-500-590	AMD	95-04-050	504-24-030	AMD	95-07-044	516-22-040	REP-P	95-21-035
490-500-600	AMD	95-04-050	504-24-035	NEW	95-07-044	516-22-100	REP-P	95-21-035
490-500-605	AMD	95-04-050	504-24-040	NEW	95-07-044	516-22-120	REP-P	95-21-035
490-500-610	PREP	95-08-047	504-25-005	AMD	95-07-001	516-22-124	REP-P	95-21-035
490-500-610	REP-P	95-08-054	504-25-010	AMD	95-07-045	516-22-130	REP-P	95-21-035
490-500-610	REP	95-11-047	504-25-015	AMD	95-07-001	516-22-134	REP-P	95-21-035
490-500-615	AMD	95-04-050	504-25-020	AMD	95-07-045	516-22-138	REP-P	95-21-035
490-500-620	AMD	95-04-050	504-25-025	AMD	95-07-045	516-22-142	REP-P	95-21-035
490-500-622	NEW	95-04-050	504-25-035	AMD	95-07-045	516-22-146	REP-P	95-21-035
490-500-625	AMD	95-04-050	504-25-050	AMD	95-07-045	516-22-150	REP-P	95-21-035
490-500-627	NEW	95-04-050	504-25-055	AMD	95-07-045	516-22-210	REP-P	95-21-035
490-500-630	NEW	95-04-050	504-25-060	AMD	95-07-045	516-23	PREP	95-17-056
490-500-635	NEW	95-04-050	504-25-080	AMD	95-07-045	516-23-005	NEW-P	95-21-035
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495D-104-010	AMD	95-23-043	504-25-138	NEW	95-07-045	516-23-020	NEW-P	95-21-035
495D-135-020	AMD-E	95-14-008	504-25-210	AMD	95-07-045	516-23-025	NEW-P	95-21-035
495D-135-020	AMD-P	95-14-126	504-25-215	AMD	95-07-045	516-23-030	NEW-P	95-21-035
495D-135-020	AMD	95-17-052	504-25-220	AMD	95-07-045	516-23-035	NEW-P	95-21-035
495D-135-040	AMD-E	95-14-008	504-25-225	AMD	95-07-045	516-23-040	NEW-P	95-21-035
495D-135-040	AMD-P	95-14-126	504-25-230	AMD	95-07-045	516-23-045	NEW-P	95-21-035
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504-15-100	AMD	95-13-003	504-25-305	NEW	95-07-001	516-23-070	NEW-P	95-21-035
504-15-210	AMD-P	95-06-061	504-25-310	NEW	95-07-001	516-23-075	NEW-P	95-21-035
504-15-210	AMD	95-13-003	504-25-315	NEW	95-07-001	516-23-080	NEW-P	95-21-035
504-15-250	AMD-P	95-06-061	504-25-320	NEW	95-07-001	516-23-085	NEW-P	95-21-035
504-15-250	AMD	95-13-003	504-25-325	NEW	95-07-001	516-23-090	NEW-P	95-21-035
504-15-350	AMD-P	95-06-061	504-25-330	NEW	95-07-001	516-23-095	NEW-P	95-21-035
504-15-350	AMD	95-13-003	504-25-335	NEW	95-07-001	516-23-100	NEW-P	95-21-035
504-15-450	AMD-P	95-06-061	504-25-340	NEW	95-07-001	516-23-105	NEW-P	95-21-035
504-15-450	AMD	95-13-003	504-25-350	NEW	95-07-001	516-23-110	NEW-P	95-21-035
504-15-460	AMD-P	95-06-061	504-25-355	NEW	95-07-001	516-23-115	NEW-P	95-21-035
504-15-460	AMD	95-13-003	504-25-360	NEW	95-07-001	516-23-120	NEW-P	95-21-035
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504-15-560	AMD-P	95-06-061	504-28-020	AMD	95-07-046	516-23-145	NEW-P	95-21-035
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504-15-580	AMD-P	95-06-061	504-28-050	AMD	95-07-046	516-37	PREP	95-17-057
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504-15-750	AMD	95-13-003	504-40-030	AMD-P	95-04-028	516-37-100	REP-P	95-21-031
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504-15-810	AMD	95-13-003	504-40-040	REP-P	95-04-028	516-39-010	NEW-P	95-21-029
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504-15-830	AMD	95-13-003	504-40-045	NEW-P	95-04-028	516-60-005	AMD-P	95-21-030
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504-15-860	AMD	95-13-003	504-40-050	REP-P	95-04-028	516-60-030	AMD-P	95-21-030
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504-18-170	AMD	95-07-042	516-12-400	AMD	95-09-047			
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504-21-080	AMD	95-07-043	516-22-010	REP-P	95-21-035			
504-21-090	AMD	95-07-043	516-22-015	REP-P	95-21-035			
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