

**WSR 07-19-015**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
 [Filed September 7, 2007, 2:16 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-15-071.

Title of Rule and Other Identifying Information: 2008 industrial insurance premium rates, chapter 296-17 WAC, General reporting rules, audit and recordkeeping, rates and rating system for Washington workers' compensation insurance.

This rule proposal will amend the tables of classification base premium rates, experience rating plan rates and factors, and retrospective rating plan size groupings for the workers' compensation insurance program for calendar year 2008. New classification base rates were calculated based on updated loss and payroll experience resulting in a proposed overall average 3.2% increase in the premium rates. It also fully implements the deferred changes in 2007 to the experience rating plan.

Hearing Location(s): WestCoast Ridpath Hotel, 515 West Sprague Avenue, Spokane, WA 99201, on October 25, 2007, at 10:00 a.m.; at the Best Western CottonTree Inn, 2300 Market Street, Mt. Vernon, WA 98273, on October 31, 2007, at 9 a.m.; at the Department of Labor and Industries, 12806 Gateway Drive, Tukwila, WA 98168-3311, on October 31, 2007, at 2 p.m.; at the GuestHouse Inn, 1600 74th Avenue S.W., Tumwater, WA 98501, on November 1, 2007, at 9 a.m.; and at the Yakima Service Office, Department of Labor and Industries, 15 West Yakima Avenue, Yakima, WA 98902, on November 2, 2007, at 1:30 p.m.

Date of Intended Adoption: November 20, 2007.

Submit Written Comments to: Ronald Moore, Program Manager, Employer Services, P.O. Box 44140, Olympia, WA 98504-4140, e-mail mooa235@lni.wa.gov, fax (360) 902-4748, by November 6, 2007, 5 p.m.

Assistance for Persons with Disabilities: Contact Office of Information and Assistance by October 10, 2007, TTY (360) 902-5797.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This rule proposal will amend the tables of classification base premium rates, experience rating plan rates calculations and factors, and retrospective rating plan size groupings for the workers' compensation insurance program for calendar year 2008. New classification base rates were calculated based on updated loss and payroll experience resulting in a proposed overall average 3.2% increase in the premium rates. The increase is a result of medical cost inflation and increases in the average state wages. Changes to the experience rating calculations that were deferred for employers that had lower rates under the plan prior to 2007 have now been fully implemented.

**Amended Sections:** Proposal establishes premium rates for workers' compensation insurance classifications for calendar year 2008 and modifications to the related experience rating and retrospective rating plans, amending WAC 296-17-855 Experience modification, 296-17-87305 Initial recalculation of experience factor, 296-17-875 Table I primary

losses for selected claim values, 296-17-880 Table II primary and excess credibility values, 296-17-885 Table III expected loss rates and primary ratios, 296-17-890 Table IV maximum experience modifications, 296-17-895 Base rate table by class of industry, 296-17-89502 Industrial insurance rates for nonhourly rated classifications, 296-17-89504 Horse racing industry industrial insurance, medical aid and supplemental pension by class, 296-17-90492 Table I Retrospective Rating Plans A, A1, A2, A3 and B, standard premium size ranges, and 296-17-920 Assessment for supplemental pension fund.

**Repealed Sections:** WAC 296-17-891 Table IV-A and 296-17-86505 2007 alternative claim free experience modification calculation.

Reasons Supporting Proposal: Insurance base rates and experience rating tables are being modified to reflect changes in loss data associated with the classification and rating plan from the previous 2007 rating period. Washington law provides that rates should be adjusted annually to reflect the hazards of each industry and in accordance with the rating plan. Similarly the rating plan is revised to recognize changes within the industry groups.

Statutory Authority for Adoption: RCW 51.16.035 Base rates, 51.32.073 Supplemental pension, 51.08.010 [51.18.-010] Retrospective rating and 51.04.020(1) General authority.

Statute Being Implemented: RCW 51.16.035, 51.32.-073, 51.18.010, and 51.04.020(1).

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

Name of Proponent: Department of labor and industries, governmental.

Name of Agency Personnel Responsible for Drafting: Bill Moomau, Tumwater, Washington, (360) 902-4774; Implementation: Ronald Moore, Tumwater, Washington, (360) 902-4748; and Enforcement: Robert Malooly, Tumwater, Washington, (360) 902-4209.

No small business economic impact statement has been prepared under chapter 19.85 RCW. In this rule making, the agency is exempt from preparing a small business economic impact statement when the proposed rules set or adjust fees or rates pursuant to legislative standards. This exemption is described in RCW 34.05.310 (4)(f).

A cost-benefit analysis is not required under RCW 34.05.328. In this rule making, the agency is exempt from conducting a cost-benefit analysis since the proposed rules set or adjust fees or rates pursuant to legislative standards described in RCW 34.05.328 (5)(b)(vi).

September 7, 2007

Judy Schurke

Director

**AMENDATORY SECTION** (Amending WSR 06-24-054, filed 12/1/06, effective 1/1/07)

**WAC 296-17-855 Experience modification. ((+))**  
 The basis of the experience modification shall be a comparison of the actual losses charged to an employer during the experience period with the expected losses for an average employer reporting the same exposures in each classification. The comparison shall contain actuarial refinements designed

to weigh the extent to which the actual experience is credible, due consideration being given to the volume of the employer's experience. Except for those employers who qualify for an adjusted experience modification as specified in WAC 296-17-860 or 296-17-865, the experience modification factor shall be calculated from the formula:

$$\text{EXPERIENCE MODIFICATION FACTOR} = \frac{\text{Credible Actual Primary Loss} + \text{Credible Actual Excess Loss}}{\text{Expected Loss}}$$

Where

$$\text{Credible Actual Primary Loss} = \text{Actual Primary Loss} \times \text{Primary Credibility}$$

$$+ \text{Expected Primary Loss} \times (100\% - \text{Primary Credibility})$$

$$\text{Credible Actual Excess Loss} = \text{Actual Excess Loss} \times \text{Excess Credibility}$$

$$+ \text{Expected Excess Loss} \times (100\% - \text{Excess Credibility})$$

The meaning and function of each term in the formula is specified below.

For each claim, the actual primary loss is the first dollar portion of the claim costs, which has been shown in actuarial studies, to have the greater credibility in predicting future experience. These amounts are summed over all claims. For each claim in excess of ~~\$(19,560))~~ 20,112 the actual primary loss shall be determined from the formula:

$$\text{ACTUAL PRIMARY LOSS} = \frac{((48,900)) \text{ } 50,280}{(\text{Total loss} + ((29,340)) \text{ } 30,168)} \times \text{total loss}$$

For each claim, less than ~~\$(19,560))~~ 20,112 the full value of the claim shall be considered a primary loss.

For each claim, the excess actual loss is the remaining portion of the claim costs, which have been shown in actuarial studies to have less credibility in predicting future experience. The excess actual loss for each claim shall be determined by subtracting the primary loss from the total loss. These amounts are summed over all claims.

For any claim without disability benefits (time loss, partial permanent disability, total permanent disability or death) either actually paid or estimated to be paid, the total actual losses for calculating the primary loss and excess loss shall first be reduced by the lesser of ~~\$(1,510))~~ 1,640 or the total cost of the claim. Here are some examples for these claims:

Total Loss	Total Loss (after deduction)	Primary Loss	Excess Loss
200	-	-	-
2,000	<del>((490))</del> <u>360</u>	<del>((490))</del> <u>360</u>	-
20,000	<del>((18,490))</del> <u>18,360</u>	<del>((18,490))</del> <u>18,360</u>	-
200,000	<del>((198,490))</del> <u>198,360</u>	<del>((42,603))</del> <u>43,643</u>	<del>((155,887))</del> <u>154,717</u>
2,000,000	<del>((487,490))</del> <u>502,800</u>	<del>((46,124))</del> <u>47,434</u>	<del>((441,366))</del> <u>455,366</u>

**Note:** The deduction, ~~\$(1,510))~~ 1,640, is twice the average case incurred cost of these types of claims occurring during the three-year period used for experience rating. On average

this results in reducing the average actual loss about seventy percent for these types of claims adjusted. This is done to help make the transition between the two different experience rating methods better by helping make the change in experience factor reasonable for small changes to the actual losses. The \$2,000,000 loss is limited by the Maximum Claim Value before the reduction of ~~\$(1,510))~~ 1,640 is applied.

For each employer, the primary credibility and the excess credibility determines the percentage weight given to the corresponding actual primary losses and the actual excess losses, included in the calculation of the experience modification, based on the volume of expected losses. Primary credibility and excess credibility values are set forth in Table II.

An employer's expected losses shall be determined by summing the expected loss for each of the three years of the experience period, which are calculated by multiplying the reported exposure in each classification during the year by the corresponding classification expected loss rate and rounding the result to the nearest cent. Classification expected loss rates by year are set forth in Table III.

Expected losses in each classification shall be multiplied by the classification "Primary-Ratio" to obtain "expected primary losses" which shall be rounded to the nearest cent. Expected excess losses shall then be calculated by subtracting expected primary losses from expected total losses rounded to the nearest cent. Primary-Ratios are also set forth in Table III.

~~((2) Alternative experience modification calculation. The following experience modification factor calculation provides results similar to the experience rating calculation used in 2006. The experience modification factor shall be calculated in the manner identified in subsection (1) of this section with the following exceptions:~~

~~(a) The Expected Loss Rate and Primary Ratio Table HIA shall be used instead of Table III.~~

~~(b) No medical only deduction (of \$1,510) shall be applied to claims without disability benefits during the three year experience period for purposes of calculating the primary and excess losses.~~

~~(c) The Primary and Excess Credibility Table IIA shall be used instead of Table II.~~

~~(3) Experience modification calculation for 2007. For calendar year 2007, if the calculated experience modification factor using the manner identified in subsection (1) of this section is greater than the experience modification factor calculated using subsection (2) of this section then the experience modification factor shall be the lower of the two calculations.)~~

**AMENDATORY SECTION** (Amending WSR 90-20-092, filed 10/1/90, effective 11/1/90)

**WAC 296-17-87305 Initial recalculation of experience factor.** When an entity acquires the past experience of an existing firm (business) or portion thereof, the following treatment shall apply until the next date for the general calculation of all employers' experience factors. ~~((WAC 296-17-865, "Experience modification limitations" shall not apply in these situations.))~~ The purpose of this subsection is to produce the same premium level that would have been generated had no change in the ownership of a firm (business) occurred.

(1) Acquiring entity retains all rating experience associated with the firm (business), or portion thereof, being acquired. The selling entity shall revert to an experience factor of unity (1.0000) until such time as it may requalify for experience rating or unless another treatment is specified in these rules.

(2) If the acquiring entity already has an experience factor, it shall be assigned a weighted average of its existing experience factor and the acquired experience factor. Weights will be based on expected losses. In the event the acquiring entity does not have an existing experience factor, it shall be assigned an experience factor developed from the past experience of the firm (business) or portion thereof being acquired.

(3) If the past experience of the firm (business) cannot be segregated between the operations remaining with the selling entity and the operations being taken over by the acquiring entity, then the entire experience of the firm (business) shall remain with the selling entity. In the event that the past experience can be segregated, the following shall apply:

(a) Separate experience factors shall be calculated for each portion of the firm (business) being sold using the experience rating procedures in WAC 296-17-855 through 296-17-870.

(b) Both experience factors shall be increased or decreased in the same proportion, if necessary, so that their weighted average is the same as the selling entity's experience factor prior to the sale or change.

(c) The selling entity shall be assigned the experience factor for the experience it is retaining.

(d) The experience factor developed in (a) and (b) of this subsection shall be used in accordance with subsection (2) of this section.

AMENDATORY SECTION (Amending WSR 06-24-054, filed 12/1/06, effective 1/1/07)

**WAC 296-17-875 Table I.**

**Primary Losses for Selected Claim Values  
Effective January 1, ((2007)) 2008**

CLAIM VALUE	PRIMARY LOSS
<del>(19,560)</del>	19,560
20,304	20,000
23,996	22,000
28,280	24,000
33,312	26,000
39,307	28,000
46,571	30,000
55,555	32,000
73,878	35,000
100,000	37,807
125,000	39,604
150,000	40,900
191,760*	42,411
300,000	44,544
489,000**	46,132))

**Primary Losses for Selected Claim Values  
Effective January 1, ((2007)) 2008**

CLAIM VALUE	PRIMARY LOSS
5,000	5,000
10,000	10,000
15,000	15,000
20,112	20,112
29,834	25,000
44,627	30,000
69,102	35,000
100,000	38,627
200,000	43,690
222,141*	44,268
300,000	45,686
400,000	46,754
502,800**	47,434
1,000,000	47,434

\* Average death value  
\*\* Maximum claim value

AMENDATORY SECTION (Amending WSR 06-24-054, filed 12/1/06, effective 1/1/07)

**WAC 296-17-880 Table II.**

**PRIMARY AND EXCESS CREDIBILITY VALUES  
Effective January 1, ((2007)) 2008**

Maximum Claim Value = \$ ((489,000)) 502,800  
Average Death Value = \$ ((191,760)) 222,141

((Expected Losses	Primary Credibility	Excess Credibility	
+	7,127	12%	7%
-	7,128	13%	7%
-	7,608	14%	7%
-	8,095	15%	7%
-	8,587	16%	7%
-	9,084	17%	7%
-	9,589	18%	7%
-	10,099	19%	7%
-	10,616	20%	7%
-	11,140	21%	7%
-	11,671	22%	7%
-	12,210	23%	7%
-	12,756	24%	7%
-	13,311	25%	7%
-	13,875	26%	7%
-	14,447	27%	7%

		Primary	Excess			Primary	Excess
((Expected Losses		Credibility	Credibility	((Expected Losses		Credibility	Credibility
15,028 -	15,619	28%	7%	337,588 -	344,381	64%	17%
15,620 -	16,221	29%	7%	344,382 -	375,882	64%	18%
16,222 -	16,834	30%	7%	375,883 -	376,800	64%	19%
16,835 -	17,459	31%	7%	376,801 -	407,584	65%	19%
17,460 -	18,096	32%	7%	407,585 -	416,013	65%	20%
18,097 -	18,746	33%	7%	416,014 -	439,487	66%	20%
18,747 -	19,410	34%	7%	439,488 -	455,227	66%	21%
19,411 -	20,088	35%	7%	455,228 -	471,593	67%	21%
20,089 -	20,783	36%	7%	471,594 -	494,441	67%	22%
20,784 -	21,495	37%	7%	494,442 -	503,904	68%	22%
21,496 -	22,226	38%	7%	503,905 -	533,654	68%	23%
22,227 -	22,976	39%	7%	533,655 -	536,422	69%	23%
22,977 -	23,748	40%	7%	536,423 -	569,150	69%	24%
23,749 -	24,543	41%	7%	569,151 -	572,867	69%	25%
24,544 -	25,365	42%	7%	572,868 -	602,089	70%	25%
25,366 -	26,215	43%	7%	602,090 -	612,081	70%	26%
26,216 -	27,097	44%	7%	612,082 -	635,241	71%	26%
27,098 -	28,015	45%	7%	635,242 -	651,295	71%	27%
28,016 -	28,973	46%	7%	651,296 -	668,609	72%	27%
28,974 -	29,978	47%	7%	668,610 -	690,508	72%	28%
29,979 -	31,036	48%	7%	690,509 -	702,194	73%	28%
31,037 -	32,158	49%	7%	702,195 -	729,722	73%	29%
32,159 -	33,357	50%	7%	729,723 -	735,998	74%	29%
33,358 -	34,650	51%	7%	735,999 -	768,935	74%	30%
34,651 -	36,066	52%	7%	768,936 -	770,025	75%	30%
36,067 -	37,646	53%	7%	770,026 -	804,276	75%	31%
37,647 -	37,807	54%	7%	804,277 -	808,148	75%	32%
37,808 -	39,466	54%	8%	808,149 -	838,753	76%	32%
39,467 -	41,687	55%	8%	838,754 -	847,362	76%	33%
41,688 -	63,092	56%	8%	847,363 -	873,458	77%	33%
63,093 -	69,540	57%	8%	873,459 -	886,576	77%	34%
69,541 -	99,328	57%	9%	886,577 -	908,394	78%	34%
99,329 -	102,306	57%	10%	908,395 -	925,789	78%	35%
102,307 -	129,299	58%	10%	925,790 -	943,563	79%	35%
129,300 -	141,520	58%	11%	943,564 -	965,002	79%	36%
141,521 -	159,457	59%	11%	965,003 -	978,967	80%	36%
159,458 -	180,732	59%	12%	978,968 -	1,004,216	80%	37%
180,733 -	189,799	60%	12%	1,004,217 -	1,014,609	81%	37%
189,800 -	219,946	60%	13%	1,014,610 -	1,043,429	81%	38%
219,947 -	220,331	61%	13%	1,043,430 -	1,050,491	82%	38%
220,332 -	251,053	61%	14%	1,050,492 -	1,082,643	82%	39%
251,054 -	259,160	61%	15%	1,082,644 -	1,086,617	83%	39%
259,161 -	281,968	62%	15%	1,086,618 -	1,121,857	83%	40%
281,969 -	298,373	62%	16%	1,121,858 -	1,122,987	84%	40%
298,374 -	313,077	63%	16%	1,122,988 -	1,159,604	84%	41%
313,078 -	337,587	63%	17%	1,159,605 -	1,161,069	84%	42%

((Expected Losses		Primary Credibility	Excess Credibility	((Expected Losses		Primary Credibility	Excess Credibility		
1,161,070	-	1,196,471	85%	42%	2,432,954	-	2,479,048	100%	73%
1,196,472	-	1,200,283	85%	43%	2,479,049	-	2,525,498	100%	74%
1,200,284	-	1,233,592	86%	43%	2,525,499	-	2,572,305	100%	75%
1,233,593	-	1,239,497	86%	44%	2,572,306	-	2,619,473	100%	76%
1,239,498	-	1,270,967	87%	44%	2,619,474	-	2,667,008	100%	77%
1,270,968	-	1,278,711	87%	45%	2,667,009	-	2,714,913	100%	78%
1,278,712	-	1,308,601	88%	45%	2,714,914	-	2,763,192	100%	79%
1,308,602	-	1,317,923	88%	46%	2,763,193	-	2,811,850	100%	80%
1,317,924	-	1,346,495	89%	46%	2,811,851	-	2,860,892	100%	81%
1,346,496	-	1,357,137	89%	47%	2,860,893	-	2,910,321	100%	82%
1,357,138	-	1,384,652	90%	47%	2,910,322	-	2,960,143	100%	83%
1,384,653	-	1,396,351	90%	48%	2,960,144	-	3,010,362	100%	84%
1,396,352	-	1,423,076	91%	48%	3,010,363	-	3,060,983	100%	85%
1,423,077	-	1,435,564	91%	49%	3,060,984	-	99,999,999	100%	86%))
1,435,565	-	1,461,768	92%	49%					
1,461,769	-	1,474,778	92%	50%					
1,474,779	-	1,500,732	93%	50%	<u>Expected Losses</u>		<u>Primary</u>	<u>Excess</u>	
1,500,733	-	1,513,991	93%	51%	<u>1</u>	<u>7,329</u>	<u>12%</u>	<u>7%</u>	
1,513,992	-	1,539,971	94%	51%	<u>7,330</u>	<u>7,822</u>	<u>13%</u>	<u>7%</u>	
1,539,972	-	1,553,204	94%	52%	<u>7,823</u>	<u>8,323</u>	<u>14%</u>	<u>7%</u>	
1,553,205	-	1,579,487	95%	52%	<u>8,324</u>	<u>8,829</u>	<u>15%</u>	<u>7%</u>	
1,579,488	-	1,592,418	95%	53%	<u>8,830</u>	<u>9,340</u>	<u>16%</u>	<u>7%</u>	
1,592,419	-	1,619,283	96%	53%	<u>9,341</u>	<u>9,859</u>	<u>17%</u>	<u>7%</u>	
1,619,284	-	1,631,632	96%	54%	<u>9,860</u>	<u>10,384</u>	<u>18%</u>	<u>7%</u>	
1,631,633	-	1,659,362	97%	54%	<u>10,385</u>	<u>10,915</u>	<u>19%</u>	<u>7%</u>	
1,659,363	-	1,670,845	97%	55%	<u>10,916</u>	<u>11,454</u>	<u>20%</u>	<u>7%</u>	
1,670,846	-	1,699,729	98%	55%	<u>11,455</u>	<u>12,000</u>	<u>21%</u>	<u>7%</u>	
1,699,730	-	1,710,058	98%	56%	<u>12,001</u>	<u>12,555</u>	<u>22%</u>	<u>7%</u>	
1,710,059	-	1,740,385	99%	56%	<u>12,556</u>	<u>13,116</u>	<u>23%</u>	<u>7%</u>	
1,740,386	-	1,749,272	99%	57%	<u>13,117</u>	<u>13,687</u>	<u>24%</u>	<u>7%</u>	
1,749,273	-	1,781,334	100%	57%	<u>13,688</u>	<u>14,267</u>	<u>25%</u>	<u>7%</u>	
1,781,335	-	1,822,578	100%	58%	<u>14,268</u>	<u>14,855</u>	<u>26%</u>	<u>7%</u>	
1,822,579	-	1,864,121	100%	59%	<u>14,856</u>	<u>15,452</u>	<u>27%</u>	<u>7%</u>	
1,864,122	-	1,905,967	100%	60%	<u>15,453</u>	<u>16,061</u>	<u>28%</u>	<u>7%</u>	
1,905,968	-	1,948,118	100%	61%	<u>16,062</u>	<u>16,680</u>	<u>29%</u>	<u>7%</u>	
1,948,119	-	1,990,579	100%	62%	<u>16,681</u>	<u>17,310</u>	<u>30%</u>	<u>7%</u>	
1,990,580	-	2,033,351	100%	63%	<u>17,311</u>	<u>17,953</u>	<u>31%</u>	<u>7%</u>	
2,033,352	-	2,076,439	100%	64%	<u>17,954</u>	<u>18,608</u>	<u>32%</u>	<u>7%</u>	
2,076,440	-	2,119,847	100%	65%	<u>18,609</u>	<u>19,277</u>	<u>33%</u>	<u>7%</u>	
2,119,848	-	2,163,579	100%	66%	<u>19,278</u>	<u>19,959</u>	<u>34%</u>	<u>7%</u>	
2,163,580	-	2,207,637	100%	67%	<u>19,960</u>	<u>20,657</u>	<u>35%</u>	<u>7%</u>	
2,207,638	-	2,252,024	100%	68%	<u>20,658</u>	<u>21,371</u>	<u>36%</u>	<u>7%</u>	
2,252,025	-	2,296,746	100%	69%	<u>21,372</u>	<u>22,103</u>	<u>37%</u>	<u>7%</u>	
2,296,747	-	2,341,805	100%	70%	<u>22,104</u>	<u>22,855</u>	<u>38%</u>	<u>7%</u>	
2,341,806	-	2,387,206	100%	71%	<u>22,856</u>	<u>23,626</u>	<u>39%</u>	<u>7%</u>	
2,387,207	-	2,432,953	100%	72%	<u>23,627</u>	<u>24,420</u>	<u>40%</u>	<u>7%</u>	
					<u>24,421</u>	<u>25,238</u>	<u>41%</u>	<u>7%</u>	

<u>Expected Losses</u>	<u>Primary Credibility</u>	<u>Excess Credibility</u>	<u>Expected Losses</u>	<u>Primary Credibility</u>	<u>Excess Credibility</u>
<u>25,239</u>	<u>26,083</u>	<u>42%</u>	<u>589,080</u>	<u>619,128</u>	<u>70%</u>
<u>26,084</u>	<u>26,957</u>	<u>43%</u>	<u>619,129</u>	<u>629,403</u>	<u>70%</u>
<u>26,958</u>	<u>27,864</u>	<u>44%</u>	<u>629,404</u>	<u>653,218</u>	<u>71%</u>
<u>27,865</u>	<u>28,808</u>	<u>45%</u>	<u>653,219</u>	<u>669,727</u>	<u>71%</u>
<u>28,809</u>	<u>29,793</u>	<u>46%</u>	<u>669,728</u>	<u>687,531</u>	<u>72%</u>
<u>29,794</u>	<u>30,826</u>	<u>47%</u>	<u>687,532</u>	<u>710,049</u>	<u>72%</u>
<u>30,827</u>	<u>31,914</u>	<u>48%</u>	<u>710,050</u>	<u>722,066</u>	<u>73%</u>
<u>31,915</u>	<u>33,068</u>	<u>49%</u>	<u>722,067</u>	<u>750,373</u>	<u>73%</u>
<u>33,069</u>	<u>34,301</u>	<u>50%</u>	<u>750,374</u>	<u>756,827</u>	<u>74%</u>
<u>34,302</u>	<u>35,631</u>	<u>51%</u>	<u>756,828</u>	<u>790,696</u>	<u>74%</u>
<u>35,632</u>	<u>37,087</u>	<u>52%</u>	<u>790,697</u>	<u>791,817</u>	<u>75%</u>
<u>37,088</u>	<u>38,711</u>	<u>53%</u>	<u>791,818</u>	<u>827,037</u>	<u>75%</u>
<u>38,712</u>	<u>38,877</u>	<u>54%</u>	<u>827,038</u>	<u>831,019</u>	<u>75%</u>
<u>38,878</u>	<u>40,583</u>	<u>54%</u>	<u>831,020</u>	<u>862,490</u>	<u>76%</u>
<u>40,584</u>	<u>42,867</u>	<u>55%</u>	<u>862,491</u>	<u>871,342</u>	<u>76%</u>
<u>42,868</u>	<u>64,878</u>	<u>56%</u>	<u>871,343</u>	<u>898,177</u>	<u>77%</u>
<u>64,879</u>	<u>71,508</u>	<u>57%</u>	<u>898,178</u>	<u>911,666</u>	<u>77%</u>
<u>71,509</u>	<u>102,139</u>	<u>57%</u>	<u>911,667</u>	<u>934,102</u>	<u>78%</u>
<u>102,140</u>	<u>105,201</u>	<u>57%</u>	<u>934,103</u>	<u>951,989</u>	<u>78%</u>
<u>105,202</u>	<u>132,958</u>	<u>58%</u>	<u>951,990</u>	<u>970,266</u>	<u>79%</u>
<u>132,959</u>	<u>145,525</u>	<u>58%</u>	<u>970,267</u>	<u>992,312</u>	<u>79%</u>
<u>145,526</u>	<u>163,970</u>	<u>59%</u>	<u>992,313</u>	<u>1,006,672</u>	<u>80%</u>
<u>163,971</u>	<u>185,847</u>	<u>59%</u>	<u>1,006,673</u>	<u>1,032,635</u>	<u>80%</u>
<u>185,848</u>	<u>195,170</u>	<u>60%</u>	<u>1,032,636</u>	<u>1,043,322</u>	<u>81%</u>
<u>195,171</u>	<u>226,171</u>	<u>60%</u>	<u>1,043,323</u>	<u>1,072,958</u>	<u>81%</u>
<u>226,172</u>	<u>226,566</u>	<u>61%</u>	<u>1,072,959</u>	<u>1,080,220</u>	<u>82%</u>
<u>226,567</u>	<u>258,158</u>	<u>61%</u>	<u>1,080,221</u>	<u>1,113,282</u>	<u>82%</u>
<u>258,159</u>	<u>266,494</u>	<u>61%</u>	<u>1,113,283</u>	<u>1,117,368</u>	<u>83%</u>
<u>266,495</u>	<u>289,948</u>	<u>62%</u>	<u>1,117,369</u>	<u>1,153,606</u>	<u>83%</u>
<u>289,949</u>	<u>306,817</u>	<u>62%</u>	<u>1,153,607</u>	<u>1,154,768</u>	<u>84%</u>
<u>306,818</u>	<u>321,937</u>	<u>63%</u>	<u>1,154,769</u>	<u>1,192,421</u>	<u>84%</u>
<u>321,938</u>	<u>347,141</u>	<u>63%</u>	<u>1,192,422</u>	<u>1,193,927</u>	<u>84%</u>
<u>347,142</u>	<u>354,127</u>	<u>64%</u>	<u>1,193,928</u>	<u>1,230,331</u>	<u>85%</u>
<u>354,128</u>	<u>386,519</u>	<u>64%</u>	<u>1,230,332</u>	<u>1,234,251</u>	<u>85%</u>
<u>386,520</u>	<u>387,463</u>	<u>64%</u>	<u>1,234,252</u>	<u>1,268,503</u>	<u>86%</u>
<u>387,464</u>	<u>419,119</u>	<u>65%</u>	<u>1,268,504</u>	<u>1,274,575</u>	<u>86%</u>
<u>419,120</u>	<u>427,786</u>	<u>65%</u>	<u>1,274,576</u>	<u>1,306,935</u>	<u>87%</u>
<u>427,787</u>	<u>451,925</u>	<u>66%</u>	<u>1,306,936</u>	<u>1,314,899</u>	<u>87%</u>
<u>451,926</u>	<u>468,110</u>	<u>66%</u>	<u>1,314,900</u>	<u>1,345,634</u>	<u>88%</u>
<u>468,111</u>	<u>484,939</u>	<u>67%</u>	<u>1,345,635</u>	<u>1,355,220</u>	<u>88%</u>
<u>484,940</u>	<u>508,434</u>	<u>67%</u>	<u>1,355,221</u>	<u>1,384,601</u>	<u>89%</u>
<u>508,435</u>	<u>518,165</u>	<u>68%</u>	<u>1,384,602</u>	<u>1,395,544</u>	<u>89%</u>
<u>518,166</u>	<u>548,756</u>	<u>68%</u>	<u>1,395,545</u>	<u>1,423,838</u>	<u>90%</u>
<u>548,757</u>	<u>551,603</u>	<u>69%</u>	<u>1,423,839</u>	<u>1,435,868</u>	<u>90%</u>
<u>551,604</u>	<u>585,257</u>	<u>69%</u>	<u>1,435,869</u>	<u>1,463,349</u>	<u>91%</u>
<u>585,258</u>	<u>589,079</u>	<u>69%</u>	<u>1,463,350</u>	<u>1,476,190</u>	<u>91%</u>

Expected Losses	Primary Credibility	Excess Credibility
<u>1,476,191</u>	<u>92%</u>	<u>49%</u>
<u>1,503,137</u>	<u>92%</u>	<u>50%</u>
<u>1,516,515</u>	<u>93%</u>	<u>50%</u>
<u>1,543,204</u>	<u>93%</u>	<u>51%</u>
<u>1,556,838</u>	<u>94%</u>	<u>51%</u>
<u>1,583,553</u>	<u>94%</u>	<u>52%</u>
<u>1,597,161</u>	<u>95%</u>	<u>52%</u>
<u>1,624,188</u>	<u>95%</u>	<u>53%</u>
<u>1,637,484</u>	<u>96%</u>	<u>53%</u>
<u>1,665,110</u>	<u>96%</u>	<u>54%</u>
<u>1,677,808</u>	<u>97%</u>	<u>54%</u>
<u>1,706,323</u>	<u>97%</u>	<u>55%</u>
<u>1,718,131</u>	<u>98%</u>	<u>55%</u>
<u>1,747,832</u>	<u>98%</u>	<u>56%</u>
<u>1,758,454</u>	<u>99%</u>	<u>56%</u>
<u>1,789,639</u>	<u>99%</u>	<u>57%</u>
<u>1,798,777</u>	<u>100%</u>	<u>57%</u>
<u>1,831,747</u>	<u>100%</u>	<u>58%</u>
<u>1,874,158</u>	<u>100%</u>	<u>59%</u>
<u>1,916,877</u>	<u>100%</u>	<u>60%</u>
<u>1,959,907</u>	<u>100%</u>	<u>61%</u>
<u>2,003,251</u>	<u>100%</u>	<u>62%</u>
<u>2,046,913</u>	<u>100%</u>	<u>63%</u>
<u>2,090,896</u>	<u>100%</u>	<u>64%</u>
<u>2,135,203</u>	<u>100%</u>	<u>65%</u>
<u>2,179,840</u>	<u>100%</u>	<u>66%</u>
<u>2,224,809</u>	<u>100%</u>	<u>67%</u>
<u>2,270,114</u>	<u>100%</u>	<u>68%</u>
<u>2,315,757</u>	<u>100%</u>	<u>69%</u>
<u>2,361,745</u>	<u>100%</u>	<u>70%</u>
<u>2,408,079</u>	<u>100%</u>	<u>71%</u>
<u>2,454,765</u>	<u>100%</u>	<u>72%</u>
<u>2,501,807</u>	<u>100%</u>	<u>73%</u>
<u>2,549,206</u>	<u>100%</u>	<u>74%</u>
<u>2,596,971</u>	<u>100%</u>	<u>75%</u>
<u>2,645,102</u>	<u>100%</u>	<u>76%</u>
<u>2,693,605</u>	<u>100%</u>	<u>77%</u>
<u>2,742,485</u>	<u>100%</u>	<u>78%</u>
<u>2,791,746</u>	<u>100%</u>	<u>79%</u>
<u>2,841,391</u>	<u>100%</u>	<u>80%</u>
<u>2,891,426</u>	<u>100%</u>	<u>81%</u>
<u>2,941,856</u>	<u>100%</u>	<u>82%</u>
<u>2,992,684</u>	<u>100%</u>	<u>83%</u>
<u>3,043,916</u>	<u>100%</u>	<u>84%</u>
<u>3,095,556</u>	<u>100%</u>	<u>85%</u>
<u>3,147,610</u>	<u>100%</u>	<u>86%</u>
<u>&amp; Over</u>	<u>100%</u>	<u>86%</u>

**((TABLE HA  
PRIMARY AND EXCESS CREDIBILITY VALUES  
Effective January 1, 2007, to December 31, 2007**

Maximum Claim Value = \$ 489,000  
Average Death Value = \$ 191,760

Expected Losses	Primary Credibility	Excess Credibility
1 -	90	0.10%
91 -	179	0.20%
180 -	269	0.30%
270 -	360	0.40%
361 -	450	0.50%
451 -	540	0.60%
541 -	631	0.70%
632 -	722	0.80%
723 -	813	0.90%
814 -	950	1.00%
951 -	1,133	1.20%
1,134 -	1,317	1.40%
1,318 -	1,502	1.60%
1,503 -	1,687	1.80%
1,688 -	1,873	2.00%
1,874 -	2,060	2.20%
2,061 -	2,248	2.40%
2,249 -	2,437	2.60%
2,438 -	2,626	2.80%
2,627 -	2,816	3.00%
2,817 -	3,007	3.20%
3,008 -	3,198	3.40%
3,199 -	3,391	3.60%
3,392 -	3,584	3.80%
3,585 -	3,778	4.00%
3,779 -	3,973	4.20%
3,974 -	4,168	4.40%
4,169 -	4,365	4.60%
4,366 -	4,562	4.80%
4,563 -	4,760	5.00%
4,761 -	4,959	5.20%
4,960 -	5,159	5.40%
5,160 -	5,360	5.60%
5,361 -	5,561	5.80%
5,562 -	5,763	6.00%
5,764 -	5,966	6.20%
5,967 -	6,170	6.40%
6,171 -	6,375	6.60%
6,376 -	6,581	6.80%
6,582 -	6,788	7.00%

Expected Losses	Primary Credibility	Excess Credibility	Expected Losses	Primary Credibility	Excess Credibility
6,789 -	6,995	7.20%	17,192 -	17,444	16.40%
6,996 -	7,204	7.40%	17,445 -	17,698	16.60%
7,205 -	7,413	7.60%	17,699 -	17,954	16.80%
7,414 -	7,624	7.80%	17,955 -	18,211	17.00%
7,625 -	7,835	8.00%	18,212 -	18,469	17.20%
7,836 -	8,047	8.20%	18,470 -	18,728	17.40%
8,048 -	8,260	8.40%	18,729 -	18,989	17.60%
8,261 -	8,474	8.60%	18,990 -	19,251	17.80%
8,475 -	8,689	8.80%	19,252 -	19,514	18.00%
8,690 -	8,905	9.00%	19,515 -	19,779	18.20%
8,906 -	9,122	9.20%	19,780 -	20,044	18.40%
9,123 -	9,340	9.40%	20,045 -	20,311	18.60%
9,341 -	9,559	9.60%	20,312 -	20,580	18.80%
9,560 -	9,778	9.80%	20,581 -	20,849	19.00%
9,779 -	9,999	10.00%	20,850 -	21,120	19.20%
10,000 -	10,221	10.20%	21,121 -	21,284	19.40%
10,222 -	10,444	10.40%	21,285 -	21,448	19.60%
10,445 -	10,613	10.60%	21,449 -	21,720	19.80%
10,614 -	10,783	10.80%	21,721 -	21,994	20.00%
10,784 -	11,006	11.00%	21,995 -	22,269	20.20%
11,007 -	11,231	11.20%	22,270 -	22,546	20.40%
11,232 -	11,456	11.40%	22,547 -	22,823	20.60%
11,457 -	11,683	11.60%	22,824 -	23,102	20.80%
11,684 -	11,910	11.80%	23,103 -	23,383	21.00%
11,911 -	12,139	12.00%	23,384 -	23,666	21.20%
12,140 -	12,368	12.20%	23,667 -	23,949	21.40%
12,369 -	12,599	12.40%	23,950 -	24,234	21.60%
12,600 -	12,831	12.60%	24,235 -	24,521	21.80%
12,832 -	13,064	12.80%	24,522 -	24,809	22.00%
13,065 -	13,297	13.00%	24,810 -	25,098	22.20%
13,298 -	13,532	13.20%	25,099 -	25,389	22.40%
13,533 -	13,768	13.40%	25,390 -	25,681	22.60%
13,769 -	14,005	13.60%	25,682 -	25,975	22.80%
14,006 -	14,244	13.80%	25,976 -	26,270	23.00%
14,245 -	14,483	14.00%	26,271 -	26,567	23.20%
14,484 -	14,723	14.20%	26,568 -	26,866	23.40%
14,724 -	14,965	14.40%	26,867 -	27,166	23.60%
14,966 -	15,208	14.60%	27,167 -	27,468	23.80%
15,209 -	15,451	14.80%	27,469 -	27,771	24.00%
15,452 -	15,696	15.00%	27,772 -	28,076	24.20%
15,697 -	15,942	15.20%	28,077 -	28,383	24.40%
15,943 -	16,189	15.40%	28,384 -	28,691	24.60%
16,190 -	16,438	15.60%	28,692 -	29,000	24.80%
16,439 -	16,687	15.80%	29,001 -	29,312	25.00%
16,688 -	16,938	16.00%	29,313 -	29,625	25.20%
16,939 -	17,191	16.20%	29,626 -	29,940	25.40%



Expected Losses	Primary Credibility	Excess Credibility	Expected Losses	Primary Credibility	Excess Credibility
29,941 -	30,256	25.60%	45,553 -	45,956	34.80%
30,257 -	30,574	25.80%	45,957 -	46,362	35.00%
30,575 -	30,894	26.00%	46,363 -	46,770	35.20%
30,895 -	31,216	26.20%	46,771 -	47,181	35.40%
31,217 -	31,539	26.40%	47,182 -	47,595	35.60%
31,540 -	31,864	26.60%	47,596 -	48,011	35.80%
31,865 -	32,026	26.80%	48,012 -	48,430	36.00%
32,027 -	32,188	27.00%	48,431 -	48,852	36.20%
32,189 -	32,515	27.20%	48,853 -	49,276	36.40%
32,516 -	32,844	27.40%	49,277 -	49,702	36.60%
32,845 -	33,175	27.60%	49,703 -	50,132	36.80%
33,176 -	33,507	27.80%	50,133 -	50,564	37.00%
33,508 -	33,842	28.00%	50,565 -	50,999	37.20%
33,843 -	34,178	28.20%	51,000 -	51,437	37.40%
34,179 -	34,516	28.40%	51,438 -	51,877	37.60%
34,517 -	34,857	28.60%	51,878 -	52,321	37.80%
34,858 -	35,199	28.80%	52,322 -	52,767	38.00%
35,200 -	35,542	29.00%	52,768 -	53,216	38.20%
35,543 -	35,888	29.20%	53,217 -	53,668	38.40%
35,889 -	36,236	29.40%	53,669 -	54,123	38.60%
36,237 -	36,586	29.60%	54,124 -	54,296	38.80%
36,587 -	36,938	29.80%	54,297 -	54,469	39.00%
36,939 -	37,291	30.00%	54,470 -	54,929	39.20%
37,292 -	37,647	30.20%	54,930 -	55,391	39.40%
37,648 -	38,005	30.40%	55,392 -	55,856	39.60%
38,006 -	38,365	30.60%	55,857 -	56,324	39.80%
38,366 -	38,727	30.80%	56,325 -	56,796	40.00%
38,728 -	39,091	31.00%	56,797 -	57,271	40.20%
39,092 -	39,457	31.20%	57,272 -	57,749	40.40%
39,458 -	39,826	31.40%	57,750 -	58,230	40.60%
39,827 -	40,196	31.60%	58,231 -	58,714	40.80%
40,197 -	40,569	31.80%	58,715 -	59,202	41.00%
40,570 -	40,944	32.00%	59,203 -	59,693	41.20%
40,945 -	41,321	32.20%	59,694 -	60,187	41.40%
41,322 -	41,700	32.40%	60,188 -	60,685	41.60%
41,701 -	42,082	32.60%	60,686 -	61,186	41.80%
42,083 -	42,466	32.80%	61,187 -	61,690	42.00%
42,467 -	42,852	33.00%	61,691 -	62,198	42.20%
42,853 -	43,016	33.20%	62,199 -	62,710	42.40%
43,017 -	43,181	33.40%	62,711 -	63,226	42.60%
43,182 -	43,570	33.60%	63,227 -	63,744	42.80%
43,571 -	43,962	33.80%	63,745 -	64,266	43.00%
43,963 -	44,356	34.00%	64,267 -	64,792	43.20%
44,357 -	44,752	34.20%	64,793 -	65,322	43.40%
44,753 -	45,151	34.40%	65,323 -	65,508	43.60%
45,152 -	45,552	34.60%	65,509 -	65,694	43.80%

Expected Losses	Primary Credibility	Excess Credibility	Expected Losses	Primary Credibility	Excess Credibility
65,695 -	66,230	44.00%	93,030 -	93,779	53.20%
66,231 -	66,770	44.20%	93,780 -	94,536	53.40%
66,771 -	67,313	44.40%	94,537 -	95,299	53.60%
67,314 -	67,860	44.60%	95,300 -	96,069	53.80%
67,861 -	68,411	44.80%	96,070 -	96,845	54.00%
68,412 -	68,966	45.00%	96,846 -	97,629	54.20%
68,967 -	69,526	45.20%	97,630 -	98,419	54.40%
69,527 -	70,089	45.40%	98,420 -	99,216	54.60%
70,090 -	70,656	45.60%	99,217 -	100,020	54.80%
70,657 -	71,228	45.80%	100,021 -	100,832	55.00%
71,229 -	71,804	46.00%	100,833 -	101,095	55.20%
71,805 -	72,384	46.20%	101,096 -	101,362	55.40%
72,385 -	72,969	46.40%	101,363 -	102,186	55.60%
72,970 -	73,558	46.60%	102,187 -	103,018	55.80%
73,559 -	74,151	46.80%	103,019 -	103,858	56.00%
74,152 -	74,748	47.00%	103,859 -	104,705	56.20%
74,749 -	75,351	47.20%	104,706 -	105,560	56.40%
75,352 -	75,958	47.40%	105,561 -	106,422	56.60%
75,959 -	76,569	47.60%	106,423 -	107,293	56.80%
76,570 -	77,186	47.80%	107,294 -	108,172	57.00%
77,187 -	77,391	48.00%	108,173 -	109,059	57.20%
77,392 -	77,598	48.20%	109,060 -	109,954	57.40%
77,599 -	78,222	48.40%	109,955 -	110,858	57.60%
78,223 -	78,851	48.60%	110,859 -	111,771	57.80%
78,852 -	79,484	48.80%	111,772 -	112,692	58.00%
79,485 -	80,123	49.00%	112,693 -	112,995	58.20%
80,124 -	80,767	49.20%	112,996 -	113,302	58.40%
80,768 -	81,416	49.40%	113,303 -	114,239	58.60%
81,417 -	82,070	49.60%	114,240 -	115,186	58.80%
82,071 -	82,729	49.80%	115,187 -	116,142	59.00%
82,730 -	83,394	50.00%	116,143 -	117,107	59.20%
83,395 -	84,063	50.20%	117,108 -	118,082	59.40%
84,064 -	84,738	50.40%	118,083 -	119,066	59.60%
84,739 -	85,419	50.60%	119,067 -	120,061	59.80%
85,420 -	86,106	50.80%	120,062 -	121,065	60.00%
86,107 -	86,798	51.00%	121,066 -	122,079	60.20%
86,799 -	87,495	51.20%	122,080 -	123,104	60.40%
87,496 -	88,198	51.40%	123,105 -	124,139	60.60%
88,199 -	88,907	51.60%	124,140 -	125,185	60.80%
88,908 -	89,138	51.80%	125,186 -	125,537	61.00%
89,139 -	89,372	52.00%	125,538 -	125,894	61.20%
89,373 -	90,091	52.20%	125,895 -	126,960	61.40%
90,092 -	90,816	52.40%	126,961 -	128,038	61.60%
90,817 -	91,548	52.60%	128,039 -	129,126	61.80%
91,549 -	92,285	52.80%	129,127 -	130,226	62.00%
92,286 -	93,029	53.00%	130,227 -	131,338	62.20%

Expected Losses	Primary Credibility	Excess Credibility	Expected Losses	Primary Credibility	Excess Credibility
131,339 -	132,462	62.40%	189,246 -	189,989	71.60%
132,463 -	133,598	62.60%	189,990 -	191,873	71.80%
133,599 -	134,746	62.80%	191,874 -	193,783	72.00%
134,747 -	135,907	63.00%	193,784 -	195,722	72.20%
135,908 -	137,080	63.20%	195,723 -	197,689	72.40%
137,081 -	137,485	63.40%	197,690 -	199,684	72.60%
137,486 -	137,897	63.60%	199,685 -	201,709	72.80%
137,898 -	139,096	63.80%	201,710 -	203,763	73.00%
139,097 -	140,308	64.00%	203,764 -	204,617	73.20%
140,309 -	141,533	64.20%	204,618 -	205,490	73.40%
141,534 -	142,773	64.40%	205,491 -	207,613	73.60%
142,774 -	144,026	64.60%	207,614 -	209,769	73.80%
144,027 -	145,294	64.80%	209,770 -	211,958	74.00%
145,295 -	146,576	65.00%	211,959 -	214,182	74.20%
146,577 -	147,873	65.20%	214,183 -	216,440	74.40%
147,874 -	149,185	65.40%	216,441 -	217,409	74.60%
149,186 -	150,512	65.60%	217,410 -	218,400	74.80%
150,513 -	150,988	65.80%	218,401 -	220,739	75.00%
150,989 -	151,472	66.00%	220,740 -	223,116	75.20%
151,473 -	152,831	66.20%	223,117 -	225,532	75.40%
152,832 -	154,206	66.40%	225,533 -	227,987	75.60%
154,207 -	155,597	66.60%	227,988 -	230,483	75.80%
155,598 -	157,006	66.80%	230,484 -	231,592	76.00%
157,007 -	158,432	67.00%	231,593 -	232,727	76.20%
158,433 -	159,875	67.20%	232,728 -	235,319	76.40%
159,876 -	161,335	67.40%	235,320 -	237,956	76.60%
161,336 -	162,814	67.60%	237,957 -	240,638	76.80%
162,815 -	163,363	67.80%	240,639 -	243,367	77.00%
163,364 -	163,921	68.00%	243,368 -	244,615	77.20%
163,922 -	165,439	68.20%	244,616 -	245,895	77.40%
165,440 -	166,975	68.40%	245,896 -	248,737	77.60%
166,976 -	168,531	68.60%	248,738 -	251,629	77.80%
168,532 -	170,108	68.80%	251,630 -	254,574	78.00%
170,109 -	171,704	69.00%	254,575 -	257,574	78.20%
171,705 -	173,321	69.20%	257,575 -	258,990	78.40%
173,322 -	174,960	69.40%	258,991 -	260,444	78.60%
174,961 -	176,620	69.60%	260,445 -	263,576	78.80%
176,621 -	177,262	69.80%	263,577 -	266,767	79.00%
177,263 -	177,916	70.00%	266,768 -	270,019	79.20%
177,917 -	179,624	70.20%	270,020 -	273,336	79.40%
179,625 -	181,354	70.40%	273,337 -	274,955	79.60%
181,355 -	183,108	70.60%	274,956 -	276,619	79.80%
183,109 -	184,887	70.80%	276,620 -	280,092	80.00%
184,888 -	186,690	71.00%	280,093 -	283,635	80.20%
186,691 -	188,517	71.20%	283,636 -	287,251	80.40%
188,518 -	189,245	71.40%	287,252 -	289,064	80.60%

Expected Losses	Primary Credibility	Excess Credibility	Expected Losses	Primary Credibility	Excess Credibility
289,065 - 290,931	80.80%	18.60%	514,981 - 522,408	90.00%	31.50%
290,932 - 294,729	81.00%	18.60%	522,409 - 530,214	90.20%	32.50%
294,730 - 298,608	81.20%	18.70%	530,215 - 538,232	90.40%	32.50%
298,609 - 302,571	81.40%	18.70%	538,233 - 546,674	90.60%	33.50%
302,572 - 304,615	81.60%	18.80%	546,675 - 555,362	90.80%	33.60%
304,616 - 306,721	81.80%	19.60%	555,363 - 564,527	91.00%	34.60%
306,722 - 310,897	82.00%	19.70%	564,528 - 573,976	91.20%	34.60%
310,898 - 315,167	82.20%	19.70%	573,977 - 583,967	91.40%	35.60%
315,168 - 319,534	82.40%	19.80%	583,968 - 594,290	91.60%	35.70%
319,535 - 321,857	82.60%	19.80%	594,290 - 605,227	91.80%	36.70%
321,858 - 324,254	82.80%	20.70%	605,228 - 616,556	92.00%	36.80%
324,255 - 328,872	83.00%	20.70%	616,557 - 628,592	92.20%	37.80%
328,873 - 333,601	83.20%	20.80%	628,593 - 641,089	92.40%	37.90%
333,602 - 336,171	83.40%	20.80%	641,090 - 654,404	92.60%	38.90%
336,172 - 338,826	83.60%	21.70%	654,405 - 668,268	92.80%	39.00%
338,827 - 343,842	83.80%	21.80%	668,269 - 690,829	93.00%	40.00%
343,843 - 348,985	84.00%	21.80%	690,830 - 713,390	93.30%	41.10%
348,986 - 351,846	84.20%	21.90%	713,391 - 737,953	93.60%	42.10%
351,847 - 354,805	84.40%	22.80%	737,954 - 763,123	94.00%	43.20%
354,806 - 360,280	84.60%	22.80%	763,124 - 788,924	94.20%	44.30%
360,281 - 365,899	84.80%	22.90%	788,925 - 815,380	94.50%	45.40%
365,900 - 369,102	85.00%	22.90%	815,381 - 842,517	94.80%	46.40%
369,103 - 372,421	85.20%	23.80%	842,518 - 870,364	95.00%	47.50%
372,422 - 378,427	85.40%	23.90%	870,365 - 898,949	95.30%	48.60%
378,428 - 384,599	85.60%	24.00%	898,950 - 928,304	95.50%	49.70%
384,600 - 388,209	85.80%	24.00%	928,305 - 958,460	95.70%	50.70%
388,210 - 391,955	86.00%	24.90%	958,461 - 989,451	95.90%	51.80%
391,956 - 398,581	86.20%	25.00%	989,452 - 1,021,315	96.10%	52.90%
398,582 - 402,523	86.40%	25.00%	1,021,316 - 1,054,091	96.30%	54.00%
402,524 - 406,619	86.60%	26.00%	1,054,092 - 1,087,818	96.50%	55.00%
406,620 - 413,757	86.80%	26.00%	1,087,819 - 1,122,540	96.70%	56.10%
413,758 - 421,116	87.00%	26.10%	1,122,541 - 1,158,302	96.90%	57.20%
421,117 - 425,615	87.20%	26.10%	1,158,303 - 1,195,155	97.00%	58.20%
425,616 - 430,299	87.40%	27.10%	1,195,156 - 1,233,148	97.20%	59.30%
430,300 - 438,269	87.60%	27.10%	1,233,149 - 1,272,339	97.40%	60.40%
438,270 - 443,234	87.80%	27.20%	1,272,340 - 1,312,785	97.50%	61.40%
443,235 - 448,413	88.00%	28.10%	1,312,786 - 1,354,549	97.60%	62.50%
448,414 - 457,082	88.20%	28.20%	1,354,550 - 1,397,699	97.80%	63.60%
457,083 - 462,592	88.40%	28.30%	1,397,700 - 1,442,306	97.90%	64.60%
462,593 - 468,348	88.60%	29.20%	1,442,307 - 1,488,446	98.00%	65.70%
468,349 - 474,223	88.80%	29.30%	1,488,447 - 1,536,203	98.10%	66.70%
474,224 - 480,370	89.00%	30.20%	1,536,204 - 1,585,664	98.30%	67.80%
480,371 - 490,408	89.20%	30.30%	1,585,665 - 1,636,923	98.40%	68.90%
490,409 - 496,996	89.40%	30.40%	1,636,924 - 1,690,083	98.50%	69.90%
496,997 - 503,903	89.60%	31.30%	1,690,084 - 1,745,254	98.60%	71.00%
503,904 - 514,980	89.80%	31.40%	1,745,255 - 1,802,552	98.70%	72.00%

Expected Losses	Primary Credibility	Excess Credibility	Expected Loss Range	Maximum Experience Modification
1,802,553 - 1,862,106	98.70%	73.10%	((Expected Loss Range 13,594 - 14,435	0.81
1,862,107 - 1,924,055	98.80%	74.10%	14,436 - 15,312	0.80
1,924,056 - 1,988,548	98.90%	75.20%	15,313 - 16,220	0.79
1,988,549 - 2,055,747	99.00%	76.20%	16,221 - 17,163	0.78
2,055,748 - 2,125,829	99.10%	77.30%	17,164 - 18,140	0.77
2,125,830 - 2,198,987	99.10%	78.30%	18,141 - 19,151	0.76
2,198,988 - 2,275,428	99.20%	79.40%	19,152 - 20,198	0.75
2,275,429 - 2,355,384	99.30%	80.40%	20,199 - 21,279	0.74
2,355,385 - 2,439,104	99.30%	81.50%	21,280 - 22,395	0.73
2,439,105 - 2,526,865	99.40%	82.50%	22,396 - 23,548	0.72
2,526,866 - 2,618,968	99.40%	83.50%	23,549 - 24,736	0.71
2,618,969 - 2,715,749	99.50%	84.60%	24,737 - 25,961	0.70
2,715,750 - 2,817,577	99.50%	85.60%	25,962 - 27,221	0.69
2,817,578 - 2,924,860	99.60%	86.60%	27,222 - 28,518	0.68
2,924,861 - 3,038,054	99.60%	87.70%	28,519 - 29,852	0.67
3,038,055 - 3,157,666	99.70%	88.70%	29,853 - 31,222	0.66
3,157,667 - 3,284,260	99.70%	89.80%	31,223 - 32,629	0.65
3,284,261 - 3,418,473	99.80%	90.80%	32,630 - 34,823	0.64
3,418,474 - 3,561,018	99.80%	91.80%	34,824 - 37,807	0.63
3,561,019 - 3,712,702	99.80%	92.80%	37,808 - 41,254	0.62
3,712,703 - 3,874,438	99.90%	93.90%	41,255 - 47,959	0.61
3,874,439 - 4,047,266	99.90%	94.90%	47,960 & Over	0.60))
4,047,267 - 4,232,376	99.90%	95.90%		
4,232,377 - 4,431,132	99.90%	96.90%		
4,431,133 - 4,645,107	100.00%	98.00%		
4,645,108 - 4,876,130	100.00%	99.00%		
4,876,130 & Over	100.00%	100.00%))		

AMENDATORY SECTION (Amending WSR 06-24-054, filed 12/1/06, effective 1/1/07)

WAC 296-17-890 Table IV.

Maximum experience modifications for firms with no compensable accidents: Effective ((1/1/2007)) 1/1/2008

Expected Loss Range	Maximum Experience Modification
1 - 6,468	0.90
6,469 - 7,900	0.89
7,901 - 8,752	0.88
8,753 - 9,539	0.87
9,540 - 10,369	0.86
10,370 - 11,240	0.85
11,241 - 12,006	0.84
12,007 - 12,783	0.83
12,784 - 13,593	0.82

Expected Loss Range	Maximum Experience Modification
1 = 6.636	0.90
6.637 = 8.104	0.89
8.105 = 8.977	0.88
8.978 = 9.785	0.87
9.786 = 10.637	0.86
10.638 = 11.530	0.85
11.531 = 12.316	0.84
12.317 = 13.113	0.83
13.114 = 13.944	0.82
13.945 = 14.808	0.81
14.809 = 15.706	0.80
15.707 = 16.638	0.79
16.639 = 17.606	0.78
17.607 = 18.608	0.77
18.609 = 19.646	0.76
19.647 = 20.719	0.75
20.720 = 21.828	0.74
21.829 = 22.973	0.73
22.974 = 24.156	0.72
24.157 = 25.374	0.71

Expected Loss Range	Maximum Experience Modification	((Class	2003	2004	2005	Primary Ratio
<u>25,375</u> = <u>26,631</u>	<u>0.70</u>	0502	1.5220	1.3889	1.1496	0.453
<u>26,632</u> = <u>27,924</u>	<u>0.69</u>	0504	1.4965	1.3785	1.1547	0.450
<u>27,925</u> = <u>29,254</u>	<u>0.68</u>	0507	2.8587	2.6401	2.2154	0.463
<u>29,255</u> = <u>30,623</u>	<u>0.67</u>	0508	1.9404	1.7630	1.4602	0.400
<u>30,624</u> = <u>32,027</u>	<u>0.66</u>	0509	1.5837	1.4442	1.1972	0.433
<u>32,028</u> = <u>33,471</u>	<u>0.65</u>	0510	1.5221	1.4062	1.1761	0.496
<u>33,472</u> = <u>35,721</u>	<u>0.64</u>	0511	1.6148	1.4800	1.2292	0.472
<u>35,722</u> = <u>38,782</u>	<u>0.63</u>	0512	1.5271	1.3959	1.1594	0.442
<u>38,783</u> = <u>42,319</u>	<u>0.62</u>	0513	0.8476	0.7780	0.6469	0.478
<u>42,320</u> = <u>49,197</u>	<u>0.61</u>	0514	1.8596	1.7086	1.4222	0.479
<u>49,198</u> & Over	<u>0.60</u>	0516	1.6310	1.4971	1.2481	0.455
		0517	1.7394	1.6035	1.3452	0.446
		0518	1.5740	1.4369	1.1931	0.431
		0519	2.2161	2.0261	1.6886	0.412
		0521	0.5535	0.5115	0.4291	0.476
		0601	0.6359	0.5849	0.4870	0.486
		0602	0.7730	0.7093	0.5871	0.514
		0603	1.0130	0.9215	0.7620	0.427
		0604	0.9723	0.9056	0.7635	0.515
		0606	0.5300	0.4935	0.4141	0.557
		0607	0.4977	0.4618	0.3861	0.544
		0608	0.3904	0.3608	0.3022	0.488
		0701	2.0358	1.8290	1.4994	0.365
		0803	0.4625	0.4301	0.3598	0.568
		0901	1.5740	1.4369	1.1931	0.431
		1002	0.9693	0.8996	0.7564	0.500
		1003	0.7891	0.7308	0.6138	0.487
		1004	0.5047	0.4656	0.3875	0.527
		1005	8.2420	7.5668	6.3058	0.459
		1007	0.3725	0.3431	0.2861	0.490
		1101	0.7051	0.6553	0.5495	0.538
		1102	1.3280	1.2212	1.0168	0.487
		1103	1.2321	1.1421	0.9637	0.454
		1104	0.5356	0.5016	0.4245	0.540
		1105	0.9143	0.8454	0.7097	0.472
		1106	0.3417	0.3212	0.2733	0.533
		1108	0.6391	0.5942	0.4981	0.548
		1109	1.4817	1.3789	1.1610	0.518
		1301	0.6502	0.6003	0.4950	0.612
		1303	0.2230	0.2077	0.1736	0.592
		1304	0.0276	0.0257	0.0215	0.564
		1305	0.4086	0.3807	0.3189	0.572
		1401	0.4911	0.4576	0.3888	0.449
		1404	0.7420	0.6923	0.5823	0.551
		1405	0.5516	0.5146	0.4302	0.602
		1407	0.6186	0.5785	0.4886	0.540
		1501	0.5812	0.5390	0.4506	0.542
		1507	0.5248	0.4864	0.4065	0.536
		1701	0.9180	0.8472	0.7100	0.466
		1702	2.1109	1.9174	1.5913	0.379
		1703	0.8700	0.7875	0.6474	0.426
		1704	0.9180	0.8472	0.7100	0.466
		1801	0.5376	0.4969	0.4187	0.438
		1802	0.7070	0.6531	0.5445	0.522
		2002	0.7175	0.6699	0.5645	0.542

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 296-17-86505 2007 Alternative claim-free experience modification calculation.

**AMENDATORY SECTION** (Amending WSR 06-24-054, filed 12/1/06, effective 1/1/07)

**WAC 296-17-885 Table III.**

**Expected Loss Rates and Primary Ratios for Indicated Fiscal Year**  
**Expected Loss Rates in Dollars Per Worker Hour Effective January 1, ((2007)) 2008**

((Class	2003	2004	2005	Primary Ratio
0101	1.3002	1.1927	0.9948	0.444
0103	1.6586	1.5221	1.2671	0.466
0104	0.9361	0.8592	0.7154	0.466
0105	1.3515	1.2515	1.0468	0.522
0107	1.2411	1.1353	0.9440	0.441
0108	0.9361	0.8592	0.7154	0.466
0112	0.7750	0.7136	0.5958	0.476
0201	2.4024	2.1843	1.8073	0.416
0202	3.1360	2.8764	2.4111	0.396
0210	1.2040	1.0989	0.9127	0.425
0212	1.3292	1.2168	1.0124	0.442
0214	1.2908	1.1790	0.9755	0.468
0217	1.1079	1.0177	0.8466	0.481
0219	0.9444	0.8735	0.7350	0.456
0301	0.6030	0.5612	0.4713	0.540
0302	1.9333	1.7593	1.4542	0.435
0303	1.8529	1.6876	1.3978	0.426
0306	0.9909	0.9048	0.7488	0.462
0307	0.9332	0.8578	0.7136	0.489
0308	0.5434	0.5087	0.4288	0.570
0403	1.6833	1.5639	1.3084	0.555

<b>((Class</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>Primary Ratio</b>	<b>((Class</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>Primary Ratio</b>
2004	0.9662	0.9004	0.7562	0.553	3702	0.4558	0.4253	0.3568	0.578
2007	0.4589	0.4271	0.3590	0.531	3708	0.6488	0.6008	0.5025	0.522
2008	0.3223	0.2991	0.2519	0.484	3802	0.1904	0.1784	0.1499	0.598
2009	0.3982	0.3737	0.3164	0.559	3808	0.4286	0.3959	0.3310	0.498
2101	0.6768	0.6307	0.5320	0.511	3901	0.1687	0.1596	0.1356	0.612
2102	0.5574	0.5215	0.4393	0.568	3902	0.5038	0.4713	0.3984	0.535
2104	0.3557	0.3354	0.2851	0.570	3903	1.1085	1.0421	0.8867	0.529
2105	0.5783	0.5390	0.4506	0.594	3905	0.1567	0.1482	0.1261	0.593
2106	0.4267	0.3992	0.3371	0.550	3906	0.4808	0.4501	0.3802	0.548
2201	0.2479	0.2314	0.1951	0.530	3909	0.2595	0.2448	0.2069	0.620
2202	0.7180	0.6670	0.5586	0.546	4002	1.3863	1.2755	1.0570	0.534
2203	0.4763	0.4465	0.3764	0.579	4101	0.2967	0.2757	0.2314	0.528
2204	0.2479	0.2314	0.1951	0.530	4103	0.4320	0.4083	0.3462	0.617
2401	0.4900	0.4551	0.3808	0.553	4107	0.1636	0.1528	0.1289	0.539
2903	0.6526	0.6101	0.5146	0.552	4108	0.1471	0.1375	0.1160	0.538
2904	0.7452	0.6937	0.5855	0.499	4109	0.2118	0.1972	0.1661	0.521
2905	0.5552	0.5215	0.4414	0.569	4201	0.6866	0.6307	0.5212	0.539
2906	0.3270	0.3047	0.2559	0.550	4301	0.6683	0.6264	0.5276	0.589
2907	0.5307	0.4969	0.4183	0.583	4302	0.6574	0.6127	0.5141	0.560
2908	1.0383	0.9586	0.8018	0.488	4304	1.0079	0.9422	0.7968	0.525
2909	0.3883	0.3633	0.3067	0.556	4305	1.2164	1.1179	0.9247	0.537
3101	0.9538	0.8780	0.7343	0.458	4401	0.4022	0.3751	0.3179	0.481
3102	0.2745	0.2561	0.2150	0.565	4402	0.8363	0.7840	0.6604	0.591
3103	0.5689	0.5288	0.4450	0.507	4404	0.5546	0.5196	0.4373	0.590
3104	0.5997	0.5536	0.4628	0.490	4501	0.1872	0.1765	0.1490	0.625
3105	0.7432	0.6924	0.5820	0.544	4502	0.0405	0.0380	0.0323	0.541
3303	0.4418	0.4120	0.3455	0.573	4504	0.1082	0.1025	0.0871	0.635
3304	0.4754	0.4476	0.3787	0.595	4601	0.7410	0.6907	0.5817	0.532
3309	0.4372	0.4069	0.3421	0.531	4802	0.3017	0.2821	0.2394	0.501
3402	0.5376	0.4989	0.4188	0.514	4803	0.2766	0.2618	0.2233	0.576
3403	0.2027	0.1883	0.1584	0.508	4804	0.5277	0.4939	0.4154	0.586
3404	0.4801	0.4481	0.3769	0.553	4805	0.2981	0.2808	0.2381	0.578
3405	0.3202	0.2977	0.2499	0.530	4806	0.0581	0.0545	0.0462	0.539
3406	0.1983	0.1865	0.1579	0.592	4808	0.4851	0.4523	0.3820	0.508
3407	0.7076	0.6552	0.5495	0.493	4809	0.3925	0.3689	0.3120	0.580
3408	0.1731	0.1617	0.1351	0.617	4810	0.1444	0.1365	0.1160	0.586
3409	0.1714	0.1617	0.1361	0.662	4811	0.2657	0.2504	0.2128	0.568
3410	0.2914	0.2738	0.2316	0.584	4812	0.3940	0.3693	0.3112	0.586
3411	0.4780	0.4424	0.3703	0.510	4813	0.1595	0.1501	0.1277	0.542
3412	0.5850	0.5374	0.4476	0.472	4900	0.3343	0.3062	0.2554	0.430
3414	0.5649	0.5232	0.4368	0.540	4901	0.0787	0.0728	0.0610	0.499
3415	0.8062	0.7447	0.6268	0.438	4902	0.1035	0.0966	0.0808	0.597
3501	1.0604	0.9859	0.8288	0.518	4903	0.1516	0.1413	0.1176	0.637
3503	0.3095	0.2932	0.2502	0.581	4904	0.0298	0.0281	0.0236	0.573
3506	1.1142	1.0148	0.8383	0.452	4905	0.3538	0.3343	0.2844	0.581
3509	0.4107	0.3866	0.3259	0.622	4906	0.0942	0.0880	0.0738	0.583
3510	0.3711	0.3466	0.2915	0.567	4907	0.0512	0.0479	0.0406	0.548
3511	0.7201	0.6702	0.5640	0.524	4908	0.0815	0.0781	0.0678	0.565
3512	0.3361	0.3158	0.2672	0.576	4909	0.0407	0.0392	0.0344	0.532
3513	0.4723	0.4416	0.3771	0.437	4910	0.4629	0.4310	0.3631	0.511
3602	0.1257	0.1177	0.0990	0.593	4911	0.0674	0.0628	0.0531	0.525
3603	0.4703	0.4386	0.3695	0.534	5001	5.0574	4.6226	3.8427	0.433
3604	0.8148	0.7606	0.6452	0.479	5002	0.5958	0.5533	0.4620	0.568
3605	0.5243	0.4859	0.4060	0.543	5003	1.9974	1.8258	1.5207	0.417
3701	0.2745	0.2561	0.2150	0.565	5004	0.9321	0.8667	0.7316	0.484

<b>((Class</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>Primary Ratio</b>	<b>((Class</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>Primary Ratio</b>
5005	0.5785	0.5323	0.4453	0.452	6505	0.1051	0.0997	0.0849	0.602
5006	1.6200	1.4803	1.2356	0.393	6506	0.1061	0.1000	0.0847	0.613
5101	0.9020	0.8400	0.7033	0.573	6509	0.3705	0.3493	0.2964	0.582
5103	0.7352	0.6899	0.5825	0.581	6510	0.4791	0.4408	0.3687	0.450
5106	0.7352	0.6899	0.5825	0.581	6511	0.3464	0.3264	0.2764	0.594
5108	0.8982	0.8409	0.7063	0.600	6512	0.2818	0.2647	0.2238	0.574
5109	0.5941	0.5509	0.4610	0.531	6601	0.1900	0.1785	0.1511	0.561
5201	0.4322	0.4013	0.3360	0.548	6602	0.4752	0.4452	0.3761	0.556
5204	0.9313	0.8623	0.7259	0.463	6603	0.3338	0.3106	0.2603	0.556
5206	0.4139	0.3820	0.3188	0.508	6604	0.0832	0.0781	0.0658	0.599
5207	0.1731	0.1641	0.1395	0.622	6605	0.3004	0.2844	0.2422	0.598
5208	0.8347	0.7759	0.6536	0.498	6607	0.1723	0.1611	0.1359	0.546
5209	0.7538	0.6986	0.5870	0.489	6608	0.5550	0.5046	0.4169	0.429
5301	0.0327	0.0307	0.0259	0.604	6620	4.3471	4.0529	3.3620	0.665
5302	0.0205	0.0191	0.0161	0.544	6704	0.1687	0.1577	0.1321	0.603
5305	0.0524	0.0496	0.0419	0.637	6705	0.8304	0.7903	0.6775	0.593
5306	0.0608	0.0571	0.0482	0.602	6706	0.3245	0.3053	0.2599	0.534
5307	0.5369	0.4984	0.4160	0.564	6707	3.3484	3.1625	2.6539	0.699
6103	0.0818	0.0775	0.0658	0.633	6708	8.5624	8.1221	7.0557	0.434
6104	0.3640	0.3421	0.2894	0.578	6709	0.2900	0.2742	0.2326	0.611
6105	0.3478	0.3233	0.2715	0.530	6801	0.5907	0.5484	0.4563	0.597
6107	0.1321	0.1252	0.1067	0.590	6802	0.4463	0.4181	0.3515	0.601
6108	0.4412	0.4162	0.3527	0.602	6803	0.8728	0.7962	0.6652	0.367
6109	0.0925	0.0864	0.0725	0.561	6804	0.2742	0.2549	0.2139	0.538
6110	0.6150	0.5740	0.4826	0.560	6809	4.8700	4.5804	3.8879	0.557
6201	0.3215	0.2966	0.2486	0.464	6901	0.0181	0.0191	0.0181	0.699
6202	0.6584	0.6155	0.5212	0.514	6902	1.0364	0.9424	0.7793	0.421
6203	0.0985	0.0942	0.0806	0.674	6903	7.5675	6.9051	5.8009	0.317
6204	0.1257	0.1184	0.1003	0.583	6904	0.4097	0.3793	0.3129	0.639
6205	0.2497	0.2341	0.1979	0.565	6905	0.3807	0.3536	0.2939	0.607
6206	0.2331	0.2183	0.1839	0.578	6906	0.1463	0.1482	0.1345	0.696
6207	1.0628	1.0063	0.8652	0.511	6907	1.2537	1.1688	0.9813	0.561
6208	0.2425	0.2293	0.1955	0.576	6908	0.4654	0.4342	0.3644	0.576
6209	0.3114	0.2929	0.2483	0.571	6909	0.1179	0.1109	0.0937	0.601
6301	0.1330	0.1220	0.1018	0.456	7100	0.0329	0.0306	0.0259	0.482
6302	0.1818	0.1710	0.1446	0.585	7101	0.0246	0.0228	0.0193	0.447
6303	0.0694	0.0647	0.0545	0.532	7102	4.1468	3.9788	3.4480	0.578
6304	0.4120	0.3894	0.3313	0.584	7103	0.6039	0.5583	0.4653	0.537
6305	0.1004	0.0950	0.0809	0.597	7104	0.0302	0.0283	0.0238	0.622
6306	0.3306	0.3090	0.2600	0.571	7105	0.0317	0.0300	0.0251	0.648
6308	0.0654	0.0611	0.0514	0.581	7106	0.1985	0.1871	0.1584	0.603
6309	0.1818	0.1710	0.1446	0.585	7107	0.2231	0.2109	0.1802	0.553
6402	0.2935	0.2765	0.2333	0.634	7108	0.1947	0.1845	0.1578	0.574
6403	0.1683	0.1587	0.1347	0.585	7109	0.1317	0.1241	0.1049	0.613
6404	0.2219	0.2083	0.1760	0.583	7110	0.3469	0.3203	0.2678	0.495
6405	0.5863	0.5437	0.4558	0.518	7111	0.3820	0.3530	0.2952	0.498
6406	0.1168	0.1101	0.0932	0.610	7112	0.6431	0.6014	0.5073	0.553
6407	0.2772	0.2596	0.2189	0.576	7113	0.3676	0.3466	0.2949	0.563
6408	0.3908	0.3642	0.3052	0.575	7114	0.5580	0.5265	0.4454	0.619
6409	0.8714	0.8032	0.6700	0.495	7115	0.5750	0.5419	0.4594	0.591
6410	0.2841	0.2651	0.2233	0.539	7116	0.7040	0.6601	0.5573	0.570
6501	0.1710	0.1605	0.1349	0.616	7117	1.5934	1.4945	1.2581	0.601
6502	0.0399	0.0373	0.0315	0.570	7118	1.3430	1.2596	1.0627	0.581
6503	0.0760	0.0699	0.0579	0.531	7119	1.3218	1.2328	1.0345	0.569
6504	0.3983	0.3770	0.3204	0.608	7120	6.1185	5.6949	4.7930	0.521



<u>(Class</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>Primary Ratio</u>	<u>Class</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>Primary Ratio</u>
7121	5.6948	5.3007	4.4623	0.520	0608	0.3800	0.3262	0.2803	0.497
7122	0.5720	0.5406	0.4582	0.622	0701	2.0550	1.7034	1.4376	0.369
7201	1.3596	1.2563	1.0435	0.558	0803	0.4722	0.4102	0.3514	0.568
7202	0.0362	0.0334	0.0278	0.523	0901	1.5722	1.3292	1.1349	0.436
7203	0.1251	0.1190	0.1022	0.586	1002	1.0129	0.8720	0.7519	0.500
7204	0.0000	0.0000	0.0000	0.500	1003	0.8075	0.6945	0.5990	0.494
7301	0.5068	0.4737	0.4015	0.502	1004	0.5289	0.4545	0.3874	0.523
7302	1.0016	0.9381	0.7956	0.521	1005	8.5185	7.2533	6.1988	0.461
7307	0.4998	0.4693	0.3981	0.541	1007	0.3741	0.3198	0.2733	0.491
7308	0.3009	0.2858	0.2441	0.606	1101	0.7398	0.6411	0.5506	0.545
7309	0.2702	0.2558	0.2178	0.596))	1102	1.3609	1.1636	0.9949	0.488
					1103	1.2423	1.0646	0.9225	0.459
					1104	0.5544	0.4836	0.4192	0.555
					1105	0.9235	0.7909	0.6806	0.479
<u>Class</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>Primary Ratio</u>	1106	0.3564	0.3107	0.2715	0.531
0101	1.2929	1.0993	0.9410	0.458	1108	0.6576	0.5693	0.4890	0.542
0103	1.7210	1.4669	1.2559	0.471	1109	1.5486	1.3409	1.1574	0.527
0104	0.9388	0.7998	0.6840	0.470	1301	0.6404	0.5567	0.4690	0.608
0105	1.3160	1.1380	0.9770	0.537	1303	0.2278	0.1987	0.1699	0.590
0107	1.2380	1.0484	0.8956	0.443	1304	0.0295	0.0257	0.0220	0.562
0108	0.9388	0.7998	0.6840	0.470	1305	0.4374	0.3813	0.3270	0.579
0112	0.7677	0.6560	0.5614	0.482	1401	0.5074	0.4358	0.3818	0.446
0201	2.4479	2.0575	1.7475	0.421	1404	0.7955	0.6929	0.5970	0.563
0202	3.1777	2.6838	2.3121	0.402	1405	0.6102	0.5342	0.4560	0.610
0210	1.1847	1.0029	0.8551	0.444	1407	0.5837	0.5084	0.4404	0.546
0212	1.3618	1.1556	0.9864	0.454	1501	0.6073	0.5248	0.4493	0.541
0214	1.3348	1.1338	0.9613	0.478	1507	0.5770	0.4982	0.4265	0.536
0217	1.1010	0.9404	0.8031	0.486	1701	0.9525	0.8159	0.7018	0.478
0219	0.9968	0.8532	0.7361	0.466	1702	2.1812	1.8244	1.5571	0.381
0301	0.6310	0.5477	0.4715	0.549	1703	0.8633	0.7256	0.6125	0.436
0302	1.9320	1.6333	1.3870	0.448	1704	0.9525	0.8159	0.7018	0.478
0303	1.8501	1.5580	1.3259	0.424	1801	0.5416	0.4623	0.4008	0.445
0306	0.9932	0.8436	0.7160	0.476	1802	0.7356	0.6338	0.5417	0.526
0307	0.9684	0.8267	0.7051	0.489	2002	0.7442	0.6469	0.5586	0.546
0308	0.5505	0.4812	0.4158	0.573	2004	0.9828	0.8556	0.7370	0.560
0403	1.7124	1.4836	1.2708	0.551	2007	0.4949	0.4286	0.3695	0.533
0502	1.5261	1.2922	1.0998	0.452	2008	0.3337	0.2871	0.2485	0.492
0504	1.6240	1.3854	1.1945	0.453	2009	0.4139	0.3617	0.3137	0.564
0507	2.8619	2.4464	2.1103	0.463	2101	0.6902	0.5972	0.5174	0.512
0508	2.0124	1.6872	1.4377	0.398	2102	0.5455	0.4769	0.4119	0.577
0509	1.7178	1.4500	1.2399	0.426	2104	0.3686	0.3239	0.2828	0.575
0510	1.5553	1.3373	1.1487	0.504	2105	0.5847	0.5108	0.4373	0.597
0511	1.6604	1.4127	1.2030	0.476	2106	0.4363	0.3809	0.3293	0.561
0512	1.5570	1.3177	1.1250	0.442	2201	0.2521	0.2187	0.1894	0.531
0513	0.8056	0.6890	0.5878	0.497	2202	0.7375	0.6391	0.5488	0.546
0514	1.8924	1.6143	1.3769	0.483	2203	0.4837	0.4233	0.3654	0.581
0516	1.6542	1.4049	1.2040	0.448	2204	0.2521	0.2187	0.1894	0.531
0517	1.8580	1.5844	1.3656	0.453	2401	0.5013	0.4348	0.3716	0.563
0518	1.5722	1.3292	1.1349	0.436	2903	0.6528	0.5684	0.4919	0.551
0519	2.2267	1.8796	1.6123	0.413	2904	0.7469	0.6461	0.5594	0.520
0521	0.5848	0.5002	0.4297	0.477	2905	0.5736	0.5029	0.4352	0.585
0601	0.6567	0.5611	0.4796	0.487	2906	0.3317	0.2882	0.2483	0.554
0602	0.8043	0.6867	0.5819	0.506	2907	0.5353	0.4689	0.4041	0.589
0603	1.0254	0.8638	0.7362	0.425	2908	1.0643	0.9123	0.7839	0.488
0604	1.0132	0.8762	0.7576	0.518	2909	0.3994	0.3482	0.3012	0.559
0606	0.5517	0.4796	0.4119	0.563					
0607	0.5419	0.4691	0.4018	0.548					

<u>Class</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>Primary Ratio</u>	<u>Class</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>Primary Ratio</u>
3101	0.9243	0.7900	0.6773	0.480	4401	0.4216	0.3644	0.3176	0.492
3102	0.2796	0.2428	0.2091	0.551	4402	0.8616	0.7551	0.6511	0.596
3103	0.5819	0.5025	0.4338	0.513	4404	0.5808	0.5080	0.4382	0.581
3104	0.6209	0.5330	0.4576	0.500	4501	0.1920	0.1697	0.1467	0.631
3105	0.7609	0.6594	0.5679	0.540	4502	0.0417	0.0364	0.0317	0.538
3303	0.4512	0.3935	0.3379	0.578	4504	0.1142	0.1012	0.0880	0.634
3304	0.4809	0.4232	0.3666	0.601	4601	0.7685	0.6666	0.5755	0.535
3309	0.4414	0.3819	0.3298	0.527	4802	0.3300	0.2863	0.2504	0.502
3402	0.5404	0.4670	0.4017	0.528	4803	0.3047	0.2687	0.2356	0.583
3403	0.2100	0.1810	0.1564	0.512	4804	0.5362	0.4698	0.4051	0.590
3404	0.4975	0.4329	0.3733	0.556	4805	0.3040	0.2668	0.2320	0.580
3405	0.3134	0.2721	0.2343	0.551	4806	0.0611	0.0533	0.0463	0.542
3406	0.2059	0.1810	0.1568	0.593	4808	0.5158	0.4461	0.3884	0.499
3407	0.7324	0.6296	0.5405	0.505	4809	0.3933	0.3456	0.3003	0.589
3408	0.1853	0.1627	0.1389	0.621	4810	0.1472	0.1295	0.1132	0.583
3409	0.1749	0.1551	0.1334	0.662	4811	0.2845	0.2499	0.2180	0.579
3410	0.2987	0.2618	0.2267	0.581	4812	0.4079	0.3574	0.3088	0.591
3411	0.4872	0.4201	0.3602	0.524	4813	0.1624	0.1424	0.1245	0.563
3412	0.5888	0.5021	0.4292	0.476	4900	0.3218	0.2716	0.2329	0.419
3414	0.5827	0.5036	0.4315	0.540	4901	0.0776	0.0667	0.0573	0.506
3415	0.8500	0.7245	0.6273	0.442	4902	0.1130	0.0985	0.0843	0.587
3501	1.0942	0.9462	0.8155	0.521	4903	0.1596	0.1402	0.1192	0.637
3503	0.3185	0.2809	0.2461	0.584	4904	0.0295	0.0259	0.0224	0.581
3506	1.0784	0.9135	0.7755	0.464	4905	0.3782	0.3330	0.2907	0.584
3509	0.4234	0.3734	0.3223	0.624	4906	0.0977	0.0855	0.0734	0.595
3510	0.3718	0.3249	0.2799	0.581	4907	0.0542	0.0472	0.0410	0.558
3511	0.7277	0.6291	0.5433	0.519	4908	0.0822	0.0725	0.0639	0.562
3512	0.3499	0.3062	0.2657	0.574	4909	0.0412	0.0363	0.0323	0.526
3513	0.4851	0.4173	0.3672	0.441	4910	0.4881	0.4224	0.3660	0.513
3602	0.1335	0.1166	0.1005	0.579	4911	0.0654	0.0566	0.0490	0.525
3603	0.4818	0.4184	0.3619	0.540	5001	5.7546	4.8570	4.1538	0.420
3604	0.8426	0.7275	0.6357	0.486	5002	0.6136	0.5330	0.4554	0.571
3605	0.5400	0.4673	0.3999	0.547	5003	2.1363	1.8061	1.5480	0.422
3701	0.2796	0.2428	0.2091	0.551	5004	0.9372	0.8055	0.6992	0.475
3702	0.4583	0.3991	0.3428	0.573	5005	0.5999	0.5109	0.4392	0.451
3708	0.6419	0.5540	0.4750	0.532	5006	1.6001	1.3489	1.1581	0.403
3802	0.2065	0.1809	0.1555	0.598	5101	0.9189	0.7997	0.6855	0.574
3808	0.4392	0.3769	0.3232	0.501	5103	0.7686	0.6733	0.5821	0.586
3901	0.1776	0.1571	0.1368	0.621	5106	0.7686	0.6733	0.5821	0.586
3902	0.4977	0.4338	0.3760	0.551	5108	0.9185	0.8049	0.6932	0.599
3903	1.1476	1.0011	0.8750	0.533	5109	0.5750	0.4965	0.4259	0.533
3905	0.1631	0.1436	0.1252	0.594	5201	0.4309	0.3730	0.3202	0.548
3906	0.4934	0.4309	0.3732	0.563	5204	0.9445	0.8088	0.7001	0.466
3909	0.2684	0.2365	0.2049	0.612	5206	0.4184	0.3595	0.3077	0.515
4002	1.4182	1.2187	1.0352	0.531	5207	0.1791	0.1585	0.1380	0.624
4101	0.3229	0.2791	0.2402	0.530	5208	0.8185	0.7076	0.6113	0.517
4103	0.4588	0.4048	0.3508	0.617	5209	0.7461	0.6419	0.5541	0.496
4107	0.1717	0.1489	0.1287	0.533	5301	0.0363	0.0318	0.0273	0.598
4108	0.1569	0.1364	0.1182	0.546	5302	0.0196	0.0170	0.0147	0.543
4109	0.2157	0.1867	0.1614	0.526	5305	0.0541	0.0478	0.0413	0.639
4201	0.7189	0.6173	0.5220	0.537	5306	0.0637	0.0561	0.0485	0.614
4301	0.6768	0.5929	0.5131	0.580	5307	0.5838	0.5058	0.4319	0.561
4302	0.6904	0.6006	0.5159	0.564	6103	0.0846	0.0749	0.0651	0.626
4304	1.0461	0.9085	0.7899	0.522	6104	0.3782	0.3322	0.2875	0.594
4305	1.2513	1.0780	0.9151	0.546	6105	0.3635	0.3145	0.2703	0.536



<u>Class</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>D-Ratio</u>	<u>Class</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>Primary Ratio</u>
0540	0.0218	0.0186	0.0158	0.463	0701	2.0283	1.8295	1.5058	0.378
0541	0.0128	0.0109	0.0092	0.441	0803	0.4823	0.4539	0.3842	0.597
0550	0.0281	0.0235	0.0200	0.384	0901	1.5988	1.4709	1.2304	0.456
0551	0.0167	0.0140	0.0119	0.392	1002	0.9881	0.9242	0.7832	0.522

**((TABLE IIIA**  
**Expected Loss Rates and D-Ratios (No Medical Only**  
**Deduction)**  
**for Indicated Fiscal Year**  
**Expected Loss Rates in Dollars Per Worker Hour**  
**Effective January 1, 2007, to December 31, 2007**

<u>Class</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>Primary Ratio</u>
0101	1.3134	1.2126	1.0180	0.464
0103	1.6777	1.5501	1.2993	0.486
0104	0.9539	0.8827	0.7409	0.490
0105	1.3873	1.2966	1.0947	0.547
0107	1.2554	1.1562	0.9678	0.462
0108	0.9539	0.8827	0.7409	0.490
0112	0.7894	0.7326	0.6166	0.500
0201	2.4212	2.2151	1.8442	0.436
0202	3.1456	2.8993	2.4418	0.413
0210	1.2073	1.1074	0.9245	0.441
0212	1.3379	1.2317	1.0308	0.460
0214	1.3042	1.1992	0.9990	0.488
0217	1.1208	1.0365	0.8683	0.500
0219	0.9641	0.8990	0.7623	0.482
0301	0.6214	0.5840	0.4954	0.567
0302	1.9464	1.7819	1.4818	0.454
0303	1.8606	1.7037	1.4189	0.443
0306	1.0096	0.9296	0.7758	0.487
0307	0.9619	0.8934	0.7509	0.519
0308	0.5599	0.5291	0.4505	0.594
0403	1.7211	1.6127	1.3614	0.576
0502	1.5323	1.4065	1.1715	0.470
0504	1.5027	1.3913	1.1716	0.466
0507	2.8886	2.6847	2.2672	0.483
0508	1.9440	1.7750	1.4774	0.416
0509	1.5945	1.4628	1.2200	0.451
0510	1.5442	1.4367	1.2105	0.516
0511	1.6481	1.5235	1.2761	0.497
0512	1.5509	1.4285	1.1955	0.466
0513	0.8602	0.7954	0.6664	0.499
0514	1.8993	1.7600	1.4775	0.504
0516	1.6468	1.5211	1.2763	0.474
0517	1.7583	1.6314	1.3773	0.466
0518	1.5988	1.4709	1.2304	0.456
0519	2.2307	2.0511	1.7193	0.431
0521	0.5599	0.5209	0.4398	0.496
0601	0.6584	0.6122	0.5153	0.518
0602	0.7923	0.7338	0.6134	0.540
0603	1.0268	0.9410	0.7839	0.451
0604	1.0042	0.9448	0.8043	0.544
0606	0.5506	0.5186	0.4401	0.586
0607	0.5134	0.4811	0.4065	0.571
0608	0.4004	0.3734	0.3156	0.515
1101	0.7249	0.6800	0.5757	0.563
1102	1.3342	1.2336	1.0331	0.502
1103	1.2400	1.1556	0.9804	0.471
1104	0.5566	0.5271	0.4508	0.570
1105	0.9338	0.8706	0.7369	0.497
1106	0.3618	0.3447	0.2970	0.572
1108	0.6708	0.6320	0.5366	0.583
1109	1.5045	1.4103	1.1962	0.538
1301	0.6624	0.6165	0.5131	0.629
1303	0.2324	0.2191	0.1853	0.619
1304	0.0288	0.0272	0.0231	0.595
1305	0.4241	0.3993	0.3383	0.599
1401	0.4979	0.4671	0.3995	0.471
1404	0.7631	0.7185	0.6103	0.576
1405	0.5886	0.5576	0.4737	0.638
1407	0.6301	0.5938	0.5054	0.561
1501	0.5964	0.5582	0.4711	0.566
1507	0.5448	0.5106	0.4318	0.566
1701	0.9315	0.8658	0.7308	0.488
1702	2.1073	1.9222	1.6017	0.393
1703	0.8692	0.7904	0.6528	0.439
1704	0.9315	0.8658	0.7308	0.488
1801	0.5548	0.5180	0.4405	0.471
1802	0.7274	0.6784	0.5713	0.548
2002	0.7457	0.7039	0.5998	0.572
2004	1.0002	0.9419	0.7997	0.581
2007	0.4767	0.4485	0.3812	0.562
2008	0.3318	0.3110	0.2644	0.513
2009	0.4219	0.4015	0.3445	0.597
2101	0.6953	0.6537	0.5564	0.537
2102	0.5801	0.5487	0.4677	0.597
2104	0.3744	0.3574	0.3076	0.603
2105	0.6071	0.5732	0.4858	0.625
2106	0.4478	0.4242	0.3625	0.584
2201	0.2539	0.2389	0.2033	0.553
2202	0.7391	0.6933	0.5864	0.571
2203	0.4959	0.4700	0.4008	0.607
2204	0.2539	0.2389	0.2033	0.553
2401	0.5114	0.4808	0.4071	0.585
2903	0.6808	0.6440	0.5494	0.583
2904	0.7749	0.7296	0.6225	0.533
2905	0.5869	0.5587	0.4791	0.604
2906	0.3483	0.3296	0.2809	0.591
2907	0.5572	0.5284	0.4505	0.614
2908	1.0577	0.9842	0.8299	0.511
2909	0.4066	0.3852	0.3290	0.589
3101	0.9744	0.9046	0.7629	0.484

<b>Class</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>Primary Ratio</b>	<b>Class</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>Primary Ratio</b>
3102	0.2882	0.2723	0.2317	0.598	4402	0.8734	0.8284	0.7064	0.619
3103	0.5814	0.5449	0.4623	0.531	4404	0.5857	0.5561	0.4745	0.623
3104	0.6182	0.5764	0.4867	0.520	4501	0.2039	0.1957	0.1682	0.666
3105	0.7858	0.7425	0.6326	0.582	4502	0.0447	0.0428	0.0371	0.599
3303	0.4586	0.4324	0.3668	0.601	4504	0.1227	0.1191	0.1034	0.689
3304	0.4995	0.4759	0.4077	0.625	4601	0.7654	0.7206	0.6129	0.559
3309	0.4517	0.4248	0.3608	0.559	4802	0.3110	0.2936	0.2514	0.529
3402	0.5623	0.5285	0.4490	0.550	4803	0.2867	0.2742	0.2363	0.602
3403	0.2117	0.1990	0.1694	0.543	4804	0.5475	0.5180	0.4405	0.612
3404	0.5065	0.4790	0.4083	0.589	4805	0.3130	0.2985	0.2563	0.610
3405	0.3358	0.3162	0.2688	0.566	4806	0.0606	0.0574	0.0492	0.570
3406	0.2170	0.2080	0.1792	0.639	4808	0.4986	0.4691	0.3999	0.535
3407	0.7257	0.6781	0.5740	0.520	4809	0.4059	0.3854	0.3295	0.606
3408	0.1841	0.1745	0.1481	0.650	4810	0.1525	0.1459	0.1256	0.620
3409	0.1823	0.1745	0.1491	0.691	4811	0.2853	0.2732	0.2357	0.611
3410	0.3004	0.2850	0.2435	0.607	4812	0.4172	0.3966	0.3390	0.621
3411	0.4939	0.4619	0.3906	0.539	4813	0.1663	0.1583	0.1361	0.573
3412	0.5995	0.5559	0.4672	0.500	4900	0.3352	0.3085	0.2586	0.446
3414	0.5838	0.5463	0.4611	0.568	4901	0.0817	0.0765	0.0648	0.532
3415	0.8269	0.7709	0.6544	0.468	4902	0.1088	0.1028	0.0872	0.627
3501	1.0884	1.0210	0.8662	0.543	4903	0.1609	0.1521	0.1286	0.668
3503	0.3287	0.3157	0.2731	0.618	4904	0.0321	0.0306	0.0262	0.616
3506	1.1323	1.0396	0.8657	0.475	4905	0.3682	0.3516	0.3025	0.609
3509	0.4314	0.4112	0.3513	0.650	4906	0.0995	0.0942	0.0802	0.617
3510	0.3921	0.3714	0.3168	0.603	4907	0.0542	0.0515	0.0441	0.586
3511	0.7488	0.7049	0.5997	0.556	4908	0.1142	0.1147	0.1032	0.705
3512	0.3704	0.3552	0.3062	0.629	4909	0.0587	0.0594	0.0538	0.692
3513	0.4827	0.4549	0.3913	0.464	4910	0.4788	0.4503	0.3832	0.541
3602	0.1335	0.1268	0.1082	0.628	4911	0.0711	0.0673	0.0575	0.563
3603	0.4958	0.4687	0.4000	0.572	5001	5.0354	4.6187	3.8543	0.444
3604	0.8438	0.7959	0.6819	0.512	5002	0.6206	0.5831	0.4929	0.597
3605	0.5428	0.5088	0.4298	0.571	5003	1.9840	1.8191	1.5199	0.427
3701	0.2882	0.2723	0.2317	0.598	5004	0.9429	0.8824	0.7497	0.504
3702	0.4853	0.4598	0.3917	0.616	5005	0.5808	0.5372	0.4517	0.468
3708	0.6655	0.6219	0.5251	0.547	5006	1.6169	1.4835	1.2432	0.407
3802	0.1997	0.1893	0.1611	0.627	5101	0.9440	0.8901	0.7549	0.604
3808	0.4384	0.4085	0.3446	0.523	5103	0.7856	0.7487	0.6417	0.620
3901	0.1803	0.1732	0.1493	0.648	5106	0.7856	0.7487	0.6417	0.620
3902	0.5243	0.4959	0.4239	0.566	5108	0.9456	0.8969	0.7637	0.631
3903	1.1511	1.0935	0.9401	0.559	5109	0.6219	0.5840	0.4950	0.565
3905	0.1696	0.1631	0.1410	0.635	5201	0.4517	0.4248	0.3600	0.580
3906	0.4968	0.4697	0.4008	0.575	5204	0.9517	0.8886	0.7542	0.489
3909	0.2762	0.2643	0.2267	0.654	5206	0.4310	0.4027	0.3401	0.542
4002	1.4091	1.3065	1.0916	0.554	5207	0.1847	0.1774	0.1530	0.656
4101	0.3092	0.2907	0.2468	0.561	5208	0.8678	0.8159	0.6947	0.532
4103	0.4657	0.4473	0.3855	0.656	5209	0.7762	0.7263	0.6160	0.518
4107	0.1724	0.1631	0.1393	0.576	5301	0.0354	0.0338	0.0290	0.646
4108	0.1551	0.1470	0.1257	0.575	5302	0.0215	0.0204	0.0174	0.580
4109	0.2211	0.2084	0.1777	0.555	5305	0.0573	0.0551	0.0475	0.678
4201	0.7011	0.6495	0.5417	0.561	5306	0.0654	0.0624	0.0536	0.642
4301	0.6947	0.6584	0.5609	0.616	5307	0.5495	0.5143	0.4334	0.586
4302	0.6890	0.6503	0.5527	0.593	6103	0.0899	0.0869	0.0751	0.676
4304	1.0390	0.9805	0.8370	0.552	6104	0.3829	0.3645	0.3123	0.611
4305	1.2352	1.1437	0.9540	0.556	6105	0.3623	0.3407	0.2895	0.562
4401	0.4173	0.3933	0.3366	0.514	6107	0.1518	0.1474	0.1286	0.656

Class	2003	2004	2005	Primary Ratio	Class	2003	2004	2005	Primary Ratio
6108	0.4682	0.4479	0.3849	0.636	6803	0.8716	0.7986	0.6699	0.382
6109	0.0989	0.0936	0.0800	0.602	6804	0.2899	0.2735	0.2326	0.577
6110	0.6341	0.5975	0.5074	0.585	6809	5.2243	4.9914	4.3002	0.600
6201	0.3343	0.3120	0.2644	0.500	6901	0.0377	0.0407	0.0389	0.850
6202	0.6833	0.6457	0.5524	0.546	6902	1.0322	0.9419	0.7820	0.433
6203	0.1122	0.1099	0.0961	0.723	6903	7.5329	6.8972	5.8126	0.331
6204	0.1384	0.1329	0.1147	0.633	6904	0.4245	0.3975	0.3321	0.661
6205	0.2617	0.2485	0.2126	0.597	6905	0.4039	0.3809	0.3217	0.641
6206	0.2452	0.2326	0.1986	0.610	6906	0.1742	0.1796	0.1654	0.750
6207	1.1108	1.0635	0.9238	0.546	6907	1.2878	1.2116	1.0271	0.584
6208	0.2590	0.2485	0.2148	0.615	6908	0.4892	0.4624	0.3931	0.608
6209	0.3323	0.3173	0.2729	0.611	6909	0.1266	0.1209	0.1037	0.640
6301	0.1348	0.1248	0.1048	0.478	7100	0.0341	0.0321	0.0275	0.515
6302	0.1939	0.1850	0.1588	0.623	7101	0.0255	0.0240	0.0206	0.485
6303	0.0733	0.0693	0.0591	0.570	7102	4.4406	4.3195	3.7911	0.618
6304	0.4303	0.4113	0.3540	0.613	7103	0.6159	0.5740	0.4826	0.558
6305	0.1070	0.1027	0.0887	0.634	7104	0.0322	0.0307	0.0262	0.656
6306	0.3473	0.3289	0.2803	0.603	7105	0.0338	0.0323	0.0276	0.679
6308	0.0685	0.0648	0.0552	0.612	7106	0.2085	0.1989	0.1705	0.633
6309	0.1939	0.1850	0.1588	0.623	7107	0.2390	0.2295	0.1988	0.596
6402	0.3102	0.2963	0.2533	0.664	7108	0.2054	0.1972	0.1705	0.608
6403	0.1795	0.1717	0.1479	0.623	7109	0.1395	0.1334	0.1143	0.646
6404	0.2334	0.2221	0.1901	0.615	7110	0.3511	0.3264	0.2748	0.514
6405	0.6115	0.5739	0.4869	0.552	7111	0.3900	0.3634	0.3065	0.522
6406	0.1249	0.1195	0.1027	0.646	7112	0.6692	0.6329	0.5399	0.583
6407	0.2911	0.2762	0.2359	0.608	7113	0.3830	0.3652	0.3142	0.593
6408	0.4134	0.3908	0.3323	0.611	7114	0.5795	0.5526	0.4727	0.643
6409	0.8962	0.8341	0.7026	0.523	7115	0.6015	0.5736	0.4920	0.620
6410	0.3030	0.2871	0.2455	0.582	7116	0.7175	0.6777	0.5768	0.589
6501	0.1789	0.1698	0.1446	0.643	7117	1.6735	1.5896	1.3557	0.631
6502	0.0425	0.0404	0.0346	0.609	7118	1.3946	1.3220	1.1278	0.608
6503	0.0795	0.0742	0.0622	0.566	7119	1.3587	1.2789	1.0837	0.592
6504	0.4283	0.4117	0.3553	0.647	7120	6.3206	5.9429	5.0526	0.550
6505	0.1146	0.1105	0.0958	0.647	7121	5.8785	5.5267	4.6990	0.548
6506	0.1130	0.1082	0.0930	0.648	7122	0.5968	0.5704	0.4893	0.648
6509	0.3913	0.3738	0.3214	0.616	7201	1.3704	1.2738	1.0655	0.572
6510	0.4816	0.4455	0.3746	0.466	7202	0.0379	0.0354	0.0299	0.558
6511	0.3599	0.3426	0.2934	0.620	7203	0.1359	0.1317	0.1147	0.631
6512	0.2872	0.2716	0.2317	0.592	7204	0.0000	0.0000	0.0000	0.500
6601	0.1988	0.1889	0.1619	0.593	7301	0.5209	0.4912	0.4199	0.529
6602	0.4880	0.4611	0.3932	0.580	7302	1.0217	0.9644	0.8242	0.543
6603	0.3460	0.3254	0.2758	0.584	7307	0.5195	0.4930	0.4227	0.571
6604	0.0884	0.0842	0.0720	0.634	7308	0.3310	0.3203	0.2784	0.653
6605	0.3334	0.3221	0.2796	0.650	7309	0.2825	0.2704	0.2330	0.624))
6607	0.1785	0.1687	0.1438	0.575					
6608	0.5649	0.5180	0.4314	0.455					
6620	4.6097	4.3617	3.6771	0.693					
6704	0.1757	0.1660	0.1410	0.629					
6705	0.8930	0.8628	0.7504	0.633					
6706	0.3376	0.3210	0.2761	0.565					
6707	3.7428	3.6125	3.1004	0.738					
6708	8.8493	8.4704	7.4145	0.468					
6709	0.3088	0.2961	0.2548	0.645					
6801	0.6404	0.6059	0.5138	0.640					
6802	0.4714	0.4478	0.3817	0.634					

  

Expected Loss Rates in Dollars Per Sq. Ft. of Wallboard Installed				
Class	2002	2003	2004	D-Ratio
0540	0.0223	0.0206	0.0171	0.482
0541	0.0133	0.0120	0.0101	0.448
0550	0.0295	0.0267	0.0221	0.382
0551	0.0171	0.0156	0.0129	0.392

AMENDATORY SECTION (Amending WSR 07-12-045, filed 5/31/07, effective 7/1/07)

**WAC 296-17-895 Industrial insurance accident fund base rates and medical aid base rates by class of industry.**  
 Industrial insurance accident fund and medical aid fund base rates by class of industry shall be as set forth below.

((Base Rates Effective  
 January 1, 2007

Class	Accident Fund	Medical Aid Fund
0101	1.5102	0.7102
0103	1.9285	0.9063
0104	1.0954	0.5189
0105	1.4873	0.8554
0107	1.4779	0.6467
0108	1.0954	0.5189
0112	0.8855	0.4502
0201	2.9771	1.1228
0202	3.5865	1.7260
0210	1.4481	0.5946
0212	1.5741	0.6908
0214	1.5723	0.6391
0217	1.2903	0.6064
0219	1.0310	0.5979
0301	0.6338	0.4127
0302	2.4031	0.8991
0303	2.2735	0.8789
0306	1.2097	0.5013
0307	1.0909	0.5375
0308	0.5462	0.3967
0403	1.8151	1.0914
0502	1.8533	0.7421
0504	1.6756	0.8618
0507	3.1395	1.7331
0508	2.4004	0.8899
0509	1.9140	0.7798
0510	1.6923	0.9163
0511	1.9177	0.8731
0512	1.8329	0.7927
0513	0.9923	0.4630
0514	2.1735	1.0436
0516	1.8907	0.8933
0517	1.9313	1.0352
0518	1.9005	0.8052
0519	2.6218	1.1503
0521	0.6073	0.3376
0601	0.7416	0.3729
0602	0.9248	0.4189

Class	Accident Fund	Medical Aid Fund
0603	1.2551	0.4830
0604	1.0086	0.6823
0606	0.5608	0.3679
0607	0.5428	0.3239
0608	0.4330	0.2432
0701	2.7040	0.7317
0803	0.4986	0.3150
0901	1.9005	0.8052
1002	1.0349	0.6322
1003	0.8552	0.5082
1004	0.5814	0.3011
1005	9.6730	4.4009
1007	0.4244	0.2189
1101	0.7541	0.4688
1102	1.5286	0.7283
1103	1.3045	0.7863
1104	0.5311	0.4052
1105	1.0005	0.5747
1106	0.3267	0.2807
1108	0.6894	0.4434
1109	1.5396	0.9942
1301	0.7669	0.3602
1303	0.2400	0.1527
1304	0.0296	0.0192
1305	0.4356	0.2806
1401	0.4876	0.3476
1404	0.7669	0.5189
1405	0.6008	0.3976
1407	0.6165	0.4427
1501	0.6346	0.3723
1507	0.5820	0.3399
1701	1.0239	0.5509
1702	2.5949	0.9691
1703	1.1204	0.3557
1704	1.0239	0.5509
1801	0.5826	0.3513
1802	0.8068	0.4272
2002	0.7386	0.5182
2004	1.0135	0.6728
2007	0.4854	0.3184
2008	0.3401	0.2179
2009	0.3930	0.3170
2101	0.7007	0.4712
2102	0.5642	0.4120
2104	0.3307	0.2965
2105	0.6213	0.4048

Class	Accident Fund	Medical Aid Fund	Class	Accident Fund	Medical Aid Fund
2106	0.4365	0.3199	3701	0.2872	0.1983
2201	0.2530	0.1745	3702	0.4833	0.3360
2202	0.7733	0.4742	3708	0.7128	0.4106
2203	0.4765	0.3581	3802	0.1954	0.1415
2204	0.2530	0.1745	3808	0.4773	0.2627
2401	0.5360	0.3290	3901	0.1540	0.1481
2903	0.6629	0.4833	3902	0.5034	0.3777
2904	0.7700	0.5325	3903	1.0439	0.8858
2905	0.5443	0.4428	3905	0.1447	0.1398
2906	0.3483	0.2395	3906	0.4803	0.3556
2907	0.5409	0.3986	3909	0.2474	0.2162
2908	1.1619	0.6262	4002	1.6280	0.7618
2909	0.3916	0.2927	4101	0.3183	0.2031
3101	1.0863	0.5612	4103	0.4048	0.3771
3102	0.2872	0.1983	4107	0.1686	0.1219
3103	0.6003	0.3802	4108	0.1487	0.1119
3104	0.6744	0.3701	4109	0.2210	0.1513
3105	0.7886	0.5375	4201	0.8230	0.3679
3303	0.4653	0.3088	4301	0.6687	0.5001
3304	0.4574	0.3817	4302	0.6992	0.4650
3309	0.4556	0.3036	4304	1.0132	0.7360
3402	0.5828	0.3664	4305	1.4391	0.6544
3403	0.2137	0.1418	4401	0.4070	0.2945
3404	0.5027	0.3517	4402	0.8309	0.6355
3405	0.3434	0.2232	4404	0.5665	0.4215
3406	0.1960	0.1695	4501	0.1849	0.1590
3407	0.7729	0.4525	4502	0.0399	0.0354
3408	0.1880	0.1246	4504	0.1011	0.1050
3409	0.1663	0.1403	4601	0.7733	0.5186
3410	0.2803	0.2240	4802	0.2979	0.2248
3411	0.5284	0.3058	4803	0.2438	0.2354
3412	0.6816	0.3328	4804	0.5360	0.3861
3414	0.6261	0.3601	4805	0.2812	0.2436
3415	0.8773	0.5152	4806	0.0566	0.0450
3501	1.1294	0.7094	4808	0.4945	0.3441
3503	0.2759	0.2748	4809	0.3766	0.3045
3506	1.3792	0.5391	4810	0.1332	0.1225
3509	0.3980	0.3263	4811	0.2506	0.2279
3510	0.3848	0.2760	4812	0.3967	0.3054
3511	0.7602	0.5032	4813	0.1493	0.1295
3512	0.3360	0.2880	4900	0.3884	0.1773
3513	0.4523	0.3564	4901	0.0867	0.0511
3602	0.1286	0.0963	4902	0.1098	0.0738
3603	0.4908	0.3451	4903	0.1675	0.1054
3604	0.8076	0.6067	4904	0.0304	0.0237
3605	0.5803	0.3382	4905	0.3208	0.2955



Class	Accident Fund	Medical Aid Fund	Class	Accident Fund	Medical Aid Fund
4906	0.0986	0.0692	6209	0.3010	0.2576
4907	0.0513	0.0399	6301	0.1529	0.0747
4908	0.0799	0.1152	6302	0.1776	0.1483
4909	0.0381	0.0622	6303	0.0725	0.0510
4910	0.4829	0.3235	6304	0.3757	0.3458
4911	0.0697	0.0500	6305	0.0909	0.0884
5001	6.0252	2.4999	6306	0.3406	0.2448
5002	0.6557	0.3944	6308	0.0669	0.0483
5003	2.3613	0.9947	6309	0.1776	0.1483
5004	0.9584	0.6259	6402	0.2832	0.2378
5005	0.6550	0.3265	6403	0.1593	0.1422
5006	1.9073	0.8254	6404	0.2184	0.1745
5101	0.9648	0.6286	6405	0.6377	0.3937
5103	0.7356	0.5874	6406	0.1116	0.0981
5106	0.7356	0.5874	6407	0.2793	0.2110
5108	0.9177	0.6739	6408	0.4131	0.2828
5109	0.6542	0.3966	6409	0.9934	0.5215
5201	0.4666	0.2945	6410	0.2946	0.2151
5204	0.9946	0.6060	6501	0.1719	0.1293
5206	0.4708	0.2584	6502	0.0403	0.0313
5207	0.1551	0.1536	6503	0.0902	0.0447
5208	0.8852	0.5790	6504	0.3636	0.3535
5209	0.8151	0.4940	6505	0.0944	0.0974
5300	0.1098	0.0738	6506	0.0994	0.0899
5301	0.0330	0.0267	6509	0.3492	0.3076
5302	0.0207	0.0154	6510	0.5441	0.2700
5305	0.0498	0.0464	6511	0.3269	0.2768
5306	0.0605	0.0494	6512	0.2715	0.2105
5307	0.5858	0.3420	6601	0.1848	0.1493
6103	0.0753	0.0755	6602	0.4685	0.3511
6104	0.3560	0.2884	6603	0.3564	0.2275
6105	0.3714	0.2395	6604	0.0833	0.0656
6107	0.1224	0.1320	6605	0.2779	0.2818
6108	0.4166	0.3694	6607	0.1746	0.1260
6109	0.0980	0.0688	6608	0.6917	0.2648
6110	0.6353	0.4328	6620	4.8308	2.9905
6120	0.2971	0.1916	6704	0.1754	0.1209
6121	0.3714	0.2395	6705	0.6966	0.7926
6201	0.3576	0.2052	6706	0.3005	0.2637
6202	0.6582	0.4908	6707	3.4221	2.9240
6203	0.0825	0.1050	6708	6.9097	7.8371
6204	0.1219	0.1102	6709	0.2714	0.2477
6205	0.2469	0.1932	6801	0.6708	0.4154
6206	0.2350	0.1773	6802	0.4546	0.3395
6207	0.9090	0.9446	6803	1.0265	0.4432
6208	0.2207	0.2133	6804	0.2946	0.1943

Class	Accident Fund	Medical Aid Fund	Base Rates Effective January 1, 2008		
			Accident Fund	Medical Aid Fund	
6809	4.7278	4.0617	0101	1.3972	0.7560
6901	0.0000	0.0584	0103	1.8371	1.0192
6902	1.2857	0.4644	0104	1.0144	0.5565
6903	8.6855	3.9709	0105	1.3287	0.9323
6904	0.4799	0.2432	0107	1.3717	0.6989
6905	0.4281	0.2567	0108	1.0144	0.5565
6906	0.0000	0.2567	0112	0.8198	0.4743
6907	1.3109	0.8611	0201	2.8457	1.2126
6908	0.4925	0.3340	0202	3.3992	1.8396
6909	0.1169	0.0963	0210	1.3188	0.6319
7100	0.0327	0.0243	0212	1.4997	0.7560
7101	0.0255	0.0175	0214	1.5155	0.7069
7102	3.0801	4.2970	0217	1.1862	0.6507
7103	0.6772	0.3641	0219	1.0163	0.6689
7104	0.0310	0.0234	0301	0.6154	0.4644
7105	0.0316	0.0254	0302	2.2111	0.9919
7106	0.1887	0.1614	0303	2.1194	0.9317
7107	0.2015	0.1987	0306	1.1251	0.5446
7108	0.1703	0.1730	0307	1.0568	0.5912
7109	0.1259	0.1085	0308	0.5121	0.4306
7110	0.3871	0.2062	0403	1.7330	1.1771
7111	0.4265	0.2329	0502	1.7180	0.8123
7112	0.6466	0.4776	0504	1.6698	1.0222
7113	0.3368	0.3040	0507	2.9211	1.8730
7114	0.5211	0.4502	0508	2.3186	0.9913
7115	0.5380	0.4693	0509	1.9055	0.9400
7116	0.6929	0.5136	0510	1.5904	1.0223
7117	1.5938	1.2207	0511	1.8421	0.9548
7118	1.3242	1.0182	0512	1.7351	0.8737
7119	1.3808	0.9103	0513	0.8687	0.4853
7120	6.4082	4.2401	0514	2.0708	1.1348
7121	5.9556	3.9464	0516	1.7840	0.9725
7122	0.5236	0.4754	0517	1.9143	1.1711
7200	1.2338	0.6227	0518	1.7562	0.8787
7201	1.5423	0.7784	0519	2.4401	1.2464
7202	0.0414	0.0226	0521	0.6077	0.3657
7203	0.1053	0.1217	0601	0.7081	0.4143
7204	0.0000	0.0000	0602	0.9059	0.4594
7205	0.0000	0.0000	0603	1.1667	0.5433
7301	0.5041	0.3715	0604	0.9791	0.7496
7302	0.9770	0.7401	0606	0.5447	0.4087
7307	0.4868	0.3880	0607	0.5506	0.3745
7308	0.2678	0.2871	0608	0.3929	0.2581
7309	0.2410	0.2315			
7400	1.5423	0.7784))			

<u>Class</u>	<u>Accident Fund</u>	<u>Medical Aid Fund</u>	<u>Class</u>	<u>Accident Fund</u>	<u>Medical Aid Fund</u>
0701	2.5413	0.7967	2401	0.5140	0.3498
0803	0.4740	0.3432	2903	0.6150	0.5224
0901	1.7562	0.8787	2904	0.7154	0.5708
1002	1.0107	0.6961	2905	0.5264	0.4832
1003	0.8081	0.5601	2906	0.3266	0.2658
1004	0.5662	0.3284	2907	0.5073	0.4338
1005	9.2806	4.8503	2908	1.1020	0.6947
1007	0.4011	0.2304	2909	0.3745	0.3217
1101	0.7372	0.5217	3101	0.9794	0.5903
1102	1.4482	0.8064	3102	0.2750	0.2148
1103	1.2250	0.8406	3103	0.5694	0.4105
1104	0.5116	0.4457	3104	0.6428	0.4173
1105	0.9490	0.6063	3105	0.7555	0.5848
1106	0.3162	0.3128	3303	0.4404	0.3376
1108	0.6629	0.4869	3304	0.4314	0.4129
1109	1.4961	1.1046	3309	0.4286	0.3274
1301	0.6996	0.3825	3402	0.5439	0.4001
1303	0.2287	0.1675	3403	0.2068	0.1565
1304	0.0295	0.0220	3404	0.4835	0.3937
1305	0.4299	0.3233	3405	0.3089	0.2433
1401	0.4644	0.3813	3406	0.1893	0.1889
1404	0.7597	0.5926	3407	0.7525	0.4863
1405	0.6141	0.4671	3408	0.1849	0.1446
1407	0.5417	0.4526	3409	0.1583	0.1496
1501	0.6213	0.4102	3410	0.2708	0.2414
1507	0.5948	0.3964	3411	0.5006	0.3349
1701	0.9795	0.6122	3412	0.6372	0.3611
1702	2.5092	1.0569	3414	0.5950	0.4027
1703	1.0302	0.3832	3415	0.8606	0.5834
1704	0.9795	0.6122	3501	1.0807	0.7784
1801	0.5446	0.3887	3503	0.2622	0.3000
1802	0.7772	0.5009	3506	1.2339	0.5978
2002	0.7131	0.5699	3509	0.3814	0.3559
2004	0.9479	0.7393	3510	0.3561	0.2998
2007	0.4853	0.3654	3511	0.7164	0.5478
2008	0.3264	0.2417	3512	0.3241	0.3204
2009	0.3807	0.3489	3513	0.4303	0.3904
2101	0.6614	0.5195	3602	0.1278	0.1074
2102	0.5096	0.4368	3603	0.4636	0.3884
2104	0.3148	0.3352	3604	0.7731	0.6903
2105	0.5807	0.4458	3605	0.5547	0.3742
2106	0.4135	0.3597	3701	0.2750	0.2148
2201	0.2381	0.1892	3702	0.4541	0.3596
2202	0.7379	0.5278	3708	0.6557	0.4398
2203	0.4516	0.3856	3802	0.1975	0.1627
2204	0.2381	0.1892	3808	0.4559	0.2869

<u>Class</u>	<u>Accident Fund</u>	<u>Medical Aid Fund</u>	<u>Class</u>	<u>Accident Fund</u>	<u>Medical Aid Fund</u>
<u>3901</u>	<u>0.1502</u>	<u>0.1667</u>	<u>4911</u>	<u>0.0632</u>	<u>0.0512</u>
<u>3902</u>	<u>0.4620</u>	<u>0.4048</u>	<u>5001</u>	<u>6.3747</u>	<u>3.0226</u>
<u>3903</u>	<u>1.0035</u>	<u>0.9801</u>	<u>5002</u>	<u>0.6269</u>	<u>0.4359</u>
<u>3905</u>	<u>0.1408</u>	<u>0.1543</u>	<u>5003</u>	<u>2.3254</u>	<u>1.1532</u>
<u>3906</u>	<u>0.4536</u>	<u>0.3938</u>	<u>5004</u>	<u>0.9024</u>	<u>0.6622</u>
<u>3909</u>	<u>0.2394</u>	<u>0.2381</u>	<u>5005</u>	<u>0.6304</u>	<u>0.3606</u>
<u>4002</u>	<u>1.5405</u>	<u>0.8383</u>	<u>5006</u>	<u>1.7475</u>	<u>0.8698</u>
<u>4101</u>	<u>0.3230</u>	<u>0.2364</u>	<u>5101</u>	<u>0.9143</u>	<u>0.6789</u>
<u>4103</u>	<u>0.4080</u>	<u>0.4160</u>	<u>5103</u>	<u>0.7144</u>	<u>0.6555</u>
<u>4107</u>	<u>0.1665</u>	<u>0.1352</u>	<u>5106</u>	<u>0.7144</u>	<u>0.6555</u>
<u>4108</u>	<u>0.1476</u>	<u>0.1286</u>	<u>5108</u>	<u>0.8699</u>	<u>0.7532</u>
<u>4109</u>	<u>0.2091</u>	<u>0.1671</u>	<u>5109</u>	<u>0.5895</u>	<u>0.4112</u>
<u>4201</u>	<u>0.8006</u>	<u>0.4079</u>	<u>5201</u>	<u>0.4337</u>	<u>0.3132</u>
<u>4301</u>	<u>0.6213</u>	<u>0.5535</u>	<u>5204</u>	<u>0.9379</u>	<u>0.6496</u>
<u>4302</u>	<u>0.6823</u>	<u>0.5189</u>	<u>5206</u>	<u>0.4407</u>	<u>0.2834</u>
<u>4304</u>	<u>0.9659</u>	<u>0.8239</u>	<u>5207</u>	<u>0.1506</u>	<u>0.1686</u>
<u>4305</u>	<u>1.3482</u>	<u>0.7504</u>	<u>5208</u>	<u>0.8033</u>	<u>0.6185</u>
<u>4401</u>	<u>0.3929</u>	<u>0.3430</u>	<u>5209</u>	<u>0.7463</u>	<u>0.5384</u>
<u>4402</u>	<u>0.7972</u>	<u>0.6806</u>	<u>5300</u>	<u>0.1128</u>	<u>0.0841</u>
<u>4404</u>	<u>0.5517</u>	<u>0.4731</u>	<u>5301</u>	<u>0.0347</u>	<u>0.0302</u>
<u>4501</u>	<u>0.1758</u>	<u>0.1840</u>	<u>5302</u>	<u>0.0186</u>	<u>0.0156</u>
<u>4502</u>	<u>0.0386</u>	<u>0.0377</u>	<u>5305</u>	<u>0.0482</u>	<u>0.0495</u>
<u>4504</u>	<u>0.1000</u>	<u>0.1195</u>	<u>5306</u>	<u>0.0583</u>	<u>0.0558</u>
<u>4601</u>	<u>0.7440</u>	<u>0.5715</u>	<u>5307</u>	<u>0.5979</u>	<u>0.3888</u>
<u>4802</u>	<u>0.2945</u>	<u>0.2693</u>	<u>6103</u>	<u>0.0733</u>	<u>0.0832</u>
<u>4803</u>	<u>0.2465</u>	<u>0.2798</u>	<u>6104</u>	<u>0.3431</u>	<u>0.3191</u>
<u>4804</u>	<u>0.5029</u>	<u>0.4309</u>	<u>6105</u>	<u>0.3640</u>	<u>0.2617</u>
<u>4805</u>	<u>0.2678</u>	<u>0.2642</u>	<u>6107</u>	<u>0.1216</u>	<u>0.1507</u>
<u>4806</u>	<u>0.0552</u>	<u>0.0505</u>	<u>6108</u>	<u>0.4207</u>	<u>0.4163</u>
<u>4808</u>	<u>0.4795</u>	<u>0.4014</u>	<u>6109</u>	<u>0.0996</u>	<u>0.0779</u>
<u>4809</u>	<u>0.3456</u>	<u>0.3347</u>	<u>6110</u>	<u>0.6268</u>	<u>0.4954</u>
<u>4810</u>	<u>0.1256</u>	<u>0.1364</u>	<u>6120</u>	<u>0.2917</u>	<u>0.2190</u>
<u>4811</u>	<u>0.2484</u>	<u>0.2699</u>	<u>6121</u>	<u>0.3646</u>	<u>0.2738</u>
<u>4812</u>	<u>0.3805</u>	<u>0.3466</u>	<u>6201</u>	<u>0.3310</u>	<u>0.2268</u>
<u>4813</u>	<u>0.1392</u>	<u>0.1462</u>	<u>6202</u>	<u>0.6277</u>	<u>0.5448</u>
<u>4900</u>	<u>0.3534</u>	<u>0.1782</u>	<u>6203</u>	<u>0.0812</u>	<u>0.1158</u>
<u>4901</u>	<u>0.0796</u>	<u>0.0547</u>	<u>6204</u>	<u>0.1161</u>	<u>0.1172</u>
<u>4902</u>	<u>0.1128</u>	<u>0.0841</u>	<u>6205</u>	<u>0.2468</u>	<u>0.2153</u>
<u>4903</u>	<u>0.1628</u>	<u>0.1238</u>	<u>6206</u>	<u>0.2236</u>	<u>0.1936</u>
<u>4904</u>	<u>0.0275</u>	<u>0.0257</u>	<u>6207</u>	<u>0.8818</u>	<u>1.0652</u>
<u>4905</u>	<u>0.3193</u>	<u>0.3376</u>	<u>6208</u>	<u>0.2100</u>	<u>0.2357</u>
<u>4906</u>	<u>0.0948</u>	<u>0.0772</u>	<u>6209</u>	<u>0.2952</u>	<u>0.2879</u>
<u>4907</u>	<u>0.0502</u>	<u>0.0457</u>	<u>6301</u>	<u>0.1496</u>	<u>0.0817</u>
<u>4908</u>	<u>0.0766</u>	<u>0.1174</u>	<u>6302</u>	<u>0.1813</u>	<u>0.1702</u>
<u>4909</u>	<u>0.0369</u>	<u>0.0647</u>	<u>6303</u>	<u>0.0705</u>	<u>0.0553</u>
<u>4910</u>	<u>0.4665</u>	<u>0.3703</u>	<u>6304</u>	<u>0.3554</u>	<u>0.3851</u>

<u>Class</u>	<u>Accident Fund</u>	<u>Medical Aid Fund</u>	<u>Class</u>	<u>Accident Fund</u>	<u>Medical Aid Fund</u>
6305	0.0904	0.0974	6905	0.4154	0.2913
6306	0.3244	0.2628	6906	0.0000	0.2913
6308	0.0653	0.0559	6907	1.2985	1.0143
6309	0.1813	0.1702	6908	0.4647	0.3587
6402	0.2615	0.2538	6909	0.1126	0.1071
6403	0.1585	0.1653	7100	0.0314	0.0268
6404	0.2190	0.2028	7101	0.0244	0.0193
6405	0.5874	0.4200	7102	2.9953	4.7545
6406	0.1114	0.1139	7103	0.6616	0.4111
6407	0.2650	0.2342	7104	0.0300	0.0270
6408	0.4086	0.3197	7105	0.0315	0.0288
6409	0.8920	0.5342	7106	0.1847	0.1797
6410	0.2815	0.2407	7107	0.1958	0.2285
6501	0.1603	0.1404	7108	0.1667	0.1858
6502	0.0377	0.0327	7109	0.1229	0.1242
6503	0.0869	0.0517	7110	0.3610	0.2218
6504	0.3477	0.3884	7111	0.4214	0.2530
6505	0.0898	0.1100	7112	0.6290	0.5444
6506	0.0974	0.0999	7113	0.3275	0.3347
6509	0.3371	0.3379	7114	0.4767	0.4701
6510	0.5077	0.2882	7115	0.5213	0.5172
6511	0.3361	0.3186	7116	0.6502	0.5537
6512	0.2179	0.1785	7117	1.6096	1.4571
6601	0.1785	0.1644	7118	1.2989	1.1330
6602	0.4819	0.4109	7119	1.3314	1.0074
6603	0.3384	0.2515	7120	6.1395	4.6828
6604	0.0803	0.0737	7121	5.7013	4.3654
6605	0.2746	0.3177	7122	0.4964	0.5230
6607	0.1653	0.1396	7200	1.2946	0.7353
6608	0.6479	0.2802	7201	1.6182	0.9191
6620	4.4943	3.1920	7202	0.0370	0.0236
6704	0.1638	0.1297	7203	0.1015	0.1419
6705	0.6550	0.8712	7204	0.0000	0.0000
6706	0.2846	0.2804	7205	0.0000	0.0000
6707	3.4197	3.7446	7301	0.4920	0.4200
6708	6.6976	8.8780	7302	0.9354	0.8148
6709	0.2625	0.2705	7307	0.4591	0.4178
6801	0.6602	0.4711	7308	0.2779	0.3376
6802	0.4752	0.4081	7309	0.2294	0.2504
6803	1.0213	0.4897	7400	1.6182	0.9191
6804	0.2899	0.2339			
6809	4.5192	4.5452			
6901	0.0000	0.0667			
6902	1.1941	0.5058			
6903	8.1616	4.3498			
6904	0.4812	0.2804			

((For work performed during the period July 1, 2007, through December 31, 2007, employers shall not be required to pay nor shall they be entitled to deduct from workers' pay, medical aid premium; such premiums shall be deemed to have been paid by the department out of the medical aid fund.))

In calendar year 2008, the department will pay such dividends from the accident fund to employers not participating in the retrospective rating program during the period July 1, 2007, through December 31, 2007, as the department's actuaries determine to be necessary to equalize the proportion of losses funded between retro and nonretro employers.

**AMENDATORY SECTION** (Amending WSR 07-12-045, filed 5/31/07, effective 7/1/07)

**WAC 296-17-89502 Industrial insurance accident fund, medical aid and supplemental pension rates by class of industry for nonhourly rated classifications.** The base rates as set forth below are for classifications whose premium rates are based on units other than hours worked.

Base Rates ((in Dollars Per Sq. Ft. of Wallboard)) Effective January 1, ((2007)) 2008

Class	Accident Fund	Medical Aid Fund	Supplemental Pension Fund
<del>((0540</del>	<del>0.0268</del>	<del>0.0111</del>	<del>0.0005</del>
<del>0541</del>	<del>0.0161</del>	<del>0.0062</del>	<del>0.0005</del>
<del>0550</del>	<del>0.0375</del>	<del>0.0124</del>	<del>0.0005</del>
<del>0551</del>	<del>0.0218</del>	<del>0.0073</del>	<del>0.0005))</del>
<u>0540</u>	<u>0.0244</u>	<u>0.0118</u>	<u>0.0006</u>
<u>0541</u>	<u>0.0145</u>	<u>0.0066</u>	<u>0.0006</u>
<u>0550</u>	<u>0.0327</u>	<u>0.0130</u>	<u>0.0006</u>
<u>0551</u>	<u>0.0194</u>	<u>0.0077</u>	<u>0.0006</u>

~~((For work performed during the period July 1, 2007, through December 31, 2007, employers shall not be required to pay nor shall they be entitled to deduct from workers' pay, medical aid premium; such premiums shall be deemed to have been paid by the department out of the medical aid fund.))~~

In calendar year 2008, the department will pay such dividends from the accident fund to employers not participating in the retrospective rating program during the period July 1, 2007, through December 31, 2007, as the department's actuaries determine to be necessary to equalize the proportion of losses funded between retro and nonretro employers.

**AMENDATORY SECTION** (Amending WSR 07-12-045, filed 5/31/07, effective 7/1/07)

**WAC 296-17-89504 Horse racing industry industrial insurance, medical aid, and supplemental pension by class.**

Base Rates ((Per License)) Effective January 1, ((2007)) 2008

Class	Accident Fund	Medical Aid Fund	Supplemental Pension Fund
<del>((6614</del>	<del>44</del>	<del>35</del>	<del>+</del>
<del>6615</del>	<del>309</del>	<del>270</del>	<del>+</del>

Class	Accident Fund	Medical Aid Fund	Supplemental Pension Fund
<del>6616</del>	<del>14</del>	<del>10</del>	<del>+</del>
<del>6617</del>	<del>103</del>	<del>76</del>	<del>+</del>
<del>6618</del>	<del>99</del>	<del>50</del>	<del>+</del>

Base Rates Per Twelve Horse Stalls Effective January 1, 2007

<del>6622</del>	<del>565</del>	<del>449</del>	<del>+</del>
<del>6623</del>	<del>207</del>	<del>147</del>	<del>+) )</del>
<del>6614</del>	<del>39*</del>	<del>20*</del>	<del>1</del>
<del>6615</del>	<del>283*</del>	<del>151*</del>	<del>1</del>
<del>6616</del>	<del>13*</del>	<del>6*</del>	<del>1</del>
<del>6617</del>	<del>100*</del>	<del>44*</del>	<del>1</del>
<del>6618</del>	<del>99*</del>	<del>25*</del>	<del>1</del>
<del>6622</del>	<del>526**</del>	<del>253**</del>	<del>1</del>
<del>6623</del>	<del>130**</del>	<del>54**</del>	<del>1</del>

\* These rates are calculated on a per license basis for parimutuel race tracks and are base rated.

\*\* These rates are calculated on a per 12 horse stalls for parimutuel race tracks and are base rated.

**AMENDATORY SECTION** (Amending WSR 06-24-054, filed 12/1/06, effective 1/1/07)

**WAC 296-17-90492 Table I.**

((RETROSPECTIVE RATING PLANS A, A1, A2, A3, AND B STANDARD PREMIUM SIZE RANGES Effective January 1, 2007

Size Group Number	Standard Premium Range
63	\$4,700 - \$5,678
62	5,679 - 6,819
61	6,820 - 8,114
60	8,115 - 9,599
59	9,600 - 11,299
58	11,300 - 13,209
57	13,210 - 15,389
56	15,390 - 17,699
55	17,700 - 20,139
54	20,140 - 22,709
53	22,710 - 25,419
52	25,420 - 28,269
51	28,270 - 31,239
50	31,240 - 34,369
49	34,370 - 37,639
48	37,640 - 40,959
47	40,960 - 44,299
46	44,300 - 47,959
45	47,960 - 52,029

Size Group Number	Standard Premium Range		RETROSPECTIVE RATING PLANS A, A1, A2, A3, AND B STANDARD PREMIUM SIZE RANGES Effective January 1, 2008				
	Size Group Number	Standard Premium Range	Size Group Number	Standard Premium Range	Size Group Number	Standard Premium Range	
44	52,030	-	56,559	63	\$4,761	-	\$5,751
43	56,560	-	61,579	62	5,752	-	6,907
42	61,580	-	67,199	61	6,908	-	8,219
41	67,200	-	73,489	60	8,220	-	9,723
40	73,490	-	80,519	59	9,724	-	11,445
39	80,520	-	88,449	58	11,446	-	13,379
38	88,450	-	97,429	57	13,380	-	15,589
37	97,430	-	107,539	56	15,590	-	17,929
36	107,540	-	118,399	55	17,930	-	20,399
35	118,400	-	130,099	54	20,400	-	22,999
34	130,100	-	143,199	53	23,000	-	25,749
33	143,200	-	157,399	52	25,750	-	28,629
32	157,400	-	173,199	51	28,630	-	31,639
31	173,200	-	189,599	50	31,640	-	34,809
30	189,600	-	207,799	49	34,810	-	38,129
29	207,800	-	228,399	48	38,130	-	41,489
28	228,400	-	251,799	47	41,490	-	44,869
27	251,800	-	278,799	46	44,870	-	48,579
26	278,800	-	309,899	45	48,580	-	52,699
25	309,900	-	345,599	44	52,700	-	57,289
24	345,600	-	387,499	43	57,290	-	62,369
23	387,500	-	436,799	42	62,370	-	68,069
22	436,800	-	494,399	41	68,070	-	74,439
21	494,400	-	563,399	40	74,440	-	81,559
20	563,400	-	646,599	39	81,560	-	89,589
19	646,600	-	746,399	38	89,590	-	98,689
18	746,400	-	869,299	37	98,690	-	108,929
17	869,300	-	1,022,499	36	108,930	-	119,899
16	1,022,500	-	1,242,999	35	119,900	-	131,799
15	1,243,000	-	1,547,999	34	131,800	-	144,999
14	1,548,000	-	1,977,999	33	145,000	-	159,399
13	1,978,000	-	2,527,999	32	159,400	-	175,399
12	2,528,000	-	3,228,999	31	175,400	-	191,999
11	3,229,000	-	4,279,999	30	192,000	-	210,499
10	4,280,000	-	5,927,999	29	210,500	-	231,299
9	5,928,000	-	8,544,999	28	231,300	-	254,999
8	8,545,000	-	12,379,999	27	255,000	-	282,399
7	12,380,000	-	18,229,999	26	282,400	-	313,899
6	18,230,000	-	28,339,999	25	313,900	-	350,099
5	28,340,000	-	44,739,999	24	350,100	-	392,499
4	44,740,000 & Over))			23	392,500	-	442,399
				22	442,400	-	500,799
				21	500,800	-	570,699

<u>Size Group Number</u>	<u>Standard Premium Range</u>	<u>Standard Premium Range</u>
20	570,700	= 654,899
19	654,900	= 755,999
18	756,000	= 880,499
17	880,500	= 1,035,699
16	1,035,700	= 1,258,999
15	1,259,000	= 1,567,999
14	1,568,000	= 2,002,999
13	2,003,000	= 2,560,999
12	2,561,000	= 3,270,999
11	3,271,000	= 4,334,999
10	4,335,000	= 6,003,999
9	6,004,000	= 8,654,999
8	8,655,000	= 12,539,999
7	12,540,000	= 18,459,999
6	18,460,000	= 28,709,999
5	28,710,000	= 45,319,999
4	45,320,000	& Over

AMENDATORY SECTION (Amending WSR 06-24-054, filed 12/1/06, effective 1/1/07)

**WAC 296-17-920 Assessment for supplemental pension fund.** The amount of ((33.4)) 39.1 mils (\$((0.0334)) 0.0391) shall be retained by each employer from the earnings of each worker for each hour or fraction thereof the worker is employed. The amount of money so retained from the employee shall be matched in an equal amount by each employer, except as otherwise provided in these rules, all such moneys shall be remitted to the department on or before the last day of January, April, July and October of each year for the preceding calendar quarter, provided self-insured employers shall remit to the department as provided under WAC 296-15-060. All such moneys shall be deposited in the supplemental pension fund.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 296-17-891 Table IV-A.

**WSR 07-19-029  
PROPOSED RULES  
WESTERN WASHINGTON UNIVERSITY**

[Filed September 11, 2007, 1:51 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 06-20-084.

Title of Rule and Other Identifying Information: New chapter 516-40 WAC, Course materials.

Hearing Location(s): Western Washington University, Main Campus, Board Room, Old Main 340, 516 High Street, Bellingham, WA 98225, on November 1, 2007, at 3 p.m.

Date of Intended Adoption: December 14, 2007.

Submit Written Comments to: Suzanne Baker, Rules Coordinator, 516 High Street, Old Main 335, Bellingham, WA 98225-9015, e-mail Suzanne.Baker@wwu.edu, fax (360) 650-6197, by November 1, 2007.

Assistance for Persons with Disabilities: Contact Suzanne Baker by October 24, 2007, (360) 650-3117.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: As required by RCW 28B.10.590, Western Washington University proposes these new rules to give students more choices for purchasing educational materials and to encourage faculty and staff to work closely with bookstores and publishers to implement the least costly option without sacrificing educational content and to provide maximum cost savings to students.

Statutory Authority for Adoption: RCW 28B.10.590 and 28B.35.120(12).

Statute Being Implemented: RCW 28B.10.590.

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

Name of Proponent: Western Washington University, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Linda P. Beckman, Director of Budget and Administration, Student Affairs, 516 High Street, Old Main 445, Bellingham, WA, (360) 650-7417; and Enforcement: Eileen Coughlin, Vice-President, 516 High Street, Old Main 445, Bellingham, WA, (360) 650-2834.

No small business economic impact statement has been prepared under chapter 19.85 RCW. New chapter 516-40 WAC does not impose a disproportionate impact on small businesses.

A cost-benefit analysis is not required under RCW 34.05.328. Chapter 516-40 WAC is not considered a significant legislative rule by Western Washington University.

September 11, 2007  
Suzanne M. Baker  
Rules Coordinator

**Chapter 516-40 WAC**

**COURSE MATERIALS**

NEW SECTION

**WAC 516-40-010 Purpose.** The purpose of this chapter is to give students more choices for purchasing educational materials and to encourage faculty and staff to work closely with bookstores and publishers to implement the least costly option without sacrificing educational content.

NEW SECTION

**WAC 516-40-020 Definitions.** For the purposes of this chapter, the following words and phrases mean:



(1) "Course materials." Any supplies or texts required or recommended by faculty or staff for a given course. Course materials may include, but are not limited to, texts, workbooks, study guides, CD-ROMs, art supplies, and other ancillary materials.

(2) "Bundle." A group of course materials joined together by packaging or required to be purchased as an indivisible unit.

#### NEW SECTION

**WAC 516-40-030 Providing cost savings to students for course materials.** (1) The affiliated bookstore for Western Washington University is the Western Associated Students (AS) Bookstore. The AS Bookstore will:

(a) Provide students the option of purchasing course materials that are unbundled whenever possible;

(b) Disclose to faculty and students the retail costs of textbooks on a per book and per course basis and such information will be made publicly available;

(c) Disclose publicly, when such information is available, how new editions vary from previous editions; and

(d) Actively promote and publicize book buy-back programs.

(2) To provide cost savings to students for course materials, Western faculty and staff members:

(a) Are encouraged to consider adopting the least expensive edition of course materials available when educational content is comparable.

(b) Are encouraged to work closely with publishers and the AS Bookstore to create bundles and packages if they provide a cost savings to students.

#### **WSR 07-19-037**

#### **PROPOSED RULES**

#### **WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD**

[Filed September 12, 2007, 3:34 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-15-079.

Title of Rule and Other Identifying Information: Chapter 490-105 WAC, Private vocational schools.

Hearing Location(s): SeaTac Occupational Skills Center, 18010 8th Avenue South, SeaTac, WA 98148, on October 23, 2007, at 4:00 p.m. to 6:30 p.m.

Date of Intended Adoption: November 8, 2007.

Submit Written Comments to: Peggy Rudolph, WTECB, P.O. Box 43105, Olympia, WA 98504-3105, e-mail prudolph@wtb.wa.gov, fax (360) 586-5862, by October 19, 2007.

Assistance for Persons with Disabilities: Contact Peggy Rudolph by October 15, 2007, at (360) 586-8682 or prudolph@wtb.wa.gov.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Adopt new rules and/or revise existing rules that set standards for private vocational schools. The subjects under consideration are: (1)

financial responsibility, (2) tuition refund deadlines, (3) applicants' ability to benefit, (4) "at risk" schools, and (5) faculty qualifications.

Reasons Supporting Proposal: This rule making is in response to the legislature's adoption of SB 5402 which increased the agency's oversight of private vocational schools. These rules will enhance the agency's oversight of schools and give it additional tools to deal with schools that are in distress.

Statutory Authority for Adoption: RCW 28C.10.040.

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

Name of Proponent: Workforce training and education coordinating board, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Peggy Rudolph, 128th 10th Avenue S.W., Olympia, WA 98501, (360) 586-8682.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rule changes will impose no more than minor costs to private vocational schools.

A cost-benefit analysis is not required under RCW 34.05.328. The proposed rule changes will impose no more than minor costs to the workforce training and education coordinating board.

September 12, 2007

Peggy Rudolph

Program Manager

AMENDATORY SECTION (Amending WSR 98-22-033, filed 10/29/98, effective 11/29/98)

**WAC 490-105-030 How are words and phrases used in these rules?** (1) The following clarifies the statutory exemptions under RCW 28C.10.030:

(a) "Avocational" or "recreational" means instruction that is primarily intended for leisure; it is not offered to provide a student with employable skills or competencies. Instruction offered as a prerequisite for a vocational program does not qualify for this exemption.

(b) "Entities not otherwise exempt offering only workshops or seminars lasting no longer than three calendar days" means instruction that can be completed within three eight-hour days. A vocational education program divided into a series of supplementary seminars does not qualify for this exemption.

(c) "Programs of continuing professional education" include:

(i) Review programs offered solely as preparation for tests leading to certification in specific disciplines but not offered to provide occupational competencies. For example, this exemption applies to test preparation programs that lead to: Certification by a state board of accountancy (CPA); certification by the institute of certified management accounting (CMA); admission to practice before a state bar; certification in health occupations initiated by the American Medical Association, American Dental Association, and their respective professional auxiliaries; and, acquisition of other public certificates of convenience and necessity; (~~and~~)

(ii) Programs offered to conform with rules adopted by state agencies that require practitioners to undergo continuing professional education as a condition to renewing certification or licensure; and

(iii) Programs of an advanced training or continuing educational nature when offered solely to state licensed practitioners and people previously qualified or employed in a related profession.

(2) The term "revoke" as used in RCW 28C.10.050(3) means an agency action that terminates a school's license. The agency's executive director or designee may revoke a school's license for just cause.

(3) The term "suspend" as used in RCW 28C.10.050(3) means an action by which the agency interrupts the school's authority to make offers of training. The agency's executive director or designee may suspend a school's license for just cause. An order of suspension prohibits the school from beginning instruction of new students for a maximum of thirty days. The school may remain in operation to continue training students in regular attendance on the date the suspension takes effect.

(4) The term "private vocational school" is further defined to include instruction at the postsecondary level that is intended for use by individuals who have either completed high school or are beyond the age of compulsory school attendance. Instruction or training offered to pre-kindergarten, kindergarten, elementary, or secondary school students is not encompassed by the act.

(5) "At-risk" means the school demonstrates a pattern or history of one or more of the following conditions that the agency determines raise doubts for the continued successful and profitable operation of the organization:

(a) Failure to meet the standards of financial responsibility;

(b) Misrepresentation;

(c) A decrease in enrollment from the previous reporting period of fifty percent or more or twenty-five students, whichever is greater;

(d) Frequent substantiated complaints filed with the agency;

(e) Staff turnover from the previous year of fifty percent or more or three staff, whichever is greater; and

(f) Conditions listed in (c) and (e) of this subsection, caused by unusual circumstances, shall be evaluated by the agency and exceptions may be granted.

(6) "Distance education" means education provided by written correspondence or any electronic medium for students who are enrolled in a private vocational school in pursuit of an identified occupational objective, but are not attending classes at an approved site or training establishment.

AMENDATORY SECTION (Amending WSR 00-21-037, filed 10/12/00, effective 11/12/00)

**WAC 490-105-040 What does it take to obtain a private vocational school license?** (See RCW 28C.10.050 and 28C.10.060.) An entity that wishes to operate a private vocational school must apply for a license on forms provided by the agency. If the agency determines an application is defi-

cient, the applicant will be so notified. The applicant must correct the deficiencies within thirty days of notification. If that fails to occur, the application will be returned to the applicant. The license application fee will not be refunded. The agency's executive director or designee may deny a license application for just cause.

The application must include the following information attested to by the school's chief administrative officer:

(1) An identification of owners, shareholders, and directors.

(a) The complete legal name, current telephone number, and current mailing address of the owner;

(b) The form of ownership; e.g., sole proprietorship, partnership, limited partnership, or corporation;

(c) Names, addresses, phone numbers, birth dates, and prior school affiliations if any, of all individuals with ten percent or more ownership interest;

(d) A school that is a corporation or a subsidiary of another corporation must submit:

(i) Current evidence that the corporation is registered with the Washington secretary of state's office; and

(ii) The name, address and telephone number of the corporation's registered agent;

(e) "Ownership" of a school means:

(i) In the case of a school owned by an individual, that individual;

(ii) In the case of a school owned by a partnership, all full, silent and limited partners having a ten percent or more ownership interest;

(iii) In the case of a school owned by a corporation, the corporation, each corporate director, officer, and each shareholder owning shares of issued and outstanding stock aggregating at least ten percent of the total of the issued and outstanding shares;

(f) Schools under common ownership may designate a single location as the principal facility for recordkeeping via written notice to the agency.

(2) Financial statement.

(a) The school must submit information reflecting its financial condition at the close of its most recent fiscal year to demonstrate that it has sufficient financial resources to fulfill its commitments to students.

~~((The))~~ (i) Nonaccredited schools must submit a financial statement ((must be completed)) in a format supplied by the agency.

(ii) Accredited schools must submit an audited financial statement.

(b) If inadequate time exists to produce a financial statement in the interval between the ending date of the school's fiscal year and the due date of an application, the agency will adjust the school's license period to provide a reasonable interval.

(c) New schools must submit a proposed operating budget for the initial twelve months of operation rather than the financial statement described in (a) of this subsection. The proposed operating budget must be completed in a format supplied by the agency.

(d) New schools that have operated another business for at least one year, must submit, in addition to the proposed operating budget described in (c) of this subsection, a finan-

cial statement for that business. The financial statement must cover the existing business' most recently completed fiscal year and be prepared by a certified public accountant or be certified by the business' chief administrative officer.

(e) Owners of multiple schools may file financial information that consists of a single, consolidated financial statement and balance sheet for the corporation. The consolidated financial statement must be accompanied by data that documents total tuition earnings for each separate school under the corporation's ownership at the close of its most recent fiscal year. If historical data is not available, the data must project total tuition earnings for the school in its first or next completed twelve months of operation.

(3) Financial references.

(a) The school must furnish the names of at least one bank or other financial institution and two other entities that the agency may consult as financial references.

(b) A statement must be included authorizing the agency to obtain financial information from the references.

(4) A school must demonstrate to the agency that it is financially viable under the requirements established by this section.

(a) The agency considers a school to be financially viable only if it:

(i) Is able to provide the services described in its official publications and statements;

(ii) Is able to provide the administrative resources necessary to comply with the requirements of this subsection;

(iii) Is able to meet all of its financial obligations, including, but not limited to refunds that it is required to make;

(iv) Demonstrates at the end of its latest fiscal year, a ratio of current assets to current liabilities of at least 1:1;

(v) Had, for its latest fiscal year, a positive net worth. For the purposes of this subsection, a positive net worth occurs when the school's assets exceed its liabilities;

(vi) Has not had operating losses over both of its two latest fiscal years. In applying this standard, the agency may consider the effect of unusual events;

(vii) Has not had, for its latest fiscal year, an operating deficit exceeding ten percent of the institution's net worth. For purposes of this subsection, an operating deficit occurs when operating expenses exceed revenues from current business activities.

(b) A school that is not financially viable may be considered "at-risk" and be required to follow the procedures cited in WAC 490-105-175.

(5) A copy of the school's catalog. (See RCW 28C.10-050 (1)(c).) The school must publish a catalog or brochure that explains its operations and requirements. The catalog must be current, comprehensive, and accurate. The school must disclose the following in some combination of a catalog, brochure or other written material and furnish a copy of each to every prospective student prior to completing an enrollment agreement:

(a) Date of publication;

(b) Names of owners having a ten percent or more equity ownership and officers, including any governing boards, and the name and address of its parent corporation, if a subsidiary;

(c) Names, addresses, and telephone numbers of the school's administrative offices and all auxiliary facilities;

(d) Names and qualifications of faculty. The list must be accurate as of the date of catalog publication. Any changes of faculty must be noted on a catalog errata sheet;

(e) The school calendar, including hours of operation, holidays, enrollment periods, and the beginning and ending dates of terms, courses, or programs as may be appropriate;

(f) Admission procedures including policies describing all prerequisites needed by entering students to:

(i) Successfully complete the programs of study in which they are interested; and

(ii) Qualify for the fields of employment for which their education is designed;

(g) A description of the job placement assistance offered, if any. If no assistance is offered, the school must make that fact known;

(h) The school's policy regarding student conduct, including causes for dismissal and conditions for readmission;

(i) The school's policy regarding leave, absences, class cuts, makeup work, tardiness, and interruptions for unsatisfactory attendance;

(j) The school's policy regarding standards of progress required of the student. This policy must define the grading system, the minimum grades considered satisfactory, conditions for interruption for unsatisfactory progress, a description of the probationary period, if any, allowed by the school, conditions for reentrance for those students dismissed for unsatisfactory progress; and information that a statement will be furnished to the student regarding satisfactory or unsatisfactory progress;

(k) An accurate description of the school's facilities and equipment available for student use, the maximum or usual class size and the average student/teacher ratio;

(l) The total cost of training including registration fee, if any, tuition, books, supplies, equipment, laboratory usage, special clothing, student activities, insurance and all other charges and expenses necessary for completion of the program;

(m) A description of each program of instruction, including:

(i) Specific program objectives including the job titles for which the program purports to train;

(ii) The number of clock or credit hours of instruction, the method of instruction (e.g., correspondence, classroom, lab, computer assisted), and the average length of time required for successful completion;

(iii) If instruction is calculated in credit hours, the catalog must contain at least one prominent statement describing the contact hour conversion formula applied by the school; i.e., the number of contact hours applicable to each quarter or semester credit hour of lecture, laboratory/practicum, and/or internship/externship;

(iv) For ~~((the purpose of home study))~~ distance education schools, instructional sequences must be described in numbers of lessons~~((-"Home study school" means the instructional format of the school involves the sequential distribution of lessons to the student, who studies the material, completes an examination, and returns the examination to the~~

school. The school then grades the examination (and, in some instances, provides additional comments and instruction); and returns the graded examination to the student along with the next set of instructional materials);

(n) The scope and sequence of courses or programs required to achieve the educational objective;

(o) A statement indicating the type of educational credential that is awarded upon successful completion;

(p) The school's cancellation and refund policy;

(q) The following statement must appear prominently on either the first or last printed page or inside the front or back cover: THIS SCHOOL IS LICENSED UNDER CHAPTER 28C.10 RCW; INQUIRIES OR COMPLAINTS REGARDING THIS OR ANY OTHER PRIVATE VOCATIONAL SCHOOL MAY BE MADE TO THE: WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD, 128 TENTH AVENUE S.W., P.O. BOX 43105, OLYMPIA, WASHINGTON 98504-3105 (360/753-5673);

(r) The availability of financial aid, if any;

(s) Supplements or errata sheets for the catalog and other written materials related to enrollment must be filed with the agency prior to being used (see RCW 28C.10.110(2));

(i) Supplements or errata sheets must be made an integral part of that publication;

(ii) The supplement or errata sheet must include its publication date;

(iii) In the event information on a supplement or errata sheet supplants information contained in the catalog, the insert must identify the information it replaces, including at the least an appropriate page reference.

~~((5))~~ **(6)** A copy of the school's enrollment agreement/contract. (See RCW 28C.10.050 (1)(d).) An enrollment agreement is any agreement that creates a binding obligation to purchase a course of instruction from a school. Each school must use an enrollment contract or agreement that includes:

(a) The school's cancellation and refund policy, in accordance with these rules, displayed in a type size no smaller than that used to meet any other requirements of this section;

(b) The following statement: THIS SCHOOL IS LICENSED UNDER CHAPTER 28C.10 RCW; INQUIRIES OR COMPLAINTS REGARDING THIS OR ANY OTHER PRIVATE VOCATIONAL SCHOOL MAY BE MADE TO THE: WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD, 128 TENTH AVENUE S.W., P.O. BOX 43105, OLYMPIA, WASHINGTON 98504-3105 (360/753-5673);

(c) Information that will clearly and completely define the terms of the agreement between the student and the school, including at least the following:

(i) The name and address of the school and the student;

(ii) The program or course title as it appears in the school's catalog, date training is to begin, and the number of hours or units of instruction or lessons for which the student is enrolled;

(iii) An itemization of all charges, fees, and required purchases being incurred by the student or his/her sponsor in order to complete the training. The student enrollment agreement must also contain the methods of payment and/or payment schedule being established;

(iv) Language explaining that the agreement will be binding only when it has been fully completed, signed and dated by the student and an authorized representative of the school prior to the time instruction begins;

(d) A statement that any changes in the agreement will not be binding on either the student or the school unless such changes have been acknowledged in writing by an authorized representative of the school and by the student or the student's parent or guardian if he/she is a minor;

(e) A "NOTICE TO THE BUYER" section which includes the following statements in a position above the space reserved for the student's signature:

(i) "DO NOT SIGN THIS AGREEMENT BEFORE YOU READ IT OR IF IT CONTAINS ANY BLANK SPACES. THIS IS A LEGAL INSTRUMENT.

(ii) ALL PAGES OF THE CONTRACT ARE BINDING.

(iii) READ BOTH SIDES OF ALL PAGES BEFORE SIGNING.

(iv) YOU ARE ENTITLED TO AN EXACT COPY OF THE AGREEMENT, SCHOOL CATALOG AND ANY OTHER PAPERS YOU SIGN AND ARE REQUIRED TO SIGN A STATEMENT ACKNOWLEDGING RECEIPT OF THOSE.

(v) IF YOU HAVE NOT STARTED TRAINING, YOU MAY CANCEL THIS CONTRACT BY PROVIDING WRITTEN NOTICE OF CANCELLATION TO THE SCHOOL AT ITS ADDRESS SHOWN ON THE CONTRACT. THE NOTICE MUST BE POSTMARKED NOT LATER THAN MIDNIGHT OF THE FIFTH BUSINESS DAY (EXCLUDING SUNDAYS AND HOLIDAYS) FOLLOWING YOUR SIGNING THIS CONTRACT OR THE WRITTEN NOTICE MAY BE PERSONALLY OR OTHERWISE DELIVERED TO THE SCHOOL WITHIN THAT TIME. IN EVENT OF DISPUTE OVER TIMELY NOTICE, THE BURDEN TO PROVE SERVICE RESTS ON THE APPLICANT.

(vi) IT IS AN UNFAIR BUSINESS PRACTICE FOR THE SCHOOL TO SELL, DISCOUNT OR OTHERWISE TRANSFER THIS CONTRACT OR PROMISSORY NOTE WITHOUT THE SIGNED WRITTEN CONSENT OF THE STUDENT OR HIS/HER FINANCIAL SPONSORS AND A WRITTEN STATEMENT NOTIFYING ALL PARTIES THAT THE CANCELLATION AND REFUND POLICY CONTINUES TO APPLY."

(f) Attached to each contract must be a form provided by the agency that contains statements relating to the student's rights, responsibilities, and loan repayment obligations; and the school's responsibility to counsel the student against incurring excessive debt;

(g) The school must provide the student a copy of the signed enrollment agreement.

~~((6))~~ **(7)** Information regarding the qualifications of administrative and instructional personnel. (See RCW 28C.10.050 and 28C.10.060.) The education and experience of administrators, faculty, and other staff must be adequate to insure students will receive educational services consistent with the stated program objectives.

(a) The school must file the qualifications of all affected individuals with the agency within thirty calendar days of their employment. The information must be submitted on forms provided by the agency.

(b) The school must establish and enforce written policies for the qualification, supervision, and periodic evaluation of administrators, faculty, and staff.

(c) School directors must have at least two years of experience in either school or business administration, teaching, or other experience related to their duties within the organization.

(d) All faculty must:

~~(i) Possess at least two years of work experience, postsecondary training or a combination of both in the subject they instruct; or~~

~~(ii) Possess current evidence of being qualified to teach that has been issued by a regulatory agency of this or another state.~~

~~(e) In addition to the requirements in (d) of this subsection, faculty who teach a course related to an occupation for which the student must subsequently be licensed or certificated must~~

~~((i)) hold or be qualified to hold such a license or certificate (and possess at least two years of work experience, postsecondary training or a combination of both in the subject they instruct; or~~

~~(ii) Possess current evidence of being qualified to teach that has been issued by a regulatory agency of this or another state)).~~

~~((e)) (f) If the school uses teacher assistants, aides, or trainees, it must maintain policies governing their duties and functions. Such personnel may provide services to students only under the direct supervision of a qualified instructor. They may not act as substitutes for the instructor.~~

~~((f)) (g) Owners, administrators, faculty, agents and other staff must be of good moral character and reputation. The agency may find that a person is not of good moral character and reputation if the person (has been convicted of):~~

~~(i) Has been convicted of any felony within the prior seven years~~

~~((ii)) a misdemeanor which involved the illegal use, possession, or sale of a controlled substance~~

~~((iii)) or a misdemeanor that involved any sexual offense; or~~

~~(ii) Is found to have made any false statements in the application for a private vocational school license.~~

~~((g)) (h) If the person has been convicted of a felony, or is found to have made false statements in the private vocational school application, the agency will consider the relationship of the facts supporting the charge or conviction to the performance of his or her occupational responsibilities with the licensed school and to that school's students.~~

~~((h)) (i) In making such determinations the agency will request a letter of recommendation from the employing school and may consider any other related materials submitted by the school and/or affected individual prior to making a finding under this section.~~

AMENDATORY SECTION (Amending WSR 98-22-033, filed 10/29/98, effective 11/29/98)

**WAC 490-105-060 Do off-campus activities require licensing?** (1) The agency may grant exemptions from licensing for off-campus activities that either:

(a) Absorb a temporary overload that the licensed facility cannot accommodate; or

(b) Provide a single, specialized kind of training activity, generally on a short-term basis, under circumstances that cannot readily be accommodated at the licensed facility

~~(c) Provide training under contract with a public agency, private company, or other sponsor as long as no contractual~~

~~responsibility is created between students and the school and the training is not open to the general public).~~

(2) The school must obtain approval from the agency before conducting operations at an auxiliary facility. To obtain approval, the school must document that:

(a) The facility meets one of the above definitions;

(b) The instructional program, site administration, and training are significantly integrated with the school's primary facility;

(c) The facility will not be represented as a school location and its address will not be advertised; and

(d) No enrollment will be solicited or executed at the auxiliary facility.

(3) Activities occurring at an auxiliary facility must be incorporated into operational and financial data the school reports to the agency. ~~((However, income derived from activities conducted under contract should not be reported for purposes of calculating license fees or contributions to the tuition recovery trust fund (see subsection (1)(e) of this section).))~~

AMENDATORY SECTION (Amending WSR 98-22-033, filed 10/29/98, effective 11/29/98)

**WAC 490-105-100 Who is exempt from licensing?** To qualify for an exemption as test preparation or continuing education under WAC 490-105-030 (1)(c)(i), (ii), (iii), a school must apply to the agency on a form created for that purpose and obtain approval. Exemptions must be renewed annually.

AMENDATORY SECTION (Amending WSR 98-22-033, filed 10/29/98, effective 11/29/98)

**WAC 490-105-130 What are minimum requirements for student refunds?** (See RCW 28C.10.050 (1)(b).) At a minimum, schools must use the following cancellation and refund policies; however, the agency may approve refund policies whose terms are more favorable to students than the following established minimums. Refunds must be paid within thirty calendar days of the student's official date of termination.

(1) For resident programs:

(a) The school must refund all money paid if the applicant is not accepted. This includes instances where a starting class is canceled by the school;

(b) The school must refund all money paid if the applicant cancels within five business days (excluding Sundays and holidays) after the day the contract is signed or an initial payment is made, as long as the applicant has not begun training;

(c) The school may retain an established registration fee equal to ten percent of the total tuition cost, or one hundred dollars, whichever is less, if the applicant cancels after the fifth business day after signing the contract or making an initial payment. A "registration fee" is any fee charged by a school to process student applications and establish a student records system;

(d) If training is terminated after the student enters classes, the school may retain the registration fee established

under (c) of this subsection, plus a percentage of the total tuition as described in the following table:

If the student completes this amount of training:	The school may keep this percentage of the tuition cost:
One week or up to 10%, whichever is less	10%
More than one week or 10% whichever is less but less than 25%	25%
25% through 50%	50%
More than 50%	100%

(e) When calculating refunds, the official date of a student's termination is the last date of recorded attendance:

- (i) When the school receives notice of the student's intention to discontinue the training program;
- (ii) When the student is terminated for a violation of a published school policy which provides for termination;
- (iii) When a student, without notice, fails to attend classes for thirty calendar days.

(2) Discontinued programs:

(a) If instruction in any program is discontinued after training has begun or if the school moves from one location to another, it must either:

- (i) Provide students pro rata refunds of all tuition and fees paid; or
- (ii) Arrange for comparable training at another public or private vocational school. Students must accept comparable training in writing.

(b) If the school plans to discontinue a program it must notify the agency and affected students in advance. The notification must be in writing and must include at least data required under WAC 490-105-210(3).

(c) Students affected by a discontinuation must request a refund within ninety days.

(3) For ~~((home study))~~ distance education programs:

- (a) A student may request cancellation in any manner.
- (b) The following is a minimum refund policy for ~~((home study))~~ distance education courses without mandatory resident training:

(i) An applicant may cancel up to five business days after signing the enrollment agreement. In the event of a dispute over timely notice, the burden to prove service rests on the applicant.

(ii) If a student cancels after the fifth calendar day but before the school receives the first completed lesson, the school may keep only a registration fee of either fifty dollars or an amount equal to fifteen percent of the tuition (in no case is the school entitled to keep a registration fee greater than one hundred fifty dollars).

(iii) After the school receives the student's first completed lesson and until the student completes half the total number of lessons in the program, the school is entitled to keep the registration fee and a percentage of the total tuition as described in the following table:

If the student completes this percentage of lessons:	The school may keep this percentage of the tuition cost:
0% through 10%	10%
11% through 25%	25%
26% through 50%	50%
More than 50%	100%

(iv) Calculate the amount of the course completed by dividing the number of lesson assignments contained in the program by the number of completed lessons received from the student.

(4) Combination ~~((home study))~~ distance education/resident training programs:

(a) The following is a minimum refund policy for a home study program that includes mandatory resident training courses.

(i) Tuition for the ~~((home study))~~ distance education and resident portions of the program must be stated separately on the enrollment agreement. The total of the two is the price of the program.

(ii) For settlement of the ~~((home study))~~ distance education portion of the combination program, the provisions of the table in subsection (2)(b)(iii) of this section apply.

(iii) For the resident portion of the program, beginning with the first resident class session if the student requests a cancellation, the provisions of the table in subsection (1)(d) of this section apply.

(iv) Calculate the amount of resident training completed by dividing the total number of training days provided in the resident training program by the number of instructional days the student attends resident training.

(b) A ~~((home study))~~ distance education student who cancels after paying full tuition is entitled to receive all course materials, including kits and equipment.

AMENDATORY SECTION (Amending WSR 98-22-033, filed 10/29/98, effective 11/29/98)

**WAC 490-105-140 What are student admission standards?** (See RCW 28C.10.050 (1)(g).) Prior to enrolling students the school must assess their basic skills and relevant aptitudes to determine that they have the ability to complete and benefit from the training they are considering.

(1) When a school applies for initial licensing under chapter 28C.10 RCW, it must submit a description of the method it will use to comply with the requirements under this section. Any subsequent change in that method must be reported to the agency no more than fifteen calendar days after the change is adopted.

(2) The school must measure all applicants' ability to benefit against current prerequisites for employment in the job objective established for the program, e.g., prior work and health history, English language proficiency, driving and arrest records, and evaluations of any applicable physiological factors such as vision acuity, color perception, lifting and weight bearing capabilities, and manual dexterity.

(3) Schools may consider that applicants ~~((who))~~ have adequate academic abilities to meet learning needs if they have earned a high school diploma from a United States high

school or General Educational Development (GED) certificate (~~((may be considered to have adequate academic abilities to meet learning needs))~~) in English.

(4) ~~Schools may enroll applicants who have not ((earned a high school diploma or GED must be tested))~~ met the conditions in subsection (3) of this section if the applicant can document acceptable scores on an academic assessment instrument such as the SAT or ACT. The school must (~~(adopt or devise a)~~) test all other applicants to assess ((the applicants') their academic abilities or English proficiency, in the case of an applicant for whom English is a second language. The test must have the capability of:

(a) Validating that applicants possess skills, competencies, and knowledge that correlate with grades, course or program completion or other measures of success in the program of study; or

(b) Validating that applicants' academic skills, competencies, and knowledge are at a level equivalent to that of persons completing a high school education;

(c) Comparing success ratios of accepted students with test cut-off scores and incorporating appropriate cut-off adjustments.

(5) Any ability to benefit (ATB) test that has been published by the American College Testing Service (ACT) or reviewed and approved by the American Council on Education (ACE) is acceptable evidence of meeting the criteria in subsection (4) of this section.

(6) The following must be part of the methodology developed for assessment:

(a) In the event tests are administered by school officials, evidence the tests are being administered as intended by the publisher;

(b) Information about the test security procedures employed, evidencing that students have no advance information about the exact questions or tasks and that answers cannot be supplied by a third party while completing the test(s);

(c) Information about test scoring procedures employed, evidencing that if tests are scored by school officials the tests are being evaluated as intended by the publisher;

(d) Information that the tests are free from information that is offensive with regard to gender, age, native language, ethnic origin, or handicapping conditions.

(7) Records resulting from the ability to benefit assessment must be included as a regular part of all students' records.

AMENDATORY SECTION (Amending WSR 98-22-033, filed 10/29/98, effective 11/29/98)

**WAC 490-105-150 What ~~((are))~~ program, facility, and equipment standards must schools meet?** (See RCW 28C.10.050 and 28C.10.060.)

(1) ~~((The school must design and implement programs that will adequately achieve the stated objectives for which they are offered. In evaluating programs, the agency will use as a guideline their comparability to similar programs that have been established by other comparable schools.))~~ Schools must design and implement programs of quality, content, and duration, and with appropriate entrance criteria,

instructional materials, staff, equipment and facilities to prepare students for the program's occupational objectives.

(2) The school must have an exact physical location which:

(a) Is adequate to meet the needs of its students and the objectives of the program;

(b) Provides a modern and effective learning environment with enough classroom, laboratory, and shop space for the number of students to be trained; and

(c) Is maintained in compliance with state laws and local ordinances related to safety and health.

(3) The school must have equipment, furniture, instructional devices and aids, machinery and other physical features that are:

(a) Adequate in number and condition to achieve the stated educational objectives of the course;

(b) Comparable in number and quality with those used by comparable schools with similar programs;

(c) Comparable to those in current use by the appropriate trade, business or profession; and

(d) Of sufficient quantity for the number of enrolled students.

AMENDATORY SECTION (Amending WSR 98-22-033, filed 10/29/98, effective 11/29/98)

**WAC 490-105-160 What reports are required?** (See RCW 28C.10.050 and 28C.10.060.) In addition to the minimum licensing standards described in RCW 28C.10.050, each school must(~~(=~~

~~(1) Complete and submit to the agency an annual Impact Data Survey; and~~

~~(2) No later than July 1, 2000,))~~ submit the following information annually for each student who participated in training(~~(= The information will be used to compile consumer reports that will be published in the future))~~) during the reporting period:

~~((#))~~ (1) Student name, address, telephone number and Social Security number if provided by the student;

~~((#))~~ (2) Start date of training and date of completion or dropout;

~~((e) Whether or not the student graduated;~~

~~((#))~~ (3) Enrollment status as of the end of the reporting period;

(4) Previous education before starting the current training program;

~~((e) Ethnicity;~~

~~((#))~~ (5) Race;

(6) Date of birth;

~~((g))~~ (7) Gender;

~~((h) Program or major (for larger schools with multiple programs.))~~ (8) Disability status;

(9) Hispanic/non-Hispanic;

(10) Program title and duration (in months).

#### NEW SECTION

**WAC 490-105-175 Under what conditions will a school be determined to be "at-risk"?** What steps will the agency take if a school is determined to be "at-risk"?

(1) The agency may determine a school is "at-risk" if it demonstrates a pattern or history of one or more of the conditions described in the definition of "at-risk."

(2) The school's owner and/or director will be required to meet with agency staff to discuss the conditions that lead to the designation.

(3) A school determined to be "at-risk" will be placed on probation and will be required to provide:

(a) A school improvement plan acceptable to the agency within thirty days after meeting with agency staff;

(b) A line of credit if appropriate; and

(c) Monthly progress reports for up to twelve months that include at a minimum:

(i) Steps taken to correct identified deficiencies; and

(ii) Current student directory information.

(4) During the probation period the school must demonstrate improvement or the agency will take action to suspend or revoke its license.

(5) The agency may publish on its web site, a list of schools whose licenses have been either suspended or revoked.

AMENDATORY SECTION (Amending WSR 98-22-033, filed 10/29/98, effective 11/29/98)

**WAC 490-105-180 How are student complaints handled?** (See RCW 28C.10.084(10) and 28C.10.120.)

(1) A complaint must be filed no more than:

(a) One calendar year following:

(i) A resident student's last recorded date of attendance; or

(ii) The date ~~((the))~~ a distance education school received a ~~((home study))~~ student's last completed lesson; or

(b) Sixty calendar days from the date a school ceases to provide educational services.

(2) The agency may extend the time a student has to file a complaint if the student can establish that good faith efforts to obtain satisfaction from the school were being made during the time elapsed.

(3) The term "a person" used to reference a complainant under RCW 28C.10.120(1) is further defined to mean only individuals who established a contractual relationship through their enrollment in a school or, in the case of a minor, the minor's parent or guardian.

(a) Private or public agencies, employers, or others who contract with a private vocational school to provide training services to a particular individual or individuals do not have access to the complaint process.

(b) When a person establishes a financial obligation for only a portion of the contracted costs and is subsidized for the remainder as described under (a) of this subsection, that student's claim will be prorated to recognize only the unsubsidized amount.

(4) The agency may consider the following costs when determining losses suffered by a complainant:

(a) Tuition and fees;

(b) Transportation costs;

(c) Books, supplies, equipment, uniforms and protective clothing, rental charges; and

(d) Insurance required by the school.

(5) In estimating a student's attendance related expenses other than tuition, the agency may use standards developed under Title IV of the Higher Education Act or those of the Washington state departments of employment security and social and health services.

(6) When the agency receives a complaint, it will:

(a) Evaluate the complaint for completeness and to determine eligibility within ten working days after receipt;

(b) Accept or reject the complaint and so notify the complainant within an additional five working days;

(c) Forward a copy of a bona fide complaint and related attachments to the school by certified mail.

(7) The school has fifteen working days after receipt to respond to the student's complaint. If a school fails to submit a timely response the agency will conclude the school has no defense to offer.

(8) Based on all information then available, the agency will:

(a) Investigate the facts;

(b) Secure additional information if so indicated;

(c) Attempt to bring about a negotiated solution;

(d) Adjudicate the complaint by making findings, conclusions, and determinations; and

(e) Notify all parties of the determinations and remedies.

(9) If a student can document that the procedures used by the agency to resolve a complaint were either unreasonable, unfair, or not in keeping with the intent of the law, the student may request a review of the decision.

(a) The student must request the review in writing within twenty days following receipt of the complaint determination. A timely request stays the agency's determination during the review process.

(b) When the agency receives a request for review it will:

(i) Notify the school that the student has requested a review and that the complaint determination will not take effect until the review has been completed;

(ii) If necessary, schedule an informal hearing to be conducted by agency staff; and

(iii) Make a final determination regarding the complaint ~~((within fifteen working days following the hearing))~~.

#### WSR 07-19-041

#### PROPOSED RULES

#### SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed September 13, 2007, 1:00 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-15-044.

Title of Rule and Other Identifying Information: WAC 392-121-280 Finance—General apportionment—Certificated instructional staff (Placement on LEAP salary allocation documents—Documentation required).

Hearing Location(s): Old Capitol Building, 600 South Washington Street, P.O. Box 47200, Olympia, WA 98504-7200, on October 23, 2007, at 9:00 a.m.

Date of Intended Adoption: October 24, 2007.



Submit Written Comments to: Legal Services, Office of Superintendent of Public Instruction, P.O. Box 47200, Olympia, WA 98504-7200, fax (360) 753-4201, by October 22, 2007.

Assistance for Persons with Disabilities: Contact Clarice Nnanubu by October 22, 2007, TTY (360) 664-3631 or (360) 725-6271.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: These rule revisions will update documentation requirements on recognizing, for state funding purposes, up to two years experience for educational staff associates (ESAs) for service in nonschool positions. ESAs are certificated instructional staff that are occupational therapists, physical therapists, speech-language pathologists, audiologists, nurses, social workers, counselors, and psychologists. These revisions will implement E2SHB 1432, as passed during the 2007 legislative session, and the 2007-09 state operating budget, SHB 1128, section 502(9).

Statutory Authority for Adoption: RCW 28A.150.290 (1).

Statute Being Implemented: RCW 28A.150.410(4).

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

Name of Proponent: Office of superintendent of public instruction, governmental.

Name of Agency Personnel Responsible for Drafting: Charlie Schreck, Office of Superintendent of Public Instruction, (360) 725-6136; Implementation: Ross Bunda, Office of Superintendent of Public Instruction, (360) 725-6308; and Enforcement: Jennifer Priddy, Office of Superintendent of Public Instruction, (360) 725-6292.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable - no small business impact.

A cost-benefit analysis is not required under RCW 34.05.328. The superintendent of public instruction is not subject to RCW 34.05.328 (5)(a)(i). Additionally, this rule is not a significant legislative rule per subsection (5)(c)(iii).

September 13, 2007  
Dr. Terry Bergeson  
Superintendent of  
Public Instruction

AMENDATORY SECTION (Amending WSR 06-19-045, filed 9/15/06, effective 10/16/06)

**WAC 392-121-280 Placement on LEAP salary allocation documents—Documentation required.** School districts shall have documentation on file and available for review which substantiates each certificated instructional employee's placement on LEAP salary allocation documents. The minimum requirements are as follows:

(1) Districts shall document the date of awarding or conferring of the highest degree including the date upon which the degree was awarded or conferred as recorded on the diploma or transcript from the registrar of the regionally accredited institution of higher education.

(a) If the highest degree is a master's degree, the district shall also document the date of awarding or conferring of the first bachelor's degree.

(b) If the degree was awarded by an institution which does not confer degrees after each term, and all degree requirements were completed at a time other than the date recorded on the diploma or transcript, a written statement from the registrar of the institution verifying a prior completion date shall be adequate documentation.

(c) If the degree program was completed in a country other than the United States documentation must include a written statement of degree equivalency for the appropriate degree from a foreign credentials' evaluation agency approved by the office of superintendent of public instruction.

(2) Districts shall document academic credits by having on file a transcript from the registrar of the regionally accredited institution of higher education granting the credits. For purposes of this subsection:

(a) An academic credit is deemed "earned" at the end of the term for which it appears on the transcript: Provided, That a written statement from the registrar of the institution verifying a prior earned date may establish the date a credit was earned;

(b) Washington state community college credits numbered one hundred and above are deemed transferable for purposes of WAC 392-121-255(4) subject to the limitations of that same subsection;

(c) Credits are not deemed "earned" at an institution of higher education which transfers-in credits. Such credits must be documented using a transcript from the initial granting institution and are subject to all the limitations of WAC 392-121-255;

(d) If the credits were completed in a country other than the United States, documentation must include a written statement of credit equivalency for the appropriate credits from a foreign credentials' evaluation agency approved by the office of superintendent of public instruction; and

(e) For credits earned after September 1, 1995, districts shall document that the course content meets one or more of the criteria of WAC 392-121-262(1). At a minimum, such documentation must include a dated signature of the immediate principal, supervisor, or other authorized school district representative and must be available to the employee's future employers.

(3) Districts shall document in-service credits;

(a) By having on file a document meeting standards established in WAC 181-85-107; and

(b) For credits earned after September 1, 1995, districts shall document that the course content meets one or more of the criteria of WAC 392-121-262(1). At a minimum, such documentation must include a dated signature of the immediate principal, supervisor, or other authorized school district representative and must be available to the employee's future employers.

(4) Districts shall document nondegree credits.

(a) For vocational/career and technical education educator training credits pursuant to WAC 392-121-259(3) districts shall have on file a document meeting standards established in WAC 181-85-107 and evidence that the training was authorized pursuant to WAC 181-77-003 (2), (9), or (12).

(b) For credits calculated from converted occupational experience pursuant to WAC 392-121-259(3) districts shall have on file documents which provide:

(i) Evidence that the occupational experience meets the requirements of WAC 181-77-003(7);

(ii) Evidence of the individual's actual number of hours of employment for each year including dates of employment; and

(iii) The district calculation of converted credits pursuant to WAC 392-121-259(3).

(c) For credits earned after September 1, 1995, districts shall document that the course content meets one or more of the criteria of WAC 392-121-262(1). At a minimum, such documentation must include a dated signature of the immediate principal, supervisor, or other authorized school district representative and must be available to the employee's future employers.

(5) Districts shall document certificated years of experience as follows:

(a) For certificated years of experience obtained and reported on Report S-275 prior to the 1994-95 school year districts shall have on file documents that provide evidence of employment including dates of employment.

(b) For certificated years of experience reported on Report S-275 for the first time after the 1993-94 school year districts shall have on file:

(i) The total number of hours, or other unit of measure, per year for an employee working full-time with each employer;

(ii) The number of hours, or other unit of measure (worked by the employee), per year and dates of employment with each employer, including paid leave and excluding unpaid leave: Provided, That documentation of hours in excess of one full-time certificated year of experience in any twelve-month period is not required;

(iii) The quotient of the hours, or other unit of measure, determined in (b)(ii) of this subsection divided by the hours, or other unit of measure, in (b)(i) of this subsection rounded to two decimal places for each year;

(iv) The name and address of the employer;

(v) For those counting out-of-district experience pursuant to WAC 392-121-264 (1)(a), evidence whether or not the position required professional education certification pursuant to WAC 392-121-264 (1)(a)(ii);

(vi) For those counting experience pursuant to WAC 392-121-264 (1)(b), a brief description of the previous employment which documents the school district's decision that the position was comparable to one requiring certification in the Washington school districts;

(vii) For those counting management experience pursuant to WAC 392-121-264 (1)(e), evidence that the experience meets the requirements of WAC 181-77-003(6);

(viii) For those counting experience (for educational staff associates) pursuant to WAC 392-121-264 (1)(f), evidence that the previous employment meets the requirements in the applicable subsections of WAC 392-121-264 (1)(f).

(6) Any documentation required by this section may be original or copies of the original: Provided, That each copy is subject to school district acceptance or rejection.

(7) The falsification or deliberate misrepresentation, including omission of a material fact concerning degrees, credits, or experience by an education practitioner as defined in WAC 181-87-035 shall be deemed an act of unprofessional conduct pursuant to WAC 181-87-050. In such an event the provisions of chapters 181-86 and 181-87 WAC shall apply.

## WSR 07-19-042

### PROPOSED RULES

### SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed September 13, 2007, 1:00 p.m.]

#### Original Notice.

Preproposal statement of inquiry was filed as WSR 07-12-099.

Title of Rule and Other Identifying Information: WAC 392-121-264 Finance—General apportionment—Certificated instructional staff (Definitions—Certificated years of experience).

Hearing Location(s): Old Capitol Building, 600 South Washington Street, P.O. Box 47200, Olympia, WA 98504-7200, on October 23, 2007, at 9:30 a.m.

Date of Intended Adoption: October 24, 2007.

Submit Written Comments to: Legal Services, Office of Superintendent of Public Instruction, P.O. Box 47200, Olympia, WA 98504-7200, fax (360) 753-4201, by October 22, 2007.

Assistance for Persons with Disabilities: Contact Clarice Nnanubu by October 22, 2007, TTY (360) 664-3631 or (360) 725-6271.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: These rule revisions will update guidance on recognizing, for state funding purposes, up to two years experience for educational staff associates (ESAs) for service in nonschool positions. ESAs are certificated instructional staff that are occupational therapists, physical therapists, speech-language pathologists, audiologists, nurses, social workers, counselors, and psychologists. These revisions will implement E2SHB 1432, as passed during the 2007 legislative session, and the 2007-09 state operating budget, SHB 1128, section 502(9).

Statutory Authority for Adoption: RCW 28A.150.290 (1).

Statute Being Implemented: RCW 28A.150.410(4).

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

Name of Proponent: Office of superintendent of public instruction, governmental.

Name of Agency Personnel Responsible for Drafting: Charlie Schreck, Office of Superintendent of Public Instruction, (360) 725-6136; Implementation: Ross Bunda, Office of Superintendent of Public Instruction, (360) 725-6308; and Enforcement: Jennifer Priddy, Office of Superintendent of Public Instruction, (360) 725-6292.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable - no small business impact.

A cost-benefit analysis is not required under RCW 34.05.328. The superintendent of public instruction is not subject to RCW 34.05.328 (5)(a)(i). Additionally, this rule is not a significant legislative rule per subsection (5)(c)(iii).

September 13, 2007

Dr. Terry Bergeson  
Superintendent of  
Public Instruction

**AMENDATORY SECTION** (Amending WSR 06-19-045, filed 9/15/06, effective 10/16/06)

**WAC 392-121-264 Definition—Certificated years of experience.** Regardless of the experience factors used by a school district for the purposes of its salary schedule(s), as used in this chapter, the term "certificated years of experience" means the number of years of accumulated full-time and part-time professional education employment prior to the current reporting school year in the state of Washington, out-of-state, and a foreign country. School districts shall report all certificated years of experience including those beyond the experience limit of the school district's salary schedule.

(1) Professional education employment shall be limited to the following:

(a) Employment in public or private preschools or elementary and secondary schools in positions which require certification where:

(i) Schools include the Centrum education program, the Pacific Science Center education program, and educational centers authorized under chapter 28A.205 RCW;

(ii) Certification means the concurrent public professional education licensing requirements established in the state, province, country, or other governmental unit in which employment occurred and which, for the state of Washington, refers to the certificates authorized by WAC 181-79A-140 and temporary permits authorized by WAC 181-79A-128;

(b) Employment in public or private vocational-technical schools, technical colleges, community/junior colleges, colleges, and universities in positions comparable to those which require certification in Washington school districts;

(c) Employment in a governmental educational agency with regional administrative responsibilities for preschool, elementary, and/or secondary education including but not limited to an educational service district, office of the superintendent of public instruction, or United States department of education in any professional position including but not limited to C.P.A., architect, business manager, or physician;

(d) Experience in the following areas:

(i) Military, Peace Corps, or Vista service which interrupted professional education employment included in (a), (b), or (c) of this subsection; and

(ii) Sabbatical leave.

(e) For nondegreed vocational/career and technical education instructors, up to a maximum of six years of management experience as defined in WAC 181-77-003 acquired after the instructor meets the minimum vocational/career and

technical education certification requirements established in WAC 181-77-041 (1)(a). If a degree is obtained while employed in the state of Washington as a nondegreed vocational/career and technical education instructor, the eligible years of management experience pursuant to this subsection reported on Report S-275 prior to the awarding of the degree shall continue to be reported but shall not increase;

(f) Beginning in the 2007-08 school year, for nurses, occupational therapists, physical therapists, speech-language pathologists, audiologists, counselors, psychologists, and social workers regulated under Title 18 RCW, years of experience may include employment as nurses, occupational therapists, physical therapists, speech-language pathologists, audiologists, counselors, psychologists, and social workers, that does not otherwise meet the requirements of (a) through (e) of this subsection, subject to the following conditions and limitations:

(i) Experience included under this subsection shall be limited to a maximum of two years.

(ii) The calculation of years of experience shall be that one year of experience in a school or other nonschool position counts as one year of experience for the purposes of this subsection, per subsection (2)(a) of this section.

(iii) For employment as nurses, individuals must have:

(A) Performed the same or similar duties and responsibilities as are performed by school nurses, and been licensed (registered, or similarly regulated) as a registered nurse under Title 18 RCW, or comparable out-of-state employment; and

(B) Completed the minimum requirements for initial certification as a nurse established in WAC 181-79A-223 (1)(a), regardless of when the initial certificate is issued.

(iv) For employment as occupational therapists, individuals must have:

(A) Performed the same or similar duties and responsibilities as are performed by school occupational therapists, and been licensed (registered, or similarly regulated) as an occupational therapist under Title 18 RCW, or comparable out-of-state employment; and

(B) Completed the minimum requirements for initial certification as an occupational therapist established in WAC 181-79A-223 (2)(a), regardless of when the initial certificate is issued.

(v) For employment as physical therapists, individuals must have:

(A) Performed the same or similar duties and responsibilities as are performed by school physical therapists, and been licensed (registered, or similarly regulated) as a physical therapist under Title 18 RCW, or comparable out-of-state employment; and

(B) Completed the minimum requirements for initial certification as a physical therapist established in WAC 181-79A-223 (3)(a), regardless of when the initial certificate is issued.

(vi) For employment as speech-language pathologists or audiologists, individuals must have:

(A) Performed the same or similar duties and responsibilities as are performed by school speech-language pathologists or audiologists; and

(B) Completed the minimum requirements for initial certification as a school speech-language pathologist or audiolo-

gist established in WAC 181-79A-223 (4)(a)(i), regardless of when the initial certificate is issued.

(vii) For employment as counselors, individuals must have:

(A) Performed the same or similar duties and responsibilities as are performed by school counselors; and

(B) Completed the minimum requirements for either:

(I) Initial certification as a school counselor established in WAC 181-79A-221 (1)(a), regardless of when the initial certificate is issued; or

(II) Residency certification as a school counselor established in WAC 181-79A-221 (1)(b), regardless of when the residency certificate is issued.

(viii) For employment as psychologists, individuals must have:

(A) Performed the same or similar duties and responsibilities as are performed by school psychologists; and

(B) Completed the minimum requirements for either:

(I) Initial certification as a school psychologist established in WAC 181-79A-221 (2)(a), regardless of when the initial certificate is issued; or

(II) Residency certification as a school psychologist established in WAC 181-79A-221 (2)(b), regardless of when the residency certificate is issued.

(ix) For employment as social workers, individuals must have:

(A) Performed the same or similar duties and responsibilities as are performed by school social workers; and

(B) Completed the minimum requirements for either:

(I) Initial certification as a school social worker established in WAC 181-79A-221 (3)(a), regardless of when the initial certificate is issued; or

(II) Residency certification as a school social worker established in WAC 181-79A-221 (3)(b), regardless of when the residency certificate is issued.

(x) Certificated years of experience as nurses, occupational therapists, physical therapists, speech-language pathologists, audiologists, counselors, psychologists, and social workers, determined pursuant to this subsection and reported on Report S-275, by teachers and other certificated staff who are no longer employed as occupational therapists, physical therapists, speech-language pathologists, audiologists, counselors, psychologists, and social workers, shall continue to be reported but shall not increase.

(2) Years of full-time and part-time professional education employment prior to the current reporting school year are accumulated as follows:

(a) For each professional education employment which is not employment as a casual substitute pursuant to subsection (1)(a) of this section;

(i) Determine the total number of hours, or other unit of measure, per year for an employee working full-time with each employer;

(ii) Determine the number of hours, or other unit of measure (worked by the employee), per year with each employer, including paid leave and excluding unpaid leave;

(iii) Calculate the quotient of the hours, or other unit of measure, determined in (a)(ii) of this subsection divided by the hours, or other unit of measure, in (a)(i) of this subsection rounded to two decimal places for each year.

(b) For professional education employment as a casual substitute pursuant to subsection (1)(a) of this section:

(i) Determine the total number of full-time equivalent substitute days per year;

(ii) Calculate the quotient of full-time equivalent days determined in (b)(i) of this subsection divided by 180 rounded to two decimal places for each year.

(c) No more than 1.0 year may be accumulated in any traditional nine-month academic year or any twelve-month period.

(i) Accumulate, for each year, professional education employment calculated in (a)(iii) and (b)(ii) of this subsection.

(ii) Determine the smaller of the result in (c)(i) of this subsection or 1.00 for each year.

(d) Determine certificated years of experience as the accumulation of all years of professional education employment calculated in (c)(ii) of this subsection and report such years rounded to one decimal place.

## WSR 07-19-053

### PROPOSED RULES

### SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed September 14, 2007, 11:24 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-10-047.

Title of Rule and Other Identifying Information: WAC 392-410-315 Equivalency course of study, credit for work-based learning.

Hearing Location(s): Office of Superintendent of Public Instruction, Wanamaker Conference Room, 1st Floor, 600 Washington Street S.E., Olympia, WA 98504-7200, on October 26, 2007, at 10:00 a.m.

Date of Intended Adoption: October 27, 2007.

Submit Written Comments to: Diane Carver, Office of Superintendent of Public Instruction, P.O. Box 47200, Olympia, WA 98504-7200, e-mail Diane.carver@k12.wa.us, fax (360) 586-9321, by October 1, 2007.

Assistance for Persons with Disabilities: Contact Clarice Nnanabu by October 25, 2007, (360) 725-6271.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Clarification of existing requirements to support improved student learning and safety, liability and accountability for all stakeholders to:

- Ensure that all students are able to access work-based learning.
- Better differentiate and define terms used in the current WAC language.
- Update alignment with related policies and state agencies.

Statutory Authority for Adoption: RCW 28A.305.130.

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

Name of Agency Personnel Responsible for Drafting: Diane Carver, Career and Technical Education, (360) 725-

6258; Implementation: Rod Duckworth, Career and Technical Education, (360) 725-6245; and Enforcement: John Aultman, Career and College Readiness, (360) 725-6245.

No small business economic impact statement has been prepared under chapter 19.85 RCW.

A cost-benefit analysis is not required under RCW 34.05.328.

September 14, 2007  
Dr. Terry Bergeson  
Superintendent of  
Public Instruction

AMENDATORY SECTION (Amending WSR 06-14-009, filed 6/22/06, effective 6/22/06)

**WAC 392-410-315 Equivalency course of study—Credit for work based learning.** School districts may accept ~~((work-based))~~ worksite learning in lieu of either required or elective high school credits if such ~~((work-based))~~ worksite learning meets the standards under subsections (1) through (5) of this section. ~~((Schools and school districts are strongly encouraged to review the nonbinding work-based learning guidelines on the web site of the superintendent of public instruction in their consideration of making this credit option available to students.))~~ Comprehensive guidelines are available on the OSPI web site in the work based learning coordination manual/guidelines.

(1) Definitions:

(a) "Work based learning" means a learning experience that connects knowledge and skills obtained in the classroom to those needed outside the classroom, and comprises a range of activities and instructional strategies designed to assist students in developing or fulfilling their education plans.

(b) ~~(("Work based learning agreement" means a contract that specifies the terms and conditions under which the work based learning experience shall occur. It is agreed to and signed by the school district, worksite supervisor, student, and the student's parents/guardians.~~

~~(c) "Worksite supervisor" means an adult employee or volunteer of the worksite responsible for overseeing the work based learning experience and acting as liaison between the worksite and school district.~~

~~(d) "Orientation" means a meeting conducted by a work based learning coordinator giving information to a worksite supervisor about the work based learning program of the school. The orientation clarifies program objectives, establishes support systems, and delineates the responsibilities and rights of the various parties—school/district, worksite, students, and parents/guardians.~~

~~(e) "New employee orientation" means an orientation program for the student facilitated by a worksite supervisor or designee (e.g., human resources) that identifies worksite safety procedures and practices, workers' rights and responsibilities, issues related to harassment, and employer policies, procedures and expectations. The orientation shall also include a description of the formal accident prevention program of the worksite.~~

~~(f) "Instructional work based learning" means a work based learning experience in which no appreciable benefit is~~

~~rendered to the worksite by the presence of the minor student, in accordance with WAC 296-125-043.~~

~~(g) "Cooperative work based learning" means a work based learning experience in which an employer/employee relationship exists—the work performed by the student results in a net increase in productivity or profitability for the business or organization.~~

~~(2) The work based learning experience shall be connected to the education plan of the student.~~

~~(a) The education plan shall involve one or more of the state learning goals and related essential academic learning requirements.~~

~~(b) Counseling and guidance services, particularly career guidance, shall be available to students seeking work based learning experience.~~

~~(c) The education plan should relate to a specific career and/or educational pathway chosen by the student.~~

~~(d) The education plan should extend at least one year beyond high school graduation.~~

~~(3)) "Worksite learning" means a learning experience that occurs at a qualified worksite outside the classroom in fulfillment of a student's educational or career plan through the coordination of a work based learning certificated teacher. Direct instruction and supervision is provided by a qualified worksite supervisor.~~

~~(c) "Worksite learning coordinator" means a certificated school district employee responsible for coordinating worksite learning experiences. For career and technical education programs, the coordinator must possess a work based learning certificate (WAC 181-77-068). For noncareer and technical education programs, the coordinator must successfully demonstrate competencies related to coordination techniques as verified by a professional educator standards board approved program.~~

~~(d) "Worksite supervisor" means a qualified adult from the worksite responsible for overseeing the worksite learning experience and acting as liaison between the worksite and school district.~~

~~(e) "Work based learning agreement" means a contract that specifies the terms and conditions under which the worksite learning experience shall occur. It is agreed to and signed by the school district, worksite supervisor, student, and the student's parents/guardians.~~

~~(f) "Program orientation" means a meeting conducted by a worksite learning coordinator giving information to a worksite supervisor about the work based learning program of the school. The orientation clarifies program objectives, establishes support systems, and delineates the responsibilities and rights of the various parties—school/district, worksite, students, and parents/guardians. The worksite learning coordinator qualifies the worksite and the worksite supervisor.~~

~~(g) "New employee orientation" means training for the student facilitated by a worksite supervisor or designee (e.g., human resources). This is necessary for students in cooperative worksite learning and instructional worksite learning experiences. The orientation includes worksite safety procedures and practices, workers' rights and responsibilities, issues related to harassment, and employer policies, procedures and expectations. The orientation shall also include a~~

description of the formal accident prevention program of the worksite.

(h) "Instructional worksite learning" means learning experience that takes place in the community as part of a specific course content where the student performs tasks in order to gain desired skills, competencies, qualifications or industry certifications through direct instruction.

(i) "Cooperative worksite learning" means a learning experience where a student practices in the community the skills and knowledge learned in the classroom. An employer/employee relationship must exist if the work performed by the student results in a net increase in productivity or profitability for the business or organization.

(j) "Qualifying class" means any high school class previously or concurrently taken that directly connects the knowledge and skills learned in the class to opportunities provided by the worksite learning experience. For career and technical education funding, "qualifying classes" mean classes approved for career and technical education in the district offering worksite learning credit.

(2) The student shall be placed in a worksite that is appropriate to the previous learning experience and educational goals ~~((of the student and))~~ which shall be formalized through a ~~((work based))~~ worksite learning agreement and ~~((work based))~~ worksite learning plan. The worksite learning experience shall be connected to the student's high school and beyond plan (WAC 180-51-061). The student must have taken or be concurrently enrolled in a qualifying class.

(a) The ~~((work based))~~ worksite learning plan shall articulate the connection between the education plan of the student and the work based learning experience.

(b) The ~~((work based))~~ worksite learning plan shall articulate clear, measurable learning objectives.

(c) Evaluation of learning progress related to the ~~((work based))~~ worksite learning plan shall occur during the work based learning experience.

(i) Learning objectives shall be evaluated and updated on a regular basis as outlined in the ~~((work based))~~ worksite learning agreement.

(ii) Documentation of progress shall be on file in the district as outlined in the ~~((work based))~~ worksite learning agreement.

~~((4))~~ (3) The ~~((work based))~~ worksite learning experience shall be supervised by the school. A ~~((work based))~~ worksite learning coordinator shall be ~~((identified in accordance with WAC 180-77-068 and shall be))~~ responsible for:

(a) Aligning the ~~((work based))~~ worksite learning experience to the education plan of the student;

(b) Identifying and developing work based learning sites, establishing work based learning agreements and work based learning plans, orienting and coordinating with a worksite supervisor on the work based learning site, and assessing and reporting student progress;

(c) Ensuring that a worksite supervisor:

(i) Has received an orientation on the ~~((work based))~~ worksite learning program of the school prior to placement of the student on the worksite; and

(ii) Has provided the student with a new-employee orientation upon placement; and

(d) Applying legal requirements of the employment of minors in accordance with chapters 296-125 and 296-131 WAC, particularly on issues of occupational health and safety, discrimination, harassment, worker/employer rights and responsibilities, and work rules for minors~~((~~

~~((5))~~; and

(e) Possessing a valid Washington state secondary teaching certificate (chapter 181-79A or 181-77 WAC); and

(f) Successfully demonstrating competencies related to coordination techniques as verified by a professional educator standards board approved program.

(4) One credit may be granted for no less than one hundred eighty hours for instructional ~~((work based))~~ worksite learning experience, and not less than three hundred sixty hours of cooperative ~~((work based))~~ worksite learning experience, or one credit may be granted on a competency basis as provided under WAC 180-51-050 (1)(b).

(a) A student participating in an instructional ~~((work based))~~ worksite learning experience shall receive instruction supervised by the school. The worksite learning coordinator oversees the experience but does not need to be on-site with the student during the entire experience. The student shall be sixteen years of age or older.

~~((i))~~ ~~Instruction))~~ Career and technical education approved instructional worksite learning experience shall be ~~((provided))~~ coordinated by ~~((an instructor with))~~ a ~~((teaching certificate, preferably endorsed in the subject))~~ certificated work based learning coordinator who is also certificated in the program area ~~((for which))~~ where credit ~~((will be awarded the student for the work based learning experience.~~

~~((ii))~~ The work based learning experience shall be an embedded component of the instructional program appropriate to the subject area for which credit will be awarded the student for the work based learning experience)) is offered.

(b) A student participating in a cooperative ~~((work based))~~ worksite learning experience shall be legally employed ~~((and shall not))~~ if the work being performed by the student results in a net increase in productivity or profitability for the business or organization. The student shall be ~~((less than))~~ sixteen years ~~((old))~~ of age or older.

(i) ~~((The))~~ Career and technical education approved cooperative ~~((work based))~~ worksite learning ~~((experience))~~ shall be ~~((supervised either by a work based))~~ coordinated by a certificated worksite learning coordinator ~~((or an instructor with a teaching certificate, preferably endorsed in the subject area for which credit will be awarded the student for the work based learning experience;))~~.

(ii) The cooperative ~~((work based))~~ worksite learning experience shall be a direct extension of a qualifying course ~~((related to the work based learning experience and taken either concurrently with the work based learning experience or taken in a school term prior to the work based learning experience))~~.

~~((6))~~ (5) The superintendent of public instruction shall report biennially at the state board's fall meeting on the use of the work based learning credit option authorized in this section.

**WSR 07-19-060**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**

[Filed September 14, 2007, 2:17 p.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule and Other Identifying Information: Apple commission, chapter 24-12 WAC, Assessments.

Hearing Location(s): W. L. Hansen Building, Conference Room, 105 South 18th Street, Yakima, WA 98902, on October 23, 2007, at 12:30 p.m.; and at the Washington Apple Commission, Conference Room, 2900 Euclid Avenue, Wenatchee, WA 98802, on October 24, 2007, at 9:00 a.m.

Date of Intended Adoption: January 15, 2008.

Submit Written Comments to: Kelly Frost, P.O. Box 42560, Olympia, WA 98504-2560, e-mail kfrost@agr.wa.gov, fax (360) 902-2092, by 5:00 p.m., October 26, 2007.

Assistance for Persons with Disabilities: Contact the Washington state department of agriculture (WSDA) receptionist by October 9, 2007, TTY 1-800-833-6388 or (360) 902-1976.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The Washington apple commission proposes to amend its assessments rules to allow an additional assessment of up to 2.5 cents per 100 pounds net shipping weight above the base rate set in chapter 15.24 RCW when circumstances warrant and to provide greater flexibility in adjusting annual assessment rates. Any assessment increase will be effective for only the designated year and will be based on factors such as projected crop size, the commission's fixed costs, dues increases, the amount of matching funds required to qualify for maximum federal MAP funds and program costs. The assessment will be set annually for the period September 1 through August 31 of the designated year. Growers, handlers and dealers will be notified by publication of any change in assessment rates at least fifteen days before the first billing at the new rate.

Reasons Supporting Proposal: There is currently a base assessment of 8.75 cents per 100 pounds net shipping weight on all fresh apples grown annually in this state and on all apples packed as Washington apples, including fresh sliced. Even though approximately 95% of the commission's costs are fixed costs, the commission's annual income varies with the crop size. Current program commitments cannot be sustained in the event of consecutive crop shortfalls below 100 million cartons. Assessment funds are used by the apple commission to support the Washington apple industry through work on things such as trade access issues, health and nutrition issues and the administration of the export program. With oversight from the director of WSDA, RCW 15.24.090 authorizes the commission to seek an assessment increase if it finds its revenue is inadequate to accomplish the commission's purposes. The flexibility built into the rule allows the commission to evaluate its situation yearly and determine whether the assessment needs to be adjusted.

Statutory Authority for Adoption: RCW 15.24.090.

Statute Being Implemented: Chapter 15.24 RCW.

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

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Any rule proposal that results from this rule-making process will not be adopted unless the proposed rules are also approved in a referendum by at least two-thirds of affected apple producers who vote and at least two-thirds of the acreage voted. The referendum will be conducted pursuant to chapter 15.24 RCW.

Name of Proponent: Washington state apple commission, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Dave Carlson, P.O. Box 18, Wenatchee, WA 98807, (509) 663-9600.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Any adoption of amendments to chapter 24-12 WAC would ultimately be determined by a referendum vote of the affected parties. A formal small business [economic] impact statement under chapter 19.85 RCW is not required because of the exemption granted in RCW 15.24.073.

A cost-benefit analysis is not required under RCW 34.05.328. The department of agriculture and the Washington apple commission are not named agencies in RCW 34.05.328 (5)(a)(i).

December 9, 2007

Dave Carlson  
 President

AMENDATORY SECTION (Amending WSR 00-23-064, filed 11/15/00, effective 12/16/00)

**WAC 24-12-010 Amount of assessments.** ~~((1) There is hereby levied upon all fresh apples grown annually in this state, and upon all apples packed as Washington apples, an assessment of 86.96 cents on each one hundred pounds gross billing weight until September 30, 2001. On and after October 1, 2001 the assessment on fresh apples shall be 54.3 cents on each one hundred pounds gross billing weight. For the period October 1, 1998 through September 30, 2001, 32.66 cents of the assessment on each one hundred pounds gross billing weight shall be used only for direct consumer advertising.~~

~~(2) Assessments shall be payable as provided in WAC 24-12-012, whether in bulk or loose in boxes or any other container, or packed in any style package. The gross billing weights for the following containers shall apply for the purpose of computing said assessments:~~

<b>DESCRIPTION OF CONTAINER</b>	<b>GROSS BILLING WEIGHTS</b>
<del>1/3 Bushel box (packed or loose)-</del>	<del>15 lbs.</del>
<del>1/2 Bushel box (loose)-</del>	<del>23 lbs.</del>
<del>Bulk bushel container (loose)-</del>	<del>Net weight plus 3 lbs. tare</del>
<del>9/4 and 12/3 Bag containers-</del>	<del>41 lbs.</del>
<del>13/3 Bag container-</del>	<del>44 lbs.</del>
<del>10/4 and 8/5 Bag containers-</del>	<del>45 lbs.</del>
<del>12/4 Bag container-</del>	<del>53 lbs.</del>

DESCRIPTION OF CONTAINER	GROSS BILLING WEIGHTS
Standard tray pack container	46 lbs.
Pocket cell tray pack container	46 lbs.
Cell pack containers, all counts	46 lbs.
2-Layer tray pack container	23 lbs.
Single layer tray pack container	12 lbs.)

(1) The base level of the assessment levied on all fresh apples grown annually in this state and all apples packed as Washington apples, including fresh sliced, is set in RCW 15.24-.100 at eight and seventy-five one-hundredths cents (8.75) per one hundred pounds of apples, based on net shipping weight.

(2) If needed to fund commission activities, beginning in August 2008 and each year thereafter, the commission may adjust the assessment amount levied on fresh apples by an additional amount not to exceed two and fifty one-hundredths cents (2.5) on each one hundred pounds of apples, net shipping weight, for the upcoming September 1 through August 31 period, based on the factors listed in subsection (4) of this section.

(3) The additional assessment levied pursuant to subsection (2) of this section shall be effective only for the designated one-year period. If the commission fails to impose an additional assessment under subsection (2) of this section by August 31 in any given year, the assessment for the next period from September 1 through August 31 shall revert to the base level of 8.75 cents per one hundred pounds of apples net shipping weight.

(4) In determining whether to adjust the assessment amount, the commission shall consider the following factors:

(a) Projected crop size;

(b) The commission's fixed costs;

(c) Increases in dues to organizations to which the commission belongs, including but not limited to, the Northwest Horticulture Council and the U.S. Apple Association;

(d) Amount of matching funds required to qualify for the maximum federal Market Access Program (MAP) funds;

(e) Other changes in the industry that are outside of the commission's control; and

(f) Proposed annual commission budgetary needs, including but not limited to, a qualitative and quantitative review of programs carried out by the commission in the preceding year. The review shall consider whether each program met its goals and objectives and whether the program constitutes the best use of the commission's finite resources for the benefit of the industry.

(5) The commission shall provide growers, handlers and dealers notice by publication of changes in assessment rates in a timely and reasonable manner and in no event later than fifteen days before the first billing of the new assessment rate.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 24-12-001 Promulgation.

**WSR 07-19-064  
PROPOSED RULES  
DEPARTMENT OF CORRECTIONS**

[Filed September 17, 2007, 8:09 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-16-117.

Title of Rule and Other Identifying Information: Prohibiting sexual contact between inmates and employees (new rule).

Hearing Location(s): Department of Corrections, 7345 Linderson Way S.W., Rainier Conference Room, #3023, Tumwater, WA 98504, on October 23, 2007, at 10:30 a.m.

Date of Intended Adoption: October 24, 2007.

Submit Written Comments to: John R. Nispel, P.O. Box 41114, Olympia, WA 98504-1114, e-mail JRNISPEL@DOC1.WA.GOV, fax (360) 664-2009, by October 22, 2007.

Assistance for Persons with Disabilities: Contact Kim French by October 19, 2007, (360) 725-8367.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Adopt rules implementing RCW 72.09.225, prohibiting sexual contact between employees or contractors of the department and offenders under the jurisdiction of the department.

Reasons Supporting Proposal: RCW 72.09.225 directs the department to adopt rules to implement its provisions.

Statutory Authority for Adoption: RCW 72.01.090, 72.09.225.

Statute Being Implemented: RCW 72.09.225.

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

Name of Proponent: Department of corrections, administrative services division, governmental.

Name of Agency Personnel Responsible for Drafting: John R. Nispel, P.O. Box 41114, Olympia, WA 98504-1114, (360) 725-8365; Implementation and Enforcement: Ruben Cedeno, Deputy Secretary, P.O. Box 41118, Olympia, WA 98504-1118, (360) 725-8792.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This WAC has no impact on small business.

A cost-benefit analysis is not required under RCW 34.05.328. Rules are applicable only to department employees and contractors with no general economic impact.

September 14, 2007

H. W. Clarke  
Secretary

**Chapter 137-79 WAC**

**SEXUAL MISCONDUCT BY STATE EMPLOYEES, CONTRACTORS**

**NEW SECTION**

**WAC 137-79-010 Purpose.** The purpose of this chapter is to specify penalties for contractors and employees of the department who engage in sexual intercourse or sexual contact with inmates.



NEW SECTION

**WAC 137-79-020 Definitions.** As used in this chapter, the following items shall have the following meanings:

- (1) "Secretary" shall mean the secretary of the department of corrections.
- (2) "Department" shall mean the department of corrections.
- (3) "Inmate" shall mean a person committed to the custody or under the supervision of the department, including but not limited to persons residing in a correctional institution or facility and persons released on furlough, work release, or community custody, and persons received from another state, state agency, county, or federal jurisdiction.
- (4) "Sexual intercourse":
  - (a) Has its ordinary meaning and occurs upon any penetration, however slight; and
  - (b) Also means any penetration of the vagina or anus however slight, by an object, when committed on one person by another, whether such persons are of the same or opposite sex, except when such penetration is accomplished for medically recognized treatment or diagnostic purposes; and
  - (c) Also means any act of sexual contact between persons involving the sex organs of one person and the mouth or anus of another whether such persons are of the same or opposite sex.
- (5) "Sexual contact" means any touching of the sexual or other intimate parts of a person done for the purpose of gratifying sexual desire of either party or a third party.
- (6) "Contractor" includes all subcontractors of a contractor.
- (7) "Suspend" shall mean placing the employee on home assignment with pay.

NEW SECTION

**WAC 137-79-030 Sexual contact prohibited.** Sexual intercourse or sexual contact between an employee of the department or an employee of a department contractor and an inmate is strictly prohibited, provided that the termination provisions of this chapter shall not be invoked if the sexual intercourse or sexual contact is against the employed person's will.

NEW SECTION

**WAC 137-79-040 Sanctions.** (1) When the secretary has reasonable cause to believe that sexual intercourse or sexual contact between an employee and an inmate has occurred, notwithstanding any rule adopted under chapter 41.06 RCW the secretary shall immediately suspend the employee.

(2) The secretary shall immediately institute proceedings to terminate the employment of any person:

- (a) Who is found by the department, based on a preponderance of the evidence, to have had sexual intercourse or sexual contact with the inmate; or
  - (b) Upon a guilty plea or conviction for any crime specified in chapter 9A.44 RCW when the victim was an inmate.
- (3) When the secretary has reasonable cause to believe that sexual intercourse or sexual contact between the employee of a contractor and an inmate has occurred, the sec-

retary shall require the employee of a contractor to be immediately removed from any employment position which would permit the employee to have any access to any inmate.

(4) The secretary shall disqualify for employment with a contractor in any position with access to an inmate, any person:

(a) Who is found by the department, based on a preponderance of the evidence, to have had sexual intercourse or sexual contact with the inmate; or

(b) Upon a guilty plea or conviction for any crime specified in chapter 9A.44 RCW when the victim was an inmate.

(5) The secretary, when considering the renewal of a contract with a contractor with whom the secretary has taken action under subsection (3) or (4) of this section, shall require the contractor to demonstrate that there has been significant progress made in reducing the likelihood that any of its employees will have sexual intercourse or sexual contact with an inmate. The secretary shall examine whether the contractor has taken steps to improve hiring, training, and monitoring practices and whether the employee remains with the contractor. The secretary shall not renew a contract unless he or she determines that significant progress has been made.

(6) For the purposes of RCW 50.20.060, a person terminated under this section shall be considered discharged for misconduct.

NEW SECTION

**WAC 137-79-050 Release of records.** (1) The department may, within its discretion or upon request of any member of the public, release information to an individual or to the public regarding any person or contract terminated under this section.

(2) An appointed or elected public official, public employee, or public agency as defined in RCW 4.24.470 is immune from civil liability for damages for any discretionary release of relevant and necessary information, unless it is shown that the official, employee, or agency acted with gross negligence or in bad faith. The immunity provided under this section applies to the release of relevant and necessary information to other public officials, public employees, or public agencies, and to the public.

(3) Except as provided in chapter 42.56 RCW, or elsewhere, nothing in this section shall impose any liability upon a public official, public employee, or public agency for failing to release information authorized under this section. Nothing in this section implies that information regarding persons designated in subsection (2) of this section is confidential except as may otherwise be provided by law.

NEW SECTION

**WAC 137-79-060 Hearing procedure.** Hearings under this chapter shall follow the disciplinary hearing processes referenced in the collective bargaining agreement (CBA) applicable to the employee or in Title 357 WAC if the employee is not represented.

**WSR 07-19-071**  
**PROPOSED RULES**  
**GAMBLING COMMISSION**  
 [Filed September 17, 2007, 1:31 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-16-030.

Title of Rule and Other Identifying Information: WAC 230-04-202 Fees—Bona fide charitable/nonprofit organizations, 230-04-203 Fees—Commercial stimulant and other business organizations, 230-04-204 Fees—Individuals, 230-08-017 Control of gambling equipment—Use of identification and inspection services stamps, 230-05-020 Charitable or nonprofit organization fees, 230-05-025 Commercial stimulant fees, 230-05-030 Fees for other businesses, and 230-05-035 Individual license fees.

Hearing Location(s): DoubleTree Guest Suites, 16500 Southcenter Parkway, Seattle, WA 98188, (206) 575-8220, on November 16, 2007, at 9:30 a.m.

Date of Intended Adoption: November 16, 2007.

Submit Written Comments to: Susan Arland, P.O. Box 42400, Olympia, WA 98504-2400, e-mail Susan2@wsgc.wa.gov, fax (360) 486-3625, by November 1, 2007.

Assistance for Persons with Disabilities: Contact Gail Grate, Executive Assistant, by November 1, 2007, TTY (360) 486-3637 or (360) 486-3453.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The commission is a nonappropriated agency. RCW 9.46.070(5) requires the commission to set fees to generate funds necessary to cover all costs of licensing and enforcement.

Reasons Supporting Proposal: See above.

Statutory Authority for Adoption: RCW 9.46.070.

Statute Being Implemented: Not applicable.

Name of Proponent: Washington state gambling commission, governmental.

Name of Agency Personnel Responsible for Drafting: Susan Arland, Rules Coordinator, Lacey, (360) 486-3466; Implementation: Rick Day, Director, Lacey, (360) 486-3446; and Enforcement: Mark Harris, Assistant Director, Lacey, (360) 486-3579.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement has not been prepared pursuant to RCW 19.85.025, and/or the proposed rule change clarifies language of rules without changing the effect.

A cost-benefit analysis is not required under RCW 34.05.328. The Washington state gambling commission is not an agency that is statutorily required to prepare a cost-benefit analysis under RCW 34.05.328.

September 14, 2007

Susan Arland  
 Rules Coordinator

AMENDATORY SECTION (Amending Order 466, filed 1/18/07, effective 6/30/07)

**WAC 230-04-202 Fees—Bona fide charitable/non-profit organizations.** Bona fide charitable and nonprofit organizations shall submit the following fees to the commis-

sion when applying for gambling licenses, permits, miscellaneous changes, inspection services, or when assessed the cost of special investigation procedures by the commission:

LICENSE TYPE		DEFINITION		FEE
<b>1. AMUSEMENT GAMES</b>				
		(Fee based on annual gross gambling receipts)		
*	Class A	Premises only		\$ ((55)) <u>58</u>
	Class B	Up to	\$10,000	\$ ((55)) <u>58</u>
	Class C	Up to	\$25,000	\$ ((303)) <u>319</u>
	Class D	Up to	\$50,000	\$ ((487)) <u>513</u>
	Class E	Over	\$50,000	\$ ((848)) <u>894</u>
* Allows a charitable or nonprofit organization to enter into a contract with Class "B" or above commercial amusement game licensee to locate and operate amusement games on their premises.				
<b>2. BINGO GROUP</b>				
		(Fee based on annual gross gambling receipts)		VARIANCE *
	Class A	Up to	\$25,000	\$1,000 \$ ((55)) <u>58</u>
	Class B	Up to	\$75,000	\$1,000 \$ ((176)) <u>185</u>
	Class C	Up to	\$150,000	\$2,000 \$ ((364)) <u>380</u>
	Class D	Up to	\$350,000	\$4,000 \$ ((974)) <u>1,026</u>
	Class E	Up to	\$650,000	\$8,000 \$ ((1,642)) <u>1,732</u>
	Class F	Up to	\$1,500,000	\$15,000 \$ ((3,304)) <u>3,486</u>
	Class G	Up to	\$2,000,000	\$23,000 \$ ((4,766)) <u>5,028</u>
	Class H	Up to	\$3,000,000	\$30,000 \$ ((6,370)) <u>6,722</u>
	Class I	Up to	\$4,000,000	\$38,000 \$ ((7,960)) <u>8,400</u>
	Class J	Up to	\$5,000,000	\$45,000 \$ ((9,550)) <u>10,078</u>
	Class K	Up to	\$6,000,000	\$53,000 \$ ((10,714)) <u>11,306</u>
	Class L	Up to	\$7,000,000	\$60,000 \$ ((12,246)) <u>12,922</u>
	Class M	Up to	\$8,000,000	\$65,000 \$ ((13,780)) <u>14,542</u>
	Class N	Up to	\$9,000,000	\$70,000 \$ ((14,990)) <u>15,818</u>
	Class O	Up to	\$10,000,000	\$75,000 \$ ((16,540)) <u>17,454</u>
	Class P	Up to	\$11,000,000	\$80,000 \$ ((18,090)) <u>19,090</u>
	Class Q	Up to	\$12,000,000	\$85,000 \$ ((21,708)) <u>22,908</u>
	Class R	Up to	\$13,000,000	\$90,000 \$ ((24,810)) <u>26,180</u>
	Class S	Up to	\$14,000,000	\$95,000 \$ ((27,912)) <u>29,454</u>

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

3. CARD GAMES

Class A	General (Fee to play charged)	\$ ((608)) <u>641</u>
Class B	Limited card games - hearts, rummy, pitch, pinochle, and cribbage (Fee to play charged)	\$ ((176)) <u>185</u>
Class C	Tournament only - no more than ten consecutive days per tournament	\$ ((55)) <u>58</u>
Class D	General (No fee to play charged)	\$ ((55)) <u>58</u>

4. FUND-RAISING EVENT

Class A	One event - not more than 24 consecutive hours	\$ ((364)) <u>380</u>
	First time applicant	
	*Previously licensed applicant	\$ ((212)) <u>223</u>
Class B	One event - not more than 72 consecutive hours	\$ ((608)) <u>641</u>
	First time applicant	
	*Previously licensed applicant	\$ ((373)) <u>393</u>
Class C	Additional participant in joint event (not lead organization)	\$ 176
Class D	Limited fund-raising event (one event - not more than six consecutive hours)	
	First time applicant	\$ ((159)) <u>167</u>
	**Previously licensed applicant	\$ ((106)) <u>111</u>
Class E	Fund-Raising Event Equipment Distributor - rents or leases, equipment for fund-raising event or recreational gaming activity for no more than ten times per year***	\$ ((240)) <u>253</u>
Class F	Fund-Raising Event Equipment Distributor - rents or leases equipment for fund-raising event or recreational gaming activity more than ten times per year.	\$ ((608)) <u>641</u>

\* Provides for a reduced fee when charitable and nonprofit organizations apply for an additional Class A or Class B fund-raising event.

\*\* Provides for a fee reduction when charitable and nonprofit organizations apply for an additional Class D limited fund-raising event.

\*\*\* Charitable and nonprofit organizations licensed to conduct fund-raising events may rent their equipment up to four occasions during the term of the license without getting licensed as a distributor.

5. PUNCH BOARDS/PULL-TABS

		(Fee based on annual gross gambling receipts)	VARIANCE*
Class A	Up to \$50,000	\$5,000	\$ ((579)) <u>611</u>
Class B	Up to \$100,000	\$5,000	\$ ((1,034)) <u>1,090</u>
Class C	Up to \$200,000	\$10,000	\$ ((1,954)) <u>2,064</u>
Class D	Up to \$300,000	\$10,000	\$ ((2,842)) <u>2,998</u>

5. PUNCH BOARDS/PULL-TABS

		(Fee based on annual gross gambling receipts)	VARIANCE*
Class E	Up to \$400,000	\$10,000	\$ ((3,672)) <u>3,874</u>
Class F	Up to \$500,000	\$10,000	\$ ((4,432)) <u>4,676</u>
Class G	Up to \$600,000	\$10,000	\$ ((5,136)) <u>5,420</u>
Class H	Up to \$700,000	\$10,000	\$ ((5,782)) <u>6,100</u>
Class I	Up to \$800,000	\$10,000	\$ ((6,370)) <u>6,722</u>
Class J	Up to \$1,000,000	\$20,000	\$ ((7,222)) <u>7,620</u>
Class K	Up to \$1,250,000	\$25,000	\$ ((8,018)) <u>8,460</u>
Class L	Up to \$1,500,000	\$25,000	\$ ((8,756)) <u>9,240</u>
Class M	Up to \$1,750,000	\$25,000	\$ ((9,364)) <u>9,880</u>
Class N	Up to \$2,000,000	\$25,000	\$ ((9,918)) <u>10,486</u>
Class O	Up to \$2,500,000	\$30,000	\$ ((10,898)) <u>11,500</u>
Class P	Up to \$3,000,000	\$35,000	\$ ((11,578)) <u>12,218</u>
Class Q	Up to \$4,000,000	\$40,000	\$ ((13,646)) <u>14,400</u>
Class R	Up to \$5,000,000	\$50,000	\$ ((15,506)) <u>16,362</u>
Class S	Up to \$6,000,000	\$60,000	\$ ((17,574)) <u>18,544</u>
Class T	Up to \$7,000,000	\$70,000	\$ ((19,642)) <u>20,728</u>
Class U	Up to \$8,000,000	\$80,000	\$ ((21,708)) <u>22,908</u>
Class V	Over \$8,000,000	\$80,000	\$ ((23,776)) <u>25,090</u>

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

6. RAFFLES

		(Fee based on annual gross gambling receipts)	VARIANCE*
Class A	Up to \$ 5,000		\$ ((55)) <u>58</u>
Class B	Up to \$ 10,000		\$ ((176)) <u>185</u>
Class C	Up to \$ 25,000		\$ ((364)) <u>380</u>
Class D	Up to \$ 50,000		\$ ((608)) <u>641</u>
Class E	Up to \$ 75,000		\$ ((974)) <u>1,026</u>
Class F	Over \$ 75,000		\$ ((1,460)) <u>1,540</u>

**7. COMBINATION LICENSE**

CLASS A	Allows gross gambling receipts of up to \$ 25,000 from bingo, \$ 7,500 from raffles, and \$ 7,500 from amusement games, not to exceed \$ 30,000 combined gross gambling receipts from all such activities. Allows general card games where no fee to play is charged.	\$ ((409)) <u>115</u>
CLASS B	Allows gross gambling receipts of up to \$ 60,000 from bingo, \$ 15,000 from raffles, and \$ 15,000 from amusement games, not to exceed \$ 75,000 combined gross gambling receipts from all such activities. Allows general card games where no fee to play is charged.	\$ ((285)) <u>300</u>
CLASS C	Allows gross gambling receipts of up to \$ 125,000 from bingo, \$ 30,000 from raffles, and \$ 30,000 from amusement games, not to exceed \$ 150,000 combined gross gambling receipts from all such activities. Allows general card games where no fee to play is charged.	\$ ((660)) <u>696</u>

**8. SEPARATE PREMISES**

<b>BINGO</b>	Per occasion (see WAC 230-04-300)	\$ ((26)) <u>27</u>
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**9. PERMITS**

AGRICULTURAL FAIR-BINGO	(See WAC 230-04-191)	\$ 26
RECREATIONAL GAMING ACTIVITY (RGA)	(See WAC 230-25-330 and 230-02-505)	\$ ((55)) <u>58</u>

**10. CHANGES**

NAME	(See WAC 230-04-310)	\$ ((26)) <u>27</u>
LOCATION	(See WAC 230-04-320) (Date or time)	\$ ((26)) <u>27</u>
FRE	(See WAC 230-04-325)	\$ ((26)) <u>27</u>
LICENSE CLASS	(See WAC 230-04-260)	\$ ((26)) <u>27</u>
DUPLICATE LICENSE	(See WAC 230-04-290)	\$ ((26)) <u>27</u>

**11. SPECIAL FEES**

INVESTIGATION	(See WAC 230-04-240)	As required
REPLACEMENT IDENTIFICATION STAMPS	(See WAC 230-08-017)	\$ ((26)) <u>27</u>
EXCEEDING LICENSE CLASS	(See WAC 230-04-260)	As required
REVIEW, INSPECTION AND/OR EVALUATION OF EQUIPMENT, PARAPHERNALIA, SERVICES, OR SCHEMES	(See WAC 230-12-315)	As required

**12. SIX-MONTH PAYMENT PLAN**

PLAN	(See WAC 230-04-190)	\$ ((26)) <u>27</u>
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AMENDATORY SECTION (Amending Order 472, filed 5/15/07, effective 6/30/07)

**WAC 230-04-203 Fees—Commercial stimulant and other business organizations.** All persons seeking to operate gambling activities shall submit the following fees to the commission when applying for gambling licenses, permits, miscellaneous changes, inspection services, or when assessed the cost of special investigation procedures by the commission:

<u>LICENSE TYPE</u>	<u>DEFINITION</u>
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<b>1. CARD GAMES</b>		
Class B	Up to five tables of limited card games - hearts, rummy, pitch, pinochle, and/or cribbage (Fee to play charged)	\$ ((180)) <u>189</u>
Class C	Tournament only, no more than ten consecutive days per tournament.	\$ ((180)) <u>189</u>
C-5	Up to five tables	\$ ((328)) <u>346</u>
C-10	Up to ten tables	\$ ((546)) <u>576</u>
C-15	Up to fifteen tables	\$ ((56)) <u>59</u>
Class D	General - Up to five tables (No fee to play charged)	\$ ((436)) <u>460</u>
Class E	*General (Fee to play charged)	\$ ((754)) <u>792</u>
E-1	One table only	\$ ((1,250)) <u>1,318</u>
E-2	Up to two tables	\$ ((2,506)) <u>2,644</u>
E-3	Up to three tables	\$ ((3,772)) <u>3,980</u>
E-4	Up to four tables	\$ ((1,152))
E-5	Up to five tables	\$ ((1,152))

Additional tables up to a maximum of fifteen may be authorized for an additional per table fee of \$ ((1,092)) 1,152.

\*In addition to the above initial license fee, the commission will assess all applicants/licensees the actual costs that exceed the license fee for conducting the initial investigation and inspection, any follow-up reviews or investigations involved in the approval of activities and schemes.

Class F	Enhanced card room activities endorsement - Includes alternative fee collections (per hand; pot rake) and use of player-supported jackpot schemes.	Annual license fee \$ ((1,642)) <u>1,732</u>
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**2. CARD GAMES - HOUSE-BANKED**

All tables within a card room operating any house-banked card game shall be licensed under this license class.	
*Annual license fee	\$ ((6,582)) <u>6,944</u>
Per table fee (up to fifteen tables)	\$ ((1,642)) <u>1,732</u>

LICENSE TYPE	DEFINITION	
*In addition to the above initial license fee, the commission will assess all applicants the actual costs that exceed the license fee for conducting the initial license investigation and premises inspection. Any post licensing follow-up reviews, inspections, internal control evaluations or subsequent phases of operation shall also be charged actual costs. Licensees will be evaluated and charged for these additional authorizations/phases on an individual case by case basis.		
3. COMMERCIAL AMUSEMENT GAMES	(Fee based on annual gross gambling receipts)	
* Class A	Premises only	
Class B	Up to \$ 50,000	\$ ((436)) 460
Class C	Up to \$ 100,000	\$ ((1,122)) 1,184
Class D	Up to \$ 250,000	\$ ((2,506)) 2,644
Class E	Up to \$ 500,000	\$ ((4,398)) 4,640
Class F	Up to \$ 1,000,000	\$ ((7,552)) 7,968
Class G	Over \$ 1,000,000	\$ ((9,448)) 9,970
* Allows a business that is qualified under WAC 230-04-138 (1)(f), (g), (h), (i), or (j) to enter into a contract with a class "B" or above commercial amusement game licensee to locate and operate amusement games upon their premises.		
** Provides for a fee reduction of \$ ((467)) 177 when: Renewing an annual license; applying for an additional license(s) at the same premises; and/or applying for multiple licenses at the same premises.		

LICENSE TYPE	DEFINITION		VARIANCE*
4. PUNCH BOARDS/ PULL-TABS	(Fee based on annual gross gambling receipts)		
Class A	Up to \$50,000	\$5,000	\$ ((596)) 628
Class B	Up to \$100,000	\$5,000	\$ ((1,064)) 1,122
Class C	Up to \$200,000	\$10,000	\$ ((2,006)) 2,116
Class D	Up to \$300,000	\$10,000	\$ ((2,920)) 3,080
Class E	Up to \$400,000	\$10,000	\$ ((3,772)) 3,980
Class F	Up to \$500,000	\$10,000	\$ ((4,556)) 4,806
Class G	Up to \$600,000	\$10,000	\$ ((5,280)) 5,570
Class H	Up to \$700,000	\$10,000	\$ ((5,942)) 6,270
Class I	Up to \$800,000	\$10,000	\$ ((6,546)) 6,906
Class J	Up to \$1,000,000	\$20,000	\$ ((7,422)) 7,832
Class K	Up to \$1,250,000	\$25,000	\$ ((8,238)) 8,692
Class L	Up to \$1,500,000	\$25,000	\$ ((8,998)) 9,494
Class M	Up to \$1,750,000	\$25,000	\$ ((9,624)) 10,156

LICENSE TYPE	DEFINITION			
Class N	Up to \$2,000,000	\$25,000	\$ ((10,194)) 10,756	
Class O	Up to \$2,500,000	\$30,000	\$ ((11,202)) 11,820	
Class P	Up to \$3,000,000	\$35,000	\$ ((12,578)) 12,218	
Class Q	Up to \$4,000,000	\$40,000	\$ ((13,646)) 14,400	
Class R	Up to \$5,000,000	\$50,000	\$ ((15,506)) 16,362	
Class S	Up to \$6,000,000	\$60,000	\$ ((17,574)) 18,544	
Class T	Up to \$7,000,000	\$70,000	\$ ((19,642)) 20,728	
Class U	Up to \$8,000,000	\$80,000	\$ ((21,708)) 22,908	
Class V	Over \$8,000,000	\$80,000	\$ ((23,776)) 25,090	

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

LICENSE TYPE	DEFINITION	
5. PUNCH BOARD AND PULL-TAB SERVICE BUSINESS	(See WAC 230-04-133)	\$ ((224))
	*Initial application fee	236
	Additional associate	\$ ((140)) 147
	Renewal	\$ ((54)) 56
*Includes up to two associates.		

LICENSE TYPE	DEFINITION	
6. DISTRIBUTOR	(Fee based on annual gross sales of gambling related supplies and equipment)	
(a) Class A	Nonpunch board/pull-tab only	\$ ((625)) 659
Class B	Up to \$ 250,000	\$ ((1,250)) 1,318
Class C	Up to \$ 500,000	\$ ((1,878)) 1,980
Class D	Up to \$ 1,000,000	\$ ((2,506)) 2,644
Class E	Up to \$ 2,500,000	\$ ((3,266)) 3,446
Class F	Over \$ 2,500,000	\$ ((4,020)) 4,242
In addition to the annual fee, the commission will assess all applicants the actual costs incurred in conducting the investigation and inspection necessary for initial certification.		
(b) FUND-RAISING EVENT EQUIPMENT DISTRIBUTOR		
Class A	Rents or leases equipment for fund-raising event or recreational gaming activity up to 10 times per year.	\$ ((247)) 260
Class B	Rents or leases equipment for fund-raising event or recreational gaming activity more than 10 times per year.	\$ ((625)) 659

LICENSE TYPE	DEFINITION	
7. GAMBLING SERVICE SUPPLIER	(See WAC 230-04-119)	\$ ((654)) 687

LICENSE TYPE	DEFINITION
	In addition to the annual fee, the commission will assess all applicants the actual costs incurred in conducting the investigation and inspection necessary for initial certification. A fee of \$ <del>((136))</del> 143 shall be charged for each new contract initiated by the gambling service supplier.

8. LINKED BINGO PRIZE PROVIDER	(See WAC 230-04-126)	\$ <del>((4,184))</del> 4,414
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9. MANUFACTURER	(Fee based on annual gross sales of gambling related supplies and equipment)	
Class A	Pull-tab dispensing devices only	\$ <del>((625))</del> 659
Class B	Up to \$ 250,000	\$ <del>((1,250))</del> 1,318
Class C	Up to \$ 500,000	\$ <del>((1,878))</del> 1,980
Class D	Up to \$ 1,000,000	\$ <del>((2,506))</del> 2,644
Class E	Up to \$ 2,500,000	\$ <del>((3,266))</del> 3,446
Class F	Over \$ 2,500,000	\$ <del>((4,020))</del> 4,242

In addition to the annual fee, the commission will assess all applicants the actual costs incurred in conducting the investigation and inspection necessary for initial certification, quality control inspection for additional activities or product lines, compliance suitability evaluations, and renewal of licenses when travel cost is incurred to complete the investigation.

10. PERMITS		
AGRICULTURAL FAIR/SPECIAL PROPERTY BINGO		
Class A	One location and event only (See WAC 230-04-191)	\$ <del>((26))</del> 27
Class B	Annual permit for specified different events and locations (See WAC 230-04-193)	\$ <del>((180))</del> 189
RECREATIONAL GAMING ACTIVITY (RGA)	(See WAC 230-02-505 and 230-25-330)	\$ <del>((56))</del> 59
MANUFACTURER'S SPECIAL SALES PERMIT	(See WAC 230-04-115)	*\$ <del>((21))</del> 222

\*The two hundred ~~((eleven))~~ twenty-two dollar fee is nonrefundable, whether the sales permit is approved or not. In addition, an applicant may be assessed additional fees incurred to process and determine suitability.

11. CHANGES		
NAME	(See WAC 230-04-310)	\$ <del>((26))</del> 27
LOCATION	(See WAC 230-04-320)	\$ <del>((26))</del> 27
BUSINESS	(Same owners)	\$ <del>((56))</del> 59
CLASSIFICATION	(See WAC 230-04-340)	
LICENSE CLASS	(See WAC 230-04-260) New class fee, less previous fee paid, plus	\$ <del>((26))</del> 27
DUPLICATE LICENSE	(See WAC 230-04-290)	\$ <del>((26))</del> 27

LICENSE TYPE	DEFINITION	
CORPORATE STOCK/LIMITED LIABILITY COMPANY SHARES/UNITS	(See WAC 230-04-360)	\$ <del>((56))</del> 59
LICENSE TRANSFERS	(See WAC 230-04-125 and 230-04-340)	\$ <del>((56))</del> 59

12. SPECIAL FEES		
INVESTIGATION	(See WAC 230-04-240)	As required
IDENTIFICATION AND INSPECTION SERVICES STAMPS	(See WAC 230-08-017)	As required
QUALITY CONTROL INSPECTION FEES	(See WAC 230-30-030)	As required
REPLACEMENT OF IDENTIFICATION STAMPS	(See WAC 230-30-017)	\$ <del>((26))</del> 27
EXCEEDING LICENSE CLASS	(See WAC 230-04-260)	As required
REVIEW, INSPECTION AND/OR EVALUATION OF EQUIPMENT, PARAPHERNALIA, SERVICES, OR SCHEMES	(See WAC 230-12-315)	As required
SPECIAL SALES PERMITS	(See WAC 230-04-115)	As required
ELECTRONIC CARD FACSIMILE TABLE IDENTIFICATION STAMP	(See WAC 230-08-017)	*\$ <del>((361.51))</del> 381.50
	*Annually, for each separate table	

13. SIX-MONTH PAYMENT PLAN	(See WAC 230-04-190)	\$ <del>((26))</del> 27
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**AMENDATORY SECTION** (Amending Order 466, filed 1/18/07, effective 6/30/07)

**WAC 230-04-204 Fees—Individuals.** Individuals shall submit the following fees to the commission when applying for gambling licenses, permits, miscellaneous changes, or when assessed the cost of special investigation procedures by the commission:

LICENSE TYPE	DEFINITION	FEE
1. CHARITABLE OR NON-PROFIT GAMBLING MANAGER	Original	\$ <del>((176))</del> 185
	Renewal	\$ <del>((84))</del> 88
	Change of Employer	\$ <del>((84))</del> 88
2. LINKED BINGO PRIZE PROVIDER REPRESENTATIVE	Original	\$ <del>((247))</del> 260
	Renewal	\$ <del>((150))</del> 158
3. COMMERCIAL GAMBLING MANAGER	Original	\$ <del>((180))</del> 189
	Renewal	\$ <del>((86))</del> 90
	Change of Employer	\$ <del>((86))</del> 90

LICENSE TYPE	DEFINITION	FEE
4. DISTRIBUTOR'S OR GAMBLING SERVICES SUPPLIER REPRESENTATIVE	Original	\$ ((247)) 260
	Renewal	\$ ((150)) 158
5. MANUFACTURER'S REPRESENTATIVE	Original	\$ ((247)) 260
	Renewal	\$ ((150)) 158
6. PUBLIC CARD ROOM EMPLOYEE		
CLASS A - Performs duties as defined in WAC 230-02-415 in a class E card room.		
	Original	\$ ((180)) 189
	Renewal	\$ ((86)) 90
CLASS B - Performs duties as defined in WAC 230-02-415 in enhanced and house-banked card rooms.		
	Original, in-state	\$ ((245)) 258
	Original, out-of-state	\$ ((304)) 320
	Renewal	\$ ((150)) 158
	Transfer/Additional Employee/Conversion/ Emergency Waiver Request	\$ ((58)) 61
7. OTHER FEES		
CHANGE OF NAME	(See WAC 230-04-310)	\$ ((26)) 27
DUPLICATE LICENSE	(See WAC 230-04-290)	\$ ((26)) 27
OUT-OF-STATE RECORDS INQUIRY	(See WAC 230-04-240)	As required
8. If a license expires while an individual is on active military service, the individual may apply to have their license reissued at the renewal fee. The application must be received within six months after completing their active military service. The applicant shall provide evidence of the completion date of active military service.		

**AMENDATORY SECTION** (Amending Order 606, filed 1/18/07, effective 1/1/08)

**WAC 230-05-020 Charitable or nonprofit organization fees.** Bona fide charitable and nonprofit organizations must pay the following fees to us when applying for gambling licenses, permits, miscellaneous changes, or inspection services:

**1. Amusement games**

License	Annual Gross Gambling Receipts	Fee
Class A	Premises only	\$((55)) 58
Class B	Up to \$10,000	\$((55)) 58
Class C	Up to \$25,000	\$((303)) 319
Class D	Up to \$50,000	\$((487)) 513
Class E	Over \$50,000	\$((848)) 894

**2. Bingo**

License	Annual Gross Gambling Receipts	Fee	One Time Variance*
Class A	Up to \$25,000	\$((55)) 58	\$1,000
Class B	Up to \$75,000	\$((176)) 185	\$1,000
Class C	Up to \$150,000	\$((361)) 380	\$2,000
Class D	Up to \$350,000	\$((974)) 1,026	\$4,000
Class E	Up to \$650,000	\$((1,642)) 1,732	\$8,000
Class F	Up to \$1,500,000	\$((3,304)) 3,486	\$15,000
Class G	Up to \$2,000,000	\$((4,766)) 5,028	\$23,000
Class H	Up to \$3,000,000	\$((6,370)) 6,722	\$30,000
Class I	Up to \$4,000,000	\$((7,960)) 8,400	\$38,000
Class J	Up to \$5,000,000	\$((9,550)) 10,078	\$45,000
Class K	Up to \$6,000,000	\$((10,714)) 11,306	\$53,000
Class L	Up to \$7,000,000	\$((12,246)) 12,922	\$60,000
Class M	Up to \$8,000,000	\$((13,780)) 14,542	\$65,000
Class N	Up to \$9,000,000	\$((14,990)) 15,818	\$70,000
Class O	Up to \$10,000,000	\$((16,540)) 17,454	\$75,000
Class P	Up to \$11,000,000	\$((18,090)) 19,090	\$80,000
Class Q	Up to \$12,000,000	\$((21,708)) 22,908	\$85,000
Class R	Up to \$13,000,000	\$((24,810)) 26,180	\$90,000
Class S	Up to \$14,000,000	\$((27,912)) 29,454	\$95,000

\*See chapter 230-06 WAC, Exceeding license class.

**3. Card games**

License	Description	Fee
Class A	Nonhouse-banked - fee to play	\$((608)) 641
Class B	Limited card games - hearts, rummy, pitch, pinochle, and cribbage - fee to play	\$((176)) 185
Class C	Tournament only - no more than thirty consecutive days per tournament	\$((55)) 58
Class D	Nonhouse-banked - no fee to play	\$((55)) 58

**4. Fund-raising event**

License	Description	Fee
Class A	One event - not more than 24 consecutive hours	
	First time applicant	\$((361)) 380
Class B	Previously licensed applicant	\$((212)) 223
	One event - not more than 72 consecutive hours	

License	Description	Fee
	First time applicant	\$((608)) <u>641</u>
	Previously licensed applicant	\$((373)) <u>393</u>
Class C	Additional participant in joint event - not lead organization	\$((176)) <u>185</u>
Class D	Limited fund-raising event - one event - not more than six consecutive hours	
	First time applicant	\$((159)) <u>167</u>
	Previously licensed applicant	\$((106)) <u>111</u>
Class E	Fund-raising event equipment distributor - rents or leases equipment no more than ten times per year	\$((240)) <u>253</u>
Class F	Fund-raising event equipment distributor - rents or leases equipment more than ten times per year	\$((608)) <u>641</u>

**5. Punch boards/pull-tabs**

License	Annual Gross Gambling Receipts	Fee	One Time Variance*
Class A	Up to \$50,000	\$((579)) <u>611</u>	\$5,000
Class B	Up to \$100,000	\$((1,034)) <u>1,090</u>	\$5,000
Class C	Up to \$200,000	\$((1,954)) <u>2,062</u>	\$10,000
Class D	Up to \$300,000	\$((2,842)) <u>2,998</u>	\$10,000
Class E	Up to \$400,000	\$((3,672)) <u>3,874</u>	\$10,000
Class F	Up to \$500,000	\$((4,432)) <u>4,676</u>	\$10,000
Class G	Up to \$600,000	\$((5,136)) <u>5,420</u>	\$10,000
Class H	Up to \$700,000	\$((5,782)) <u>6,100</u>	\$10,000
Class I	Up to \$800,000	\$((6,370)) <u>6,722</u>	\$10,000
Class J	Up to \$1,000,000	\$((7,222)) <u>7,620</u>	\$20,000
Class K	Up to \$1,250,000	\$((8,018)) <u>8,460</u>	\$25,000
Class L	Up to \$1,500,000	\$((8,756)) <u>9,240</u>	\$25,000
Class M	Up to \$1,750,000	\$((9,364)) <u>9,880</u>	\$25,000
Class N	Up to \$2,000,000	\$((9,918)) <u>10,466</u>	\$25,000
Class O	Up to \$2,500,000	\$((10,898)) <u>11,500</u>	\$30,000
Class P	Up to \$3,000,000	\$((11,578)) <u>12,218</u>	\$35,000
Class Q	Up to \$4,000,000	\$((13,646)) <u>14,400</u>	\$40,000
Class R	Up to \$5,000,000	\$((15,506)) <u>16,362</u>	\$50,000
Class S	Up to \$6,000,000	\$((17,574)) <u>18,544</u>	\$60,000

License	Annual Gross Gambling Receipts	Fee	One Time Variance*
Class T	Up to \$7,000,000	\$((19,642)) <u>20,728</u>	\$70,000
Class U	Up to \$8,000,000	\$((21,708)) <u>22,908</u>	\$80,000
Class V	Over \$8,000,000	\$((23,776)) <u>25,090</u>	\$80,000

\*See chapter 230-06 WAC, Exceeding license class.

**6. Raffles**

License	Annual Gross Gambling Receipts	Fee
Class A	Up to \$5,000	\$((55)) <u>58</u>
Class B	Up to \$10,000	\$((176)) <u>185</u>
Class C	Up to \$25,000	\$((361)) <u>380</u>
Class D	Up to \$50,000	\$((608)) <u>641</u>
Class E	Up to \$75,000	\$((974)) <u>1,026</u>
Class F	Over \$75,000	\$((1,460)) <u>1,540</u>

**7. Combination license**

License	Description	Fee
Class A	Allows gross gambling receipts of up to \$25,000 from bingo, \$7,500 from raffles, and \$7,500 from amusement games, not to exceed \$30,000 combined gross gambling receipts from all such activities. Allows Class D card games.	\$((109)) <u>115</u>
Class B	Allows gross gambling receipts of up to \$60,000 from bingo, \$15,000 from raffles, and \$15,000 from amusement games, not to exceed \$75,000 combined gross gambling receipts from all such activities. Allows Class D card games.	\$((285)) <u>300</u>
Class C	Allows gross gambling receipts of up to \$125,000 from bingo, \$30,000 from raffles, and \$30,000 from amusement games, not to exceed \$150,000 combined gross gambling receipts from all such activities. Allows Class D card games.	\$((660)) <u>696</u>

**8. Special property bingo**

Once annually	\$((26)) <u>27</u>
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**9. Permits**

Recreational gaming activity	\$((55)) <u>58</u>
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**10. Changes**

Type	Fee
Name	\$((26)) <u>27</u>
Location	\$((26)) <u>27</u>
Fund-raising event date or time	\$((26)) <u>27</u>



Type	Fee
License class	\$((26)) 27
Duplicate license	\$((26)) 27

11. Other fees

Type	Fee
Replacement identification stamps	\$((26)) 27
Failing to apply for license class upgrade	Up to fifty percent of the difference between our fees for the licensee's present license class and the new license class or one thousand dollars, whichever is less, plus \$26
Review, inspection and/or evaluation of equipment, paraphernalia, services, or schemes	Deposit and fees as required

12. Two part payment plan participation

Annual participation	\$((26)) 27
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AMENDATORY SECTION (Amending Order 606, filed 1/18/07, effective 1/1/08)

**WAC 230-05-025 Commercial stimulant fees.** All commercial stimulant license applicants must pay the following fees to us when applying for gambling licenses:

1. Card games - Nonhouse-banked

License	Description	Fee
<b>Class B</b>	Up to five tables of limited card games - hearts, rummy, pitch, pinochle, and/or cribbage - fee to play	\$((180)) 189
<b>Class C</b>	Tournament only, no more than thirty consecutive days per tournament	
C-5	Up to five tables	\$((180)) 189
C-10	Up to ten tables	\$((328)) 346
C-15	Up to fifteen tables	\$((546)) 576
<b>Class D</b>	Up to five tables - no fee to play	\$((56)) 59
<b>Class E</b>	Fee to play	
E-1	One table only	\$((436)) 460
E-2	Up to two tables	\$((751)) 792
E-3	Up to three tables	\$((1,250)) 1,318
E-4	Up to four tables	\$((2,506)) 2,644
E-5	Up to five tables	\$((3,772)) 3,980
Additional tables	Per table - up to a maximum of fifteen tables	\$((1,092)) 1,152
<b>Class F</b>	Endorsement/upgrade of Class E includes permission to use alternative fee collections and use of player-supported jackpots	\$((1,642)) 1,732

2. Card games - House-banked

All tables within a card room operating any house-banked card game must be licensed under this license class.

License	Fee
Annual	\$((6,582)) 6,944
Additional fee per table - up to fifteen tables	\$((1,642)) 1,732

3. Punch boards and pull-tabs

License	Annual Gross Gambling Receipts	Fee	One Time Variance*
Class A	Up to \$50,000	\$((596)) 628	\$5,000
Class B	Up to \$100,000	\$((1,064)) 1,122	\$5,000
Class C	Up to \$200,000	\$((2,006)) 2,116	\$10,000
Class D	Up to \$300,000	\$((2,920)) 3,080	\$10,000
Class E	Up to \$400,000	\$((3,772)) 3,980	\$10,000
Class F	Up to \$500,000	\$((4,556)) 4,806	\$10,000
Class G	Up to \$600,000	\$((5,280)) 5,570	\$10,000
Class H	Up to \$700,000	\$((5,942)) 6,270	\$10,000
Class I	Up to \$800,000	\$((6,546)) 6,906	\$10,000
Class J	Up to \$1,000,000	\$((7,422)) 7,832	\$20,000
Class K	Up to \$1,250,000	\$((8,238)) 8,692	\$25,000
Class L	Up to \$1,500,000	\$((8,998)) 9,494	\$25,000
Class M	Up to \$1,750,000	\$((9,624)) 10,156	\$25,000
Class N	Up to \$2,000,000	\$((10,194)) 10,756	\$25,000
Class O	Up to \$2,500,000	\$((11,202)) 11,820	\$30,000
Class P	Up to \$3,000,000	\$((11,578)) 12,218	\$35,000
Class Q	Up to \$4,000,000	\$((13,646)) 14,400	\$40,000
Class R	Up to \$5,000,000	\$((15,506)) 16,362	\$50,000
Class S	Up to \$6,000,000	\$((17,574)) 18,544	\$60,000
Class T	Up to \$7,000,000	\$((19,642)) 20,728	\$70,000
Class U	Up to \$8,000,000	\$((21,708)) 22,908	\$80,000
Class V	Over \$8,000,000	\$((23,776)) 25,090	\$80,000

\*See chapter 230-06 WAC, Exceeding license class.

AMENDATORY SECTION (Amending Order 606, filed 1/18/07, effective 1/1/08)

**WAC 230-05-030 Fees for other businesses.** All other business license applicants must pay the following fees to us when applying for gambling licenses, miscellaneous changes, or inspection services:

**1. Commercial amusement games**

License	Annual Gross Gambling Receipts	Fee
Class A	Premises only	*\$((310/\$143)) <u>327/\$150</u>
Class B	Up to \$50,000	\$((436)) <u>460</u>
Class C	Up to \$100,000	\$((1,122)) <u>1,184</u>
Class D	Up to \$250,000	\$((2,506)) <u>2,644</u>
Class E	Up to \$500,000	\$((4,398)) <u>4,640</u>
Class F	Up to \$1,000,000	\$((7,552)) <u>7,968</u>
Class G	Over \$1,000,000	\$((9,448)) <u>9,970</u>

\*We reduce the license fee by \$164 when you apply for additional licenses at the same business premises, apply for multiple licenses at the same business premises, or a licensee is renewing an annual license.

**2. Distributor**

License	Annual Gross Sales	Fee
Class A	Nonpunch board/pull-tab only	\$((625)) <u>659</u>
Class B	Up to \$250,000	\$((1,250)) <u>1,318</u>
Class C	Up to \$500,000	\$((1,878)) <u>1,980</u>
Class D	Up to \$1,000,000	\$((2,506)) <u>2,644</u>
Class E	Up to \$2,500,000	\$((3,266)) <u>3,446</u>
Class F	Over \$2,500,000	\$((4,020)) <u>4,242</u>

**3. Fund-raising event equipment distributor**

License	Description	Fee
Class A	Rents or leases equipment for fund-raising event or recreational gaming activity up to 10 times per year.	\$((247)) <u>260</u>
Class B	Rents or leases equipment for fund-raising event or recreational gaming activity more than 10 times per year.	\$((625)) <u>659</u>

**4. Gambling service supplier**

License	Fee
Annual	\$((651)) <u>687</u>
Financing, consulting, and management contract review	\$((136)) <u>143</u>

**5. Linked bingo prize provider**

License	Fee
Annual	\$((4,184)) <u>4,414</u>

**6. Manufacturer**

License	Annual Gross Sales	Fee
Class A	Pull-tab dispensing devices only	\$((625)) <u>659</u>
Class B	Up to \$250,000	\$((1,250)) <u>1,318</u>
Class C	Up to \$500,000	\$((1,878)) <u>1,980</u>
Class D	Up to \$1,000,000	\$((2,506)) <u>2,644</u>
Class E	Up to \$2,500,000	\$((3,266)) <u>3,446</u>
Class F	Over \$2,500,000	\$((4,020)) <u>4,242</u>

**7. Permits**

Type	Description	Fee
Agricultural fair	One location and event only	\$((26)) <u>27</u>
Agricultural fair annual permit	Annual permit for specified different events and locations	\$((180)) <u>189</u>
Recreational gaming activity		\$((56)) <u>59</u>
Manufacturer's special sales permit		\$211
Punch board and pull-tab service business permit	Initial application fee	\$((217)) <u>236</u>
Punch board and pull-tab service business permit	Renewal	\$((53)) <u>56</u>

**8. Changes**

Application	Description	Fee
Name		\$((26)) <u>27</u>
Location		\$((26)) <u>27</u>
Business classification	Same owners	\$((56)) <u>59</u>
Exceeding license class	New class fee, less previous fee paid, plus	\$((26)) <u>27</u>
Duplicate license		\$((26)) <u>27</u>
Corporate stock/limited liability company shares/units		\$((56)) <u>59</u>
License transfers		\$((56)) <u>59</u>

**9. Other fees**

Type	Fee
Defective punch board/pull-tab cost recovery fees	Up to \$100
Failing to apply for license class upgrade	Up to fifty percent of the difference between our fees for the licensee's present license class and the new license class or one thousand dollars, whichever is less, plus \$((26)) <u>27</u>
Review of gambling equipment, supplies, services, or games	Cost reimbursement

**10. Identification stamps**

Type		Fee
<b>(a) Punch boards and pull-tabs</b>		
(i) Standard	Wagers fifty cents and below	\$((-27)) <u>.28</u>
	Wagers over fifty cents	\$((-1.05)) <u>1.11</u>
(ii) Progressive jackpot pull-tab series	Per series	\$((-10.60)) <u>11.19</u>
(iii) Pull-tab series with carry-over jackpots	Per series	\$((-1.05)) <u>1.11</u>
<b>(b) Pull-tab dispensing devices</b>		
(i) Mechanical and electro-mechanical		\$((-27)) <u>.28</u>
(ii) Electronic	Dispensing devices that require initial and ongoing evaluation of electronic components or functions, such as reading encoded data on pull-tabs, accounting for income or prizes	\$((-106.17)) <u>112.04</u> annually
Replacement of identification stamps		\$26
<b>(c) Disposable bingo cards</b>		
(i) Single game sets of individual cards or sheets of cards		\$((-27)) <u>.28</u>
(ii) Multigame card packets		\$((-1.16)) <u>1.22</u>
(iii) Cards used to play for linked bingo prizes	Fee per 250 cards	\$((-42)) <u>.44</u>
(iv) Cards used to play for linked bingo prizes	Fee per 5,000 cards	\$((-8.49)) <u>8.96</u>
<b>(d) Coin or token-activated amusement games</b>		
Annually - operated at any Class A amusement game license location		\$((-26.53)) <u>28.00</u>
<b>(e) Electronic bingo card daubers</b>		
Annual		\$((-10.60)) <u>11.19</u>
<b>(f) Electronic card facsimile table</b>		
Annual		\$((-361.51)) <u>381.50</u>

**11. Two-part payment plan participation**

Annual participation	\$((-26)) <u>.27</u>
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**AMENDATORY SECTION** (Amending Order 606, filed 1/18/07, effective 1/1/08)

**WAC 230-05-035 Individuals license fees.** Individuals must pay the following fees to us when they apply for gambling licenses, permits, miscellaneous changes:

**1. Charitable or nonprofit gambling manager**

License	Fee
Original	\$((-176)) <u>185</u>
Renewal	\$((-84)) <u>88</u>

License	Fee
Change of employer	\$((-84)) <u>88</u>

**2. Linked bingo prize provider representative**

License	Fee
Original	\$((-247)) <u>260</u>
Renewal	\$((-150)) <u>158</u>

**3. Commercial gambling manager**

License	Fee
Original	\$((-180)) <u>189</u>
Renewal	\$((-86)) <u>90</u>
Change of employer	\$((-86)) <u>90</u>

**4. Distributor's or gambling services supplier's representative**

License	Fee
Original	\$((-247)) <u>260</u>
Renewal	\$((-150)) <u>158</u>

**5. Manufacturer's representative**

License	Fee
Original	\$((-247)) <u>260</u>
Renewal	\$((-150)) <u>158</u>

**6. Public card room employee**

License	Fee
<b>Class A - Performs card room employee duties in a Class E card room</b>	
Original	\$((-180)) <u>189</u>
Renewal	\$((-86)) <u>90</u>
<b>Class B - Performs card room employee duties in enhanced and house-banked card rooms</b>	
Original, in-state	\$((-245)) <u>258</u>
Original, out-of-state	\$((-304)) <u>320</u>
Renewal	\$((-150)) <u>158</u>
Transfer/additional employee/conversion/emergency waiver request	\$((-58)) <u>61</u>

**7. Other fees**

Change of name	\$(( <del>26</del> )) <u>27</u>
Duplicate license	\$(( <del>26</del> )) <u>27</u>

**8. Military personnel returning from service**

If a license expires while an individual is on active military service, the individual may apply to have their license reissued at the renewal fee. The application must be received within six months after completing their active military service. The applicant must provide evidence of the completion date of active military service.

AMENDATORY SECTION (Amending Order 417, 417-A and 417-B, filed 12/6/02, 12/24/02 and 2/19/03, effective 6/30/03)

**WAC 230-08-017 Control of gambling equipment—Use of identification and inspection services stamps.** To ensure gambling equipment is used only as authorized, manufacturers, distributors, linked bingo prize providers, and operators shall maintain close control over all gambling equipment in their possession.

**Documenting equipment transfers.**

(1) Each licensee that transfers leases or provides gambling equipment shall document the transaction by completing an invoice or other written record setting forth the information required by WAC 230-08-040.

**ID stamps to be affixed to equipment.**

(2) Identification and inspection services stamps obtained from the commission shall be used to identify gambling equipment and shall be permanently and conspicuously affixed to all equipment and devices designated by the commission. Once attached, identification and inspection services stamps shall not be removed, disfigured, or otherwise tampered with by any person. These stamps shall be attached and controlled (~~in the following manner:~~) as set forth in this section.

**Equipment/devices requiring ID stamps.**

(3) Identification and inspection services stamps shall be attached to the following gambling equipment and devices:

- (a) Punch boards and pull-tab series;
- (b) Pull-tab dispensing devices;
- (c) Disposable bingo cards;
- (d) Coin or token-activated amusement games operated at any Class A amusement game license location;
- (e) Electronic bingo card daubers;
- (f) Electronic card facsimile table; and
- (g) Other gambling equipment or devices, as determined by the director.

**Purchasing and affixing ID stamps.**

(4) Identification and inspection services stamps shall only be sold to and attached by licensed manufacturers or commission staff. Provided, That a licensed owner of con-

trolled gambling equipment may purchase and attach stamps as outlined in subsections (10) and (11) of this section;

**Fees for ID stamps.**

(5) The fee charged for identification and inspection services stamps shall be set by the commission at a level sufficient to fund regulation and control of gambling equipment. Fees shall be as set out below:

Equipment Type	Definition	Fee
<b>(a) Punch boards and pull-tabs</b>		
(i) Standard	Wagers fifty cents and below	\$(( <del>.27</del> )) <u>.28</u>
(ii) Standard	Wagers over fifty cents	\$(( <del>1.05</del> )) <u>1.11</u>
(iii) Progressive jackpot pull-tab series	Per series	\$(( <del>40.60</del> )) <u>11.19</u>
(iv) Pull-tab series with carry-over jackpots	Per series	\$(( <del>1.05</del> )) <u>1.11</u>
<b>(b) Pull-tab dispensing devices</b>		
(i) Mechanical and electro-mechanical		\$(( <del>.27</del> )) <u>.28</u>
(ii) Electronic	Dispensing devices that require initial and ongoing evaluation of electronic components or functions, such as reading encoded data on pull-tabs, accounting for income or prizes, and other functions determined by the director	\$(( <del>106.17</del> )) <u>112.04</u> annually
<b>(c) Disposable bingo cards</b>		
(i) Sets of individual cards or sheets of cards		\$(( <del>.27</del> )) <u>.28</u>
(ii) Collations of cards		\$(( <del>1.16</del> )) <u>1.22</u>
(iii) Cards used to play for linked bingo prizes	Fee is per 250 cards Fee is per 5000 cards	\$(( <del>.42</del> )) <u>.44</u> \$(( <del>8.49</del> )) <u>8.96</u>
<b>(d) Coin or token-activated amusement games</b>		
Operated at any Class A amusement game license location		\$(( <del>26.53</del> )) <u>28.00</u> annually
(e) Electronic bingo card daubers		\$(( <del>40.60</del> )) <u>11.19</u> annually
(f) Electronic card facsimile table		\$(( <del>361.51</del> )) <u>381.50</u> annually
<del>((g)) Other equipment or devices</del>		The actual cost of inspection or approval, as determined by the director)

**ID stamps valid for one year - exception.**

(6) Devices that require identification and inspection services stamps to be installed annually shall have such stamps attached prior to placing any device into play and, on or before December 31 of the year preceding operation for each subsequent year.

**Affixing stamps - shipping and packaging.**

(7) Identification stamps shall only be affixed to gambling equipment or devices in such a manner as to assure reasonable inspection without obstruction. If equipment is enclosed or packaged within protective materials, the stamps shall be readily visible for inspection without removal of any portion of the protective packaging: Provided, That when more than one device is packed in a shipping carton, this requirement shall not apply if the identification and inspection services stamp numbers of all devices contained in the carton are printed or otherwise noted on the outside of the carton.

**Location of ID stamps on equipment/devices.**

(8) Stamps and records entry labels shall be affixed in the following manner:

(a) **Punch boards** - on the reverse side in an area that will not obstruct removal of punches: Provided, That if sufficient space is not available on the reverse side, the records entry labels may be wrapped around and/or partially attached to the edge of a punch board in a manner that will not obstruct display of prizes available or other information required by rules of the commission;

(b) **Pull-tabs** - on the face or reverse side of the flare. If placed on the face, then they must be in an area that will not obstruct prizes available or any other information required by rules of the commission;

(c) **Pull-tab dispensing devices** - on the outside of the main body, in an area that is not normally removed and replaced, and in a manner that will not obstruct the view of the pull-tabs available for play. The records entry labels shall not be affixed to dispensing devices and may be discarded;

(d) **Disposable bingo cards** - on the packing label attached to the outside of the shipping carton. Records entry labels shall be attached to the packing slip: Provided, That when a set or collation of cards is packed in more than one shipping carton, the stamp shall be attached to carton number one and the stamp number imprinted on all remaining shipping cartons; and

(e) **Electronic facsimile card table** - on the outside of the main body, in an area that is not normally removed and replaced, and in a manner that will not obstruct the view of the card facsimiles. The records entry labels shall not be affixed to table and may be discarded.

**ID stamps shall only be affixed to approved devices.**

(9) Identification and inspection services stamps shall not be attached to gambling equipment or devices that do not comply with rules of the commission. If a piece of equipment or a device requires specific commission approval, stamps shall not be affixed prior to such approval.

**Licensed owners may purchase ID stamps.**

(10) A licensed owner of gambling devices which require annual identifications and inspection services stamps may purchase such from the commission. The licensee shall submit the appropriate fee, along with a form provided by the commission, to obtain the stamps.

**Replacing worn ID stamps on pull-tab dispensing devices.**

(11) A licensed owner of pull-tab dispensing devices may obtain a commission identification and inspection services stamp to replace an identification stamp affixed to a pull-tab dispensing device that has become unidentifiable due to wear. The fee for replacement of the stamp shall be as required by WAC 230-04-202 and/or 230-04-203. The operator or distributor shall furnish the following information to the commission:

(a) A copy of the invoice from the operator, distributor or manufacturer for the purchase of the dispensing device in question; or

(b) A complete description of the pull-tab dispensing device, serial number, manufacturer, and the commission stamp number previously affixed to the device, if known.

**Recordkeeping and replacing damaged stamps.**

(12) Manufacturers shall maintain records that will allow accountability for all identification and inspection services stamps issued to them by the commission for at least three years after they are affixed to devices and sold. This accountability shall be by indefinite retention of unused or damaged stamps or by records as set out in WAC 230-08-025: Provided, That damaged stamps may be returned to the commission and will be replaced with serviceable stamps if they are accompanied by a detailed listing of the damaged stamps and a ten cent per stamp service charge.

**WSR 07-19-072****PROPOSED RULES****GAMBLING COMMISSION**

[Filed September 17, 2007, 1:31 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-11-003.

Title of Rule and Other Identifying Information: WAC 230-15-050 Minimum cash on hand requirements.

Hearing Location(s): DoubleTree Guest Suites, 16500 Southcenter Parkway, Seattle, WA 98188, (206) 575-8220, on November 16, 2007, at 9:30 a.m.

Date of Intended Adoption: November 16, 2007.

Submit Written Comments to: Susan Arland, P.O. Box 42400, Olympia, WA 98504-2400, e-mail Susan2@wsgc.wa.gov, fax (360) 486-3625, by November 1, 2007.

Assistance for Persons with Disabilities: Contact Gail Grate, Executive Assistant, by November 1, 2007, TTY (360) 486-3637 or (360) 486-3453.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This new rule will require house-banked card room licensees to maintain a minimum amount of cash in their cage before opening for the business day. The new rule will require house-banked card room licensees to have the following amount of cash in their cage before opening the card room:

a. \$1,000 for each table licensed to operate; plus

b. The amount of the largest prize available, but not more than \$20,000.

For example: A house-banked card room licensee that is licensed for fifteen tables and its largest single prize is \$23,000 is required to have at least \$35,000 in their cage before opening for the business day (15 x \$1,000 = \$15,000 + \$20,000 = \$35,000).

Reasons Supporting Proposal: See above.

Statutory Authority for Adoption: RCW 9.46.070.

Statute Being Implemented: Not applicable.

Name of Proponent: Washington state gambling commission, governmental.

Name of Agency Personnel Responsible for Drafting: Susan Arland, Rules Coordinator, Lacey, (360) 486-3466; Implementation: Rick Day, Director, Lacey, (360) 486-3446; and Enforcement: Mark Harris, Assistant Director, Lacey, (360) 486-3579.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement has not been prepared pursuant to RCW 19.85.025, and/or the proposed rule change clarifies language of rules without changing the effect.

A cost-benefit analysis is not required under RCW 34.05.328. The Washington state gambling commission is not an agency that is statutorily required to prepare a cost-benefit analysis under RCW 34.05.328.

September 14, 2007

Susan Arland

Rules Coordinator

AMENDATORY SECTION (Amending Order 608, filed 4/10/07, effective 1/1/08)

**WAC 230-15-050 Minimum cash on hand requirements.** (1) Card game licensees must have sufficient cash on hand to redeem all chips issued for play and pay out all prizes.

(2) Before opening for the business day, house-banked card game licensees must have at least the following minimum amount of cash in their cage:

(a) One thousand dollars for each house-banked table on the gambling floor; plus

(b) The amount of the largest single prize available or not more than twenty thousand dollars.

For example: If a house-banked card room has fifteen house-banked tables and a largest single prize of twenty-three thousand dollars, before opening, the cage must have at least thirty-five thousand dollars on hand: 15 tables x \$1,000 = \$15,000 + largest single prize or \$20,000 = \$35,000).

(3) Except for the restrictions on player-supported jackpot pay outs in WAC 230-15-405 and progressive jackpot pay outs in WAC 230-15-690, licensees may pay prizes by check if sufficient funds are available on deposit.

~~((3))~~ (4) Failure to keep funds to cash in chips, pay prizes, or redeem gambling related checks is prima facie evidence of fraud. Meeting the minimum cage cash amount does not relieve the licensee from the requirement to have sufficient funds available to redeem all chips and pay out all prizes.

## WSR 07-19-073

### PROPOSED RULES

## GAMBLING COMMISSION

[Filed September 17, 2007, 1:32 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-16-031.

Title of Rule and Other Identifying Information: Repealed chapter 230-48 WAC, Tribal casinos.

Hearing Location(s): DoubleTree Guest Suites, 16500 Southcenter Parkway, Seattle, WA 98188, (206) 575-8220, on November 16, 2007, at 9:30 a.m.

Date of Intended Adoption: November 16, 2007.

Submit Written Comments to: Susan Arland, P.O. Box 42400, Olympia, WA 98504-2400, e-mail Susan2@wsgc.wa.gov, fax (360) 486-3625, by November 1, 2007.

Assistance for Persons with Disabilities: Contact Gail Grate, Executive Assistant, by November 1, 2007, TTY (360) 486-3637 or (360) 486-3453.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The gambling commission is rewriting its rules manual using plain English techniques. We anticipate the project will be completed by January 1, 2008. The rules manual is being broken into sections and rewritten a section at a time. This filing is to provide notification that rules regarding tribal casinos are under review. Staff proposes repealing the one rule in chapter 230-48 WAC and not include a "plain English" rule on this subject in Title 230 WAC.

Reasons Supporting Proposal: WAC 230-48-010 Tribal casinos and Phase II commission reviews.

This rule is being repealed because the commission has authority under the RCW to do Phase II reviews of tribal casinos.

Statutory Authority for Adoption: RCW 9.46.070.

Statute Being Implemented: Not applicable.

Name of Proponent: Washington state gambling commission, governmental.

Name of Agency Personnel Responsible for Drafting: Susan Arland, Rules Coordinator, Lacey, (360) 486-3466; Implementation: Rick Day, Director, Lacey, (360) 486-3446; and Enforcement: Mark Harris, Assistant Director, Lacey, (360) 486-3579.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement has not been prepared pursuant to RCW 19.85.025, and/or the proposed rule change clarifies language of rules without changing the effect.

A cost-benefit analysis is not required under RCW 34.05.328. The Washington state gambling commission is not an agency that is statutorily required to prepare a cost-benefit analysis under RCW 34.05.328.

September 14, 2007

Susan Arland

Rules Coordinator

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 230-48-010 Tribal-state compacts—  
Phase II commission review.

**WSR 07-19-075**  
**PROPOSED RULES**  
**UNIVERSITY OF WASHINGTON**

[Filed September 17, 2007, 1:32 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-16-077.

Title of Rule and Other Identifying Information: Chapter 478-120 WAC, Student conduct code for the University of Washington.

Hearing Location(s): Room 309, Husky Union Building (HUB), University of Washington, Seattle, Washington, on October 30, 2007, at 12:00 noon.

Date of Intended Adoption: November 15, 2007.

Submit Written Comments to: Rebecca Goodwin Dearnorff, Director of Rules Coordination, UW Rules Coordination Office, Box 355509, Seattle, WA 98195-5509, e-mail rules@u.washington.edu, fax (206) 221-6917, by October 30, 2007.

Assistance for Persons with Disabilities: Contact Disability Services Office by October 19, 2007, TTY (206) 543-6452 or (206) 543-6450.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Amendments to the University of Washington's student conduct code include addressing student violations that occur beyond campus boundaries, and extending the administration of the conduct code to all three of the University of Washington campuses. Other housekeeping amendments bring the chapter up-to-date with its first substantive review since 1996.

Reasons Supporting Proposal: The proposed amendments have been approved by vote of the University of Washington's faculty senate, and endorsed by the associated students of the University of Washington, the University of Washington's graduate and professional student senate, and fraternity and sorority leadership.

Statutory Authority for Adoption: RCW 28B.20.130 and 28B.10.900 through 28B.10.903.

Statute Being Implemented: RCW 28B.20.130 and 28B.10.900 through 28B.10.903.

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

Name of Proponent: University of Washington, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Eric Godfrey, Vice-Provost for Student Life, 476 Schmitz Hall, Box 355831, University of Washington, Seattle, WA 98105, (206) 543-2965.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Chapter 478-120 WAC,

Student conduct code for the University of Washington, does not impose a disproportionate impact on small businesses.

A cost-benefit analysis is not required under RCW 34.05.328. Chapter 478-120 WAC, Student conduct code for the University of Washington, is not considered a significant legislative rule by the University of Washington.

September 17, 2007

Rebecca Goodwin Dearnorff  
Director of Rules Coordination

AMENDATORY SECTION (Amending WSR 96-10-051, filed 4/29/96, effective 5/30/96)

**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 WSR 07-03-069, filed 1/17/07, effective 2/17/07)

**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 conducive to freedom of inquiry and expression to the maximum degree compatible with the orderly conduct of its functions. For these purposes, the university is governed by the rules, regulations, procedures, policies, and standards of conduct that safeguard its functions and protect the rights and freedoms of all members of the academic community.

(2) Admission to the university carries with it the presumption that students will conduct themselves as responsible members of the academic community. As a condition of enrollment, all students assume responsibility to observe standards of conduct that will contribute to the pursuit of academic goals and to the welfare of the academic community. That responsibility includes, but is not limited to:

(a) Practicing high standards of academic and professional honesty and integrity;

(b) Respecting the rights, privileges, and property of other members of the academic community and visitors to the campus, and refraining from any conduct that would interfere with university functions or endanger the health, welfare, or safety of other persons;

(c) Complying with the rules, regulations, procedures, policies, standards of conduct, and orders of the university and its schools, colleges, and departments.

(3) Specific 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)~~ premises or in connection with any university-sponsored event or activity and is not constitutionally and/or legally protected;

(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))~~ pre-mises;

(c) Conduct on ~~((the))~~ university ~~((campus))~~ premises 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))~~ premises;

(e) Refusal to comply with any lawful order to leave ~~((the))~~ university ~~((campus))~~ premises or any portion thereof;

(f) Possession or use of firearms, explosives, dangerous chemicals or other dangerous weapons or instrumentalities on ~~((the))~~ university ~~((campus))~~ premises, except for authorized university purposes, unless prior written approval has been obtained from the university chief of police, 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))~~ premises or during university-sponsored activities;

(h) Intentionally inciting others to engage immediately in any unlawful activity, which incitement leads directly to such conduct on ~~((the))~~ university ~~((campus))~~ premises;

(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;

(j) 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, or, at the University of Washington Bothell and Tacoma campuses, to the director of the program in which the student is enrolled. (See WAC 478-120-030(3).)

(6) Nothing herein shall be construed to deny students their legally and/or constitutionally protected rights.

## NEW SECTION

**WAC 478-120-025 Off-campus conduct.** The university shall have the authority to hold students accountable under the student conduct code for certain off-campus behavior (i.e., behavior that does not occur on university premises or in the context of a university-sponsored event or activity) that directly affects a university interest, in accordance with the provisions of the section.

(1) A student may be subject to disciplinary proceedings under the student conduct code if:

(a) The university is made aware that a court of competent jurisdiction has determined that such student has engaged in intentional unlawful conduct off-campus that involves the physical harm or abuse, or a direct threat of the physical harm or abuse, of any person, including but not limited to homicide, assault, kidnapping, armed robbery, arson, rape or sexual assault, criminal harassment, criminal stalking or the unlawful possession, use, storage or manufacture of weapons or destructive devices; and

(b) The university determines that a significant university interest is affected.

(2) A student may also be subject to disciplinary proceedings under the student conduct code if the university is made aware that the student has engaged in off-campus conduct that involves the physical harm or abuse, or the direct threat of physical harm or abuse, of another university student, or a university faculty or staff member. Disciplinary proceedings may be initiated under this section regardless of whether or not the incident is subject to criminal or civil proceedings.

(3) In furtherance of the university's interest in maintaining a positive relationship with its surrounding community, the university shall also have the authority to hold students accountable under the student conduct code for conduct within the "North of 45th" residential community immediately adjacent to the Seattle campus (bounded by NE 45th Street on the south, 15th Ave NE on the west, 22nd Ave NE and north of 54th Street, Ravenna Ave NE on the east and Ravenna Park on the north and including all residences located on either side of each of the aforementioned streets) as follows:

(a) A student may be subject to disciplinary proceedings under the code if the university is made aware that the student has been cited by the Seattle police or the university police for, and is determined to have committed, a violation of any state statute or city of Seattle municipal ordinance prohibiting misconduct that has a direct and significant quality-of-life impact on community residents, including but not limited to, creating a public nuisance due to noise, theft, intentional destruction of property, urinating in public, or criminal trespass.

(b) A first violation under (a) of this subsection will not subject the student to disciplinary sanctions under WAC 478-120-040 if the student voluntarily meets with a representative of the office of the vice-provost for student life to receive information and counseling regarding his or her responsibilities as a university community member and as a resident in the area. A second violation will not be subject to disciplinary sanctions if the student involved agrees to participate, in good faith, in a mediation with the person or persons affected



by the misconduct under a mediation protocol established by the office of the vice-provost for student life.

(4) Nothing herein shall be construed as being intended to protect any person or class of persons from injury or harm, or construed to deny students their legally and/or constitutionally protected rights.

AMENDATORY SECTION (Amending WSR 96-10-051, filed 4/29/96, effective 5/30/96)

**WAC 478-120-030 General procedures for disciplinary sanctions.** (1) 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 violates this code; and if so,
- (c) The sanctions to be imposed, if any.

The criteria for judging student misconduct shall include, but not be limited to, the standards of conduct as stated in WAC 478-120-020 and 478-120-025. 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~~) vice-provost for student life at the University of Washington Seattle campus, or the chancellor of the University of Washington Bothell or Tacoma campuses, whichever is appropriate.

(3) Only the vice-provost for student life, the dean of the school or college at the University of Washington Seattle or, at the University of Washington Bothell and Tacoma campuses, the director of the program in which a student is enrolled or the (~~vice-president for student affairs~~) chancellors of the University of Washington Bothell and Tacoma campuses, 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~~), the vice-provost for student life, or the chancellors of the University of Washington Bothell and Tacoma campuses 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, dis-

miss the action, impose an appropriate sanction, and/or refer the matter to the appropriate 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 appropriate 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 decisions of the university disciplinary committees may be appealed to the faculty appeal board. All decisions of the university disciplinary committees 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 committees may, at any time, (~~in its~~) at their 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, or chancellors or their delegates, 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 (~~vice-president for student affairs~~) vice-provost for student life, the chancellors of the University of Washington Bothell and Tacoma campuses or their delegates, the university disciplinary committees, 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 dean, the (~~vice-president for student affairs~~) vice-provost for student life, the chancellor of the University of Washington Bothell or Tacoma campuses, whichever is appropriate, or their delegates, the appropriate university disciplinary committee, or the faculty appeal board as to whether the case should be handled as a disciplin-

ary matter or as a case for medical or other treatment. Any decision made based upon the recommendation of the physician-consultants may be appealed in accordance with the provisions of this chapter.

(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,))~~ or at the University of Washington Bothell and Tacoma campuses, the director of the program in which the student is enrolled, the vice-provost for student life, the chancellors of the University of Washington Bothell and Tacoma campuses, or the chairs of ((the)) their respective university disciplinary committees, 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 WSR 96-10-051, filed 4/29/96, effective 5/30/96)

**WAC 478-120-050 Jurisdiction.** (1) The ~~((vice-president for student affairs, or his or her delegate))~~ vice-provost for student life, the chancellors of the University of Washington Bothell and Tacoma campuses, or their delegates, 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, or at the University of Washington Bothell and Tacoma campuses, to the director of the program 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, or the dean's delegate, or the directors of programs in which the student is enrolled on the University of Washington Bothell or Tacoma campuses 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 campus, college or school, or at the

University of Washington Bothell and Tacoma campuses, the program in which the student is enrolled; and

(b) Related to violations of rules, procedures, policies, and standards of conduct of that particular campus, college or school, or at the University of Washington Bothell and Tacoma campuses, the program in which the student is enrolled. 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, or program director at the University of Washington Bothell or Tacoma campuses.

(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))~~ at the University of Washington Seattle campus and under the jurisdiction of public safety officers at the University of Washington Bothell and Tacoma campuses. ~~((The citation hearing office has jurisdiction to hear and decide all cases involving alleged violations of traffic regulations-))~~ (See chapters 478-116, 478-117 and 478-118 WAC.)

(b) The library fines appeals committee has the authority to consider appeals of library charges. (See chapter 478-168 WAC.)

**AMENDATORY SECTION** (Amending WSR 96-10-051, filed 4/29/96, effective 5/30/96)

**WAC 478-120-065 Informal disciplinary hearings.**

(1) A dean ~~((or the vice-president for student affairs or his or her delegate)),~~ the vice-provost for student life, or, at the University of Washington Bothell and Tacoma campuses, the chancellors or the director of the program in which the student is enrolled, or their delegates, 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 appropriate 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 appropriate 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 appropriate university disciplinary committee at any time during these informal proceedings. If such a request is made, the matter shall be referred to the appropriate 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~~), the vice-provost for student life, or, at the University of Washington Bothell and Tacoma campuses, the chancellors, or the director of the program in which the student is enrolled, or their delegates, with regard to the dispute at hand.

**AMENDATORY SECTION** (Amending WSR 96-10-051, filed 4/29/96, effective 5/30/96)

**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~~) vice-provost for student life or the office of the chancellor for the University of Washington Bothell or Tacoma campuses, whichever is appropriate, or their delegates.

(2) All petitions for appeal must be made in writing to the appropriate authority (the appropriate chair of one of the university disciplinary committees (Seattle, Bothell or Tacoma), 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.

**AMENDATORY SECTION** (Amending WSR 96-10-051, filed 4/29/96, effective 5/30/96)

**WAC 478-120-085 The university disciplinary committees.** Each University of Washington campus shall have its own university disciplinary committee. The university disciplinary committees shall consist of a nonvoting chair, three voting faculty members, and three voting student members. The committees 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~~), at the University of Washington Bothell and Tacoma campuses, the director of the program in which a student is enrolled, the vice-provost for student life at the University of Washington Seattle campus, the chancellors of the University of Washington Bothell and Tacoma campuses, or their delegates.

(1) The president of the University of Washington Seattle campus and the chancellors of the University of Washington Bothell and Tacoma campuses shall designate a member of the faculty or administration to serve as chair of (~~the~~) each respective university disciplinary committee for a term of one year. (~~The~~) All chairs may be reappointed for consecutive terms.

(a) The chairs shall ensure that all procedural safeguards and guidelines are followed. Accordingly, the chairs 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 chairs shall have the discretion to regulate all aspects of the proceedings.

(b) The chairs 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))~~ each university disciplinary committee shall be selected at random from the faculty senate at the University of Washington Seattle, or at the University of Washington Bothell and Tacoma campuses, their respective faculty assembly or organization 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 committees in the order in which they were selected, except that at the University of Washington Seattle each faculty member of the committees 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 committees.

(3) The three voting student members of the university disciplinary committees shall be selected at random from ~~((the))~~ each student body to serve one-year terms. Student members of the committees 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 at the University of Washington Seattle 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 committees, students must be full-time and in good standing with the university.

(4) In addition to the chairs, a quorum shall be two faculty members and two student members. The chairs shall select alternates from the panels of eligible faculty or students as needed to produce a quorum.

(5) ~~((A))~~ Committee members 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 committees.

(a) ~~((A))~~ Committee members may excuse ~~((himself or herself))~~ themselves for any of the causes set forth in this section by submitting a written statement to the appropriate committee chair stating facts and reasons for the disqualification.

(b) A student before any of the university disciplinary committees may challenge the impartiality of a committee member by written petition. The appropriate 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 committees.

(6) The appropriate chair may relieve a member of ~~((the))~~ his or her university disciplinary committee from serv-

ing 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 committees 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 chairs, or by the person designated by the appropriate chair, through random procedures established by the chair.

AMENDATORY SECTION (Amending WSR 96-10-051, filed 4/29/96, effective 5/30/96)

**WAC 478-120-095 Hearings before the university disciplinary committees.** The purpose of a hearing before ~~((the))~~ a 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))~~ a university disciplinary committee, the chair of the appropriate 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))~~ each 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))~~ or at the University of Washington Bothell and Tacoma campuses, director of the program in which the student is enrolled, the vice-provost for student life, the chancellors of the University

of Washington Bothell and Tacoma campuses, or their delegates) 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 committees.

(b) If ~~((the))~~ a 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))~~ a university disciplinary committee the appropriate 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 appropriate 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 appropriate 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 appropriate 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 appropriate university disciplinary committee rather than at a hearing before the full committee. The student's waiver of the right to a hearing before ~~((the))~~ a university disciplinary committee must be submitted in writing to the chair of the appropriate 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 committees 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 appropriate committee and may include a tape recording of the testimony and any other documents related to the hearing.

(12) A report of ~~((the))~~ a 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))~~ vice-provost for student life, or the office of the chancellor at the University of Washington Bothell or Tacoma campuses, whichever is appropriate, or their delegates.

AMENDATORY SECTION (Amending WSR 96-10-051, filed 4/29/96, effective 5/30/96)

**WAC 478-120-100 Faculty appeal board.** There shall be a single faculty appeal board which will serve all University of Washington campuses. The faculty appeal board shall be composed of seven members of the faculty to be appointed by the chair of the faculty senate after consultation with the faculty council on student affairs, to include one faculty member from each of the University of Washington Bothell and Tacoma campuses. 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 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 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) 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; 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.

(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.

(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.

AMENDATORY SECTION (Amending WSR 96-10-051, filed 4/29/96, effective 5/30/96)

**WAC 478-120-140 Emergency authority of the president and chancellors 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, or the chancellors of the University of Washington Bothell and Tacoma campuses or their delegates, 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~~) chancellors, or their delegates, 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, or chancellors or their delegates, shall then refer the matter to the (~~vice-president for student affairs or his or her delegate~~) vice-provost for student life at the University of Washington Seattle campus or the appropriate campus official at the University of Washington Bothell or Tacoma campuses, whichever is appropriate, who shall proceed as quickly as feasible to complete any proceedings that would be required if the matter did not involve an immediate danger.

AMENDATORY SECTION (Amending WSR 96-10-051, filed 4/29/96, effective 5/30/96)

**WAC 478-120-145 Recording and maintenance of records.** (1) The (~~vice-president for student affairs~~) vice-provost for student life at the University of Washington Seattle campus or the chancellors of the University of Washington Bothell and Tacoma campuses, or their delegates, shall keep records of all disciplinary actions reported to (~~his or her office~~) their respective offices. 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 at the University of Washington Seattle, or the director of the program in which the student is enrolled at the University of Washington Bothell and Tacoma campuses initiating disciplinary action shall report in writing to the office of the (~~vice-president for student affairs~~) vice-provost for student life, or the office of the chancellor for the University of Washington Bothell or Tacoma campuses, whichever is appropriate, or their delegates, all cases in which disciplinary action is taken. The dean at the University of Washington Seattle 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~~) vice-provost for student life, or the office of the chancellor for the University of Washington Bothell or

Tacoma campuses, shall notify the dean of the college or school or director of the program in which the student is enrolled of any disciplinary action it takes and also shall notify the registrar or campus officer of student affairs 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~~) vice-provost for student life, or the chancellor at the University of Washington Bothell or Tacoma campuses, whichever is appropriate, or their delegates, 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~~) vice-provost for student life, or the chancellor at the University of Washington Bothell or Tacoma campuses, whichever is appropriate, or their delegates, at (~~his or her~~) their 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.

#### WSR 07-19-076

#### PROPOSED RULES

#### GAMBLING COMMISSION

[Filed September 17, 2007, 1:34 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-16-005.

Title of Rule and Other Identifying Information: Repeal of current rules manual: Repealing chapter 230-02 WAC, General provisions and definitions; chapter 230-04 WAC, Licensing; chapter 230-08 WAC, Records and reports; chapter 230-12 WAC, Rules of general applicability; chapter 230-20 WAC, Bingo, raffles and amusement games; chapter 230-25 WAC, Fund-raising events; chapter 230-30 WAC, Punch boards and pull-tabs; chapter 230-40 WAC, Card games; chapter 230-46 WAC, Unlicensed activities; chapter 230-48 WAC, Tribal casinos; chapter 230-50 WAC, Hearings—Practice and procedure; and chapter 230-60 WAC, Public records—Disclosure.

Hearing Location(s): DoubleTree Guest Suites, 16500 Southcenter Parkway, Seattle, WA 98188, (206) 575-8220, on November 16, 2007, at 9:30 a.m.

Date of Intended Adoption: November 16, 2007.

Submit Written Comments to: Susan Arland, P.O. Box 42400, Olympia, WA 98504-2400, e-mail Susan2@wsgc.wa.gov, fax (360) 486-3625, by November 1, 2007.

Assistance for Persons with Disabilities: Contact Gail Grate, Executive Assistant, by November 1, 2007, TTY (360) 486-3637 or (360) 486-3453.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The gambling

commission is rewriting its rules manual using plain English techniques. We anticipate the project will be completed by January 1, 2008. The rules manual has been broken into sections and rewritten a section at a time. This filing is to provide notification that our current rules will be repealed to make way for the rules simplification project "plain English" rules manual.

Statutory Authority for Adoption: RCW 9.46.070.

Statute Being Implemented: Not applicable.

Name of Proponent: Washington state gambling commission, governmental.

Name of Agency Personnel Responsible for Drafting: Susan Arland, Rules Coordinator, Lacey, (360) 486-3466; Implementation: Rick Day, Director, Lacey, (360) 486-3446; and Enforcement: Mark Harris, Assistant Director, Lacey, (360) 486-3579.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement has not been prepared pursuant to RCW 19.85.025, and/or the proposed rule change clarifies language of rules without changing the effect.

A cost-benefit analysis is not required under RCW 34.05.328. The Washington state gambling commission is not an agency that is statutorily required to prepare a cost-benefit analysis under RCW 34.05.328.

September 17, 2007

Susan Arland

Rules Coordinator

#### REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 230-02-010	Washington state gambling commission—Purpose and organization.
WAC 230-02-020	Time and place of meetings.
WAC 230-02-022	Cost defined.
WAC 230-02-030	Normal commission operations—Administrative office address and business hours.
WAC 230-02-035	Field offices and operations.
WAC 230-02-040	Commission activities exempt from Environmental Protection Act.
WAC 230-02-100	Definitions.
WAC 230-02-102	Bingo occasion defined.
WAC 230-02-104	Bingo session defined.
WAC 230-02-105	Annual measurement period—Defined.
WAC 230-02-108	Gambling proceeds defined.
WAC 230-02-109	Net win defined.

WAC 230-02-110	Gross gambling receipts defined.	WAC 230-02-218	Linked bingo prize provider representative defined.
WAC 230-02-120	Net gambling receipts defined.	WAC 230-02-220	Distributor's representative defined.
WAC 230-02-123	Charitable or nonprofit organizations—Net return defined.	WAC 230-02-225	Manufacturer's representative defined.
WAC 230-02-130	Net gambling income defined.	WAC 230-02-230	Manufacturer defined.
WAC 230-02-135	Gross sales defined.	WAC 230-02-240	Commercial gambling manager defined.
WAC 230-02-137	Excessive reserves defined.	WAC 230-02-250	Bingo equipment.
WAC 230-02-140	Person defined.	WAC 230-02-255	Linked bingo prize defined.
WAC 230-02-155	Bona fide charitable organization defined.	WAC 230-02-260	Pull-tab defined.
WAC 230-02-160	Charitable defined.	WAC 230-02-270	Punch board defined.
WAC 230-02-161	Bona fide nonprofit organization defined.	WAC 230-02-278	Program service expenses defined.
WAC 230-02-162	Functional expenses defined.	WAC 230-02-279	Supporting service expenses defined.
WAC 230-02-163	Educational defined.	WAC 230-02-280	Identification and inspection services stamps.
WAC 230-02-166	Civic defined.	WAC 230-02-290	Records entry labels.
WAC 230-02-169	Patriotic defined.	WAC 230-02-300	Substantial interest holder defined.
WAC 230-02-173	Political defined.	WAC 230-02-310	Bona fide newspaper or magazine defined.
WAC 230-02-176	Religious defined.	WAC 230-02-350	Commercial stimulant defined.
WAC 230-02-179	Social defined.	WAC 230-02-360	Licensed premises defined.
WAC 230-02-182	Fraternal defined.	WAC 230-02-370	Food and/or drink business defined.
WAC 230-02-183	Active member defined.	WAC 230-02-380	Established business defined.
WAC 230-02-185	Athletic defined.	WAC 230-02-405	Specific authorized card games.
WAC 230-02-188	Agricultural defined.	WAC 230-02-410	Public card room.
WAC 230-02-191	Agricultural fair defined.	WAC 230-02-412	Gambling equipment defined.
WAC 230-02-200	Operator defined.	WAC 230-02-415	Card room employee defined.
WAC 230-02-203	Lending agent, loan servicer, and placement agent defined.	WAC 230-02-418	Charitable or nonprofit gambling manager defined.
WAC 230-02-204	Regulated lending institution defined.	WAC 230-02-420	Social card room.
WAC 230-02-205	Gambling service supplier defined.	WAC 230-02-430	Guest.
WAC 230-02-206	Gambling service supplier representative defined.	WAC 230-02-440	Calendar day defined.
WAC 230-02-207	Linked bingo prize provider defined.	WAC 230-02-450	Three consecutive days defined.
WAC 230-02-208	Punch board and pull-tab service business defined.	WAC 230-02-455	Social pastime defined.
WAC 230-02-210	Distributor defined.		



WAC 230-02-500	Drawing defined.	WAC 230-04-064	Certification of new licenses—Formal commission approval.
WAC 230-02-503	Fund-raising defined.		
WAC 230-02-504	Fund-raising event defined.	WAC 230-04-065	Certification procedure—Bona fide charitable and non-profit organizations—Lower volume—Simplified application.
WAC 230-02-505	Recreational gaming activity—Defined.		
WAC 230-02-510	Amusement device defined.		
WAC 230-02-511	Attended amusement game defined.	WAC 230-04-070	Activities not to be conducted without a license or permit.
WAC 230-02-512	Commercial amusement game operator defined.	WAC 230-04-075	No license required for certain bingo, raffles, and amusement games.
WAC 230-02-514	Coin or token activated amusement games defined.		
WAC 230-02-515	School hours defined.	WAC 230-04-080	Certain activities to be operated as a commercial stimulant only—Licensing of food and/or drink businesses.
WAC 230-02-520	School-aged minors defined.		

**REPEALER**

The following chapter of the Washington Administrative Code is repealed:

		WAC 230-04-110	Licensing of manufacturers.
		WAC 230-04-115	Licensing of manufacturers—Exception—Special sales permit.
		WAC 230-04-119	Licensing of gambling service suppliers.
WAC 230-04-005	Gambling license certification program.	WAC 230-04-120	Licensing of distributors.
WAC 230-04-010	Certification procedure—Application forms.	WAC 230-04-124	Licensing of manufacturer, distributor, gambling service supplier, and linked bingo prize provider representatives—Exceptions.
WAC 230-04-020	Certification procedure—General requirements—Mandatory training required.		
WAC 230-04-022	Certification procedure—Information required from all applicants.	WAC 230-04-125	Distributor or gambling services supplier representative license—Restrictions and procedures for changing employment.
WAC 230-04-024	Bona fide charitable or non-profit organizations—Minimum qualifications—Restrictions—Definitions.	WAC 230-04-126	Licensing of linked bingo prize providers.
WAC 230-04-026	Ownership of a commercial gambling establishment by charitable and nonprofit organizations.	WAC 230-04-133	Punch board and pull-tab service business—Registration required—Procedures—Restrictions.
WAC 230-04-030	Commission may post public notice of license application on premises.	WAC 230-04-135	Commercial amusement games—License required.
		WAC 230-04-138	Commercial amusement games—Authorized locations.
WAC 230-04-035	Certification procedure—Charitable and nonprofit organizations—Classification of purpose.	WAC 230-04-140	Licensing of public card room employees—Procedures—Exceptions.
WAC 230-04-040	Certification procedure—Charitable and nonprofit organizations—Additional information required.	WAC 230-04-142	Notification to the commission upon beginning, terminating, or changing employ-

	ment—Public card room employees.	WAC 230-04-255	Director may issue temporary licenses—Procedures—Restrictions.
WAC 230-04-143	Licensing of commercial gambling managers.	WAC 230-04-260	Effect of exceeding license class income limit—Procedures—Penalties.
WAC 230-04-145	Licensing of charitable or nonprofit gambling managers—Application procedures.	WAC 230-04-270	Bad checks submitted as payment of fees.
WAC 230-04-147	Notification to the commission upon beginning, terminating, or changing responsibilities of charitable or nonprofit gambling managers.	WAC 230-04-280	Notification to law enforcement.
WAC 230-04-151	Supplemental information.	WAC 230-04-290	Loss or destruction of licenses or permits.
WAC 230-04-170	Applicants—Qualifications.	WAC 230-04-300	One annual change of premises allowed for bingo.
WAC 230-04-175	License does not grant vested right.	WAC 230-04-310	Change of name.
WAC 230-04-180	Background checks—Fingerprinting.	WAC 230-04-320	Change of location.
WAC 230-04-187	Recreational gaming activity—Permit or license required.	WAC 230-04-325	Cancellation, change of time, date, or location of fund raising event.
WAC 230-04-190	Issuance of license—Expiration—Restrictions.	WAC 230-04-330	Change of management.
WAC 230-04-191	Permits required for persons conducting bingo at agricultural fairs.	WAC 230-04-340	Transfer of licenses—Conditions.
WAC 230-04-193	Persons may obtain an annual permit to conduct bingo at agricultural fairs only.	WAC 230-04-350	Death or incapacity of licensee.
WAC 230-04-194	Denial or revocation of annual operator permit for special locations—Grounds and effect.	WAC 230-04-400	Denial, suspension or revocation of licenses.
WAC 230-04-202	Fees—Bona fide charitable/nonprofit organizations.	WAC 230-04-405	Commission will seek reimbursement for costs incurred in pursuing license revocation for failure to pay gambling taxes.
WAC 230-04-203	Fees—Commercial stimulant and other business organizations.	WAC 230-04-410	Return of license suspended or revoked.
WAC 230-04-204	Fees—Individuals.	WAC 230-04-450	Display of licenses.
WAC 230-04-207	House-banked card games—Additional requirements.	WAC 230-04-455	Employees to wear identification tags.
WAC 230-04-210	Withdrawal of application.	WAC 230-04-500	Local gambling prohibitions.
WAC 230-04-220	Prorating and refunding of fees.		
WAC 230-04-230	Intentionally understating anticipated revenue—Prohibited.		
WAC 230-04-240	Special investigation fee.		

**REPEALER**

The following chapter of the Washington Administrative Code is repealed:

WAC 230-08-010	Monthly records.
WAC 230-08-015	Certain lower volume licensees may meet reduced recordkeeping requirements.
WAC 230-08-017	Control of gambling equipment—Use of identification

	and inspection services stamps.	WAC 230-08-180	Annual activity reports by commercial amusement game operators.
WAC 230-08-025	Accounting records to be maintained by distributors and manufacturers.	WAC 230-08-200	All records subject to commission audit.
WAC 230-08-026	Accounting records to be maintained by gambling service suppliers.	WAC 230-08-250	Annual activity reports by agricultural fairs and other bona fide charitable or non-profit organizations with special location licenses to conduct bingo, raffles, and amusement games.
WAC 230-08-035	Records to be maintained by linked bingo prize providers.		
WAC 230-08-040	Sales invoices—Minimum information to be recorded for transfer of gambling equipment and merchandise—Retention—Penalties.	WAC 230-08-255	Bona fide charitable or non-profit organizations—Qualification review—Significant progress required—Exception.
WAC 230-08-060	Commercial amusement game records.	WAC 230-08-260	Fund-raising events—Activity report required.
WAC 230-08-070	Raffle records.		
WAC 230-08-080	Daily records—Bingo.	WAC 230-08-270	Transfer of any gambling devices requiring identification and inspection services stamps to be affixed.
WAC 230-08-095	Minimum standards for monthly and annual accounting records—Charitable or nonprofit organizations.		
WAC 230-08-105	Disposable bingo cards—Inventory control record.		
WAC 230-08-110	Prize inventory control procedures—Records required—Charitable or non-profit organizations.		
WAC 230-08-120	Quarterly activity report by operators of bingo games (license Class D and above).		
WAC 230-08-122	Annual progress and financial report—All nonprofit and charitable organizations.		
WAC 230-08-125	Annual activity reports—Certain activities operated by charitable or nonprofit organizations.		
WAC 230-08-130	Activity reports by operators of punch boards and pull-tabs.		
WAC 230-08-140	Activity reports by distributors.		
WAC 230-08-150	Activity reports by manufacturers.		
WAC 230-08-160	Activity reports by operators of social and public card rooms.		
WAC 230-08-165	Activity reports by linked bingo prize providers.		

**REPEALER**

The following chapter of the Washington Administrative Code is repealed:

WAC 230-12-005	Effective dates for commission rule making orders.
WAC 230-12-010	Inspection of premises, records and devices.
WAC 230-12-020	Gambling receipts deposit required by all bona fide charitable and nonprofit organizations—Exemptions.
WAC 230-12-027	Age limit to participate in gambling activities—Bingo advertisements directed to minors.
WAC 230-12-030	No beer, wine or spirits as prizes.
WAC 230-12-040	No firearms as prizes—Exceptions.
WAC 230-12-045	Gambling promotions.
WAC 230-12-050	Extension of credit, loans, or gifts prohibited—Limited exception.
WAC 230-12-053	Acceptance of checks—Requirements.
WAC 230-12-070	Conduct of gambling activity.

WAC 230-12-074	Sales on licensed premises only—Exceptions.	WAC 230-12-335	Control of gambling equipment—Sales and purchases by and to licensees only—Authorized transfers of gambling equipment.
WAC 230-12-076	Regulation of charitable and nonprofit organizations—Assignment to regulatory groups.	WAC 230-12-337	Manufacturers and distributors transporting and displaying gambling devices—Trade shows and conventions.
WAC 230-12-078	Bona fide charitable or nonprofit organizations—Responsibilities—Independent management control structure required.	WAC 230-12-900	Deputy director.
WAC 230-12-079	Duties and responsibilities of a charitable or nonprofit gambling manager.	<b><u>REPEALER</u></b>	
WAC 230-12-080	Licensee to maintain copy of commission's rules on premises.	The following chapter of the Washington Administrative Code is repealed:	
WAC 230-12-090	Problem gambling and caution disclosure—Advertisements and posting signs.	WAC 230-20-002	Shared facilities for bingo licensees—Separate management.
WAC 230-12-210	Prices charged by manufacturers, distributors and operators for goods and services not to be fixed by agreement.	WAC 230-20-005	Shared management and facilities for bingo licensees—Shared allocation of revenues and expenses.
WAC 230-12-223	Prohibited practices—Leases and compensation.	WAC 230-20-010	Disclosure of prizes and rules.
WAC 230-12-225	Repair or service not to be conditioned upon exclusive supply arrangement.	WAC 230-20-015	Prize limits for raffles.
WAC 230-12-230	Agreements restricting freedom to buy and sell—Prohibited.	WAC 230-20-050	Use of proceeds.
WAC 230-12-230	Agreements restricting freedom to buy and sell—Prohibited.	WAC 230-20-055	Use of proceeds from authorized activities by charitable or nonprofit organizations.
WAC 230-12-250	No division of territories allowed.	WAC 230-20-059	Minimum cash flow requirements for bingo games—Contributions to stated purpose—Sanctions.
WAC 230-12-280	Suspension of licenses, certificates, and permits for various purposes for premises upon which violations occur.	WAC 230-20-065	Licensed bingo manager required on premises.
WAC 230-12-300	Resident agent to be appointed by out-of-state licensees.	WAC 230-20-070	Regulation of managers, operators, and other employees—Charitable or nonprofit organizations.
WAC 230-12-305	Licensee required to submit updated documents or information.	WAC 230-20-090	Limits on compensation paid to members or employees.
WAC 230-12-310	Licensees to report to the commission civil, criminal and administrative actions filed against them.	WAC 230-20-101	Income from bingo games—Receipting required.
WAC 230-12-315	Request for review services—Fees.	WAC 230-20-102	Bingo prizes—Record of winners.
WAC 230-12-316	Electronic or mechanical equipment review.	WAC 230-20-103	Bingo cards to be sold upon the premises—Exceptions.
		WAC 230-20-104	Cash register method of receipting bingo income.

WAC 230-20-105	Ticket method of receipting bingo income.	WAC 230-20-360	Licensee for the conduct of bingo games at agricultural fairs shall not allow another to do so without a permit.
WAC 230-20-106	Electronically generated bingo card method of receipting bingo income.	WAC 230-20-370	Licensees may rent equipment to conduct amusement games.
WAC 230-20-107	Disposable (throwaway) bingo card method for receipting bingo income.	WAC 230-20-400	Certain lower volume licensees exempted from certain rules.
WAC 230-20-108	Combination receipting method of receipting bingo income—Procedures.	WAC 230-20-508	Authorized amusement games—Types, standards and classifications.
WAC 230-20-115	Gift certificates.	WAC 230-20-509	Amusement games—Classification to be assigned by operator.
WAC 230-20-130	Operation of bingo upon retail business—Conditions.	WAC 230-20-510	Attended amusement games—Operational restrictions.
WAC 230-20-170	Hours for bingo games.	WAC 230-20-600	Amusement games—Licensee to give notice to local police jurisdiction prior to conducting—Inspection of equipment by police.
WAC 230-20-192	Standards for disposable bingo cards—Requirements and definitions.	WAC 230-20-610	Amusement games—Factors affecting skill to be readily visible to players.
WAC 230-20-220	Bingo operators shall not play in bingo games.	WAC 230-20-615	Amusement games—Material degree of skill required—Standards.
WAC 230-20-240	Bingo equipment to be used.	WAC 230-20-620	Amusement games—Objects to be thrown to be uniform—Similar games not to use different objects unless designated.
WAC 230-20-241	Player selection games.	WAC 230-20-630	Amusement games—Fees, rules, prizes and variations in objects to be posted—Fees to be paid in cash or scrip—Prizes not to differ from those posted.
WAC 230-20-242	Activities conducted as a part of bingo games—Authorization—Restrictions.	WAC 230-20-640	Amusement games—Sample of prizes to be displayed.
WAC 230-20-243	Hidden face bingo games.	WAC 230-20-650	Amusement games—Coin toss games.
WAC 230-20-244	Electronic bingo card daubers—Definition—Operating restrictions—Standards.	WAC 230-20-660	Amusement games—Target shoot—Target to be brought to contestant on demand.
WAC 230-20-246	Manner of conducting bingo.	WAC 230-20-670	Commercial amusement games—Operating restrictions.
WAC 230-20-247	Keno bingo—Definitions and requirements.		
WAC 230-20-248	Loteria authorized—Class A licensees only.		
WAC 230-20-249	Three number speed bingo—Operational procedures—Restrictions.		
WAC 230-20-255	Linked bingo prizes—Approval—Manner of conducting.		
WAC 230-20-300	Control of raffle prizes.		
WAC 230-20-325	Manner of conducting a raffle.		
WAC 230-20-335	Members-only raffles—Procedures—Restrictions.		
WAC 230-20-350	Licensees may join together to conduct a raffle.		

WAC 230-20-680	Commercial amusement games—Operation restrictions.	WAC 230-25-150	Pull-tabs at fund-raising events—Authorized.
WAC 230-20-685	Commercial amusement games—Wager and prize limitations.	WAC 230-25-160	Pull-tabs at fund-raising events—Operational requirements—Limitations.
WAC 230-20-700	Coin or token activated amusement games—Standards.	WAC 230-25-200	Bingo at fund-raising events.
		WAC 230-25-220	Raffles or similar drawings conducted at fund-raising events.

**REPEALER**

The following chapter of the Washington Administrative Code is repealed:

WAC 230-25-020	Fund-raising event—Licensee to give notice to local police jurisdiction prior to conducting—Inspection of equipment by police.	WAC 230-25-230	Raffles or similar lotteries at fund-raising events—Tickets to be sold and income to be accounted for separately.
WAC 230-25-030	Fund-raising event—Ten thousand dollars annual net receipts maximum.	WAC 230-25-235	Fund-raising event—Rules for blackjack.
WAC 230-25-033	Fund-raising events on New Year's Eve extending past midnight.	WAC 230-25-240	Prizes to be awarded only to persons who were present, and purchased tickets or made wagers, at fund-raising event.
WAC 230-25-040	Fund-raising event—House rules to be developed and posted—Limitations on wagers.	WAC 230-25-250	Operation of punch boards at a fund-raising event prohibited.
WAC 230-25-045	Poker tournaments at fund-raising events and limited fund-raising events.	WAC 230-25-260	Bona fide member of organization conducting fund-raising event.
WAC 230-25-050	Wagering among participants not permitted.	WAC 230-25-265	Fund-raising event—Regular salary for licensee's employee not "payment" for work on fund-raising event under certain conditions—Food and beverage exception.
WAC 230-25-055	Use of chips, scrip or similar items at fund-raising event.	WAC 230-25-270	Certain incidental functions at fund-raising event not part of management and operation of event.
WAC 230-25-060	Coin-operated gaming devices prohibited.	WAC 230-25-310	Fund-raising event—List of workers to be available on premises.
WAC 230-25-065	Licenses may join together to conduct a fund-raising event.	WAC 230-25-315	Workers to wear identification tags.
WAC 230-25-070	Fund-raising events—Central accounting system required.	WAC 230-25-320	Limits for operation and participation in fund-raising events.
WAC 230-25-100	Fund-raising event—Leasing of commercial business premises—Conditions.	WAC 230-25-325	Limited fund-raising event—Procedures and restrictions.
WAC 230-25-110	Fund-raising event—Equipment use, lease or rental from licensee only.	WAC 230-25-330	Recreational gaming activity—Rules for play.
WAC 230-25-120	Expenditure limits for fund-raising events.		

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 230-30-025 Progressive jackpot pull-tab series—Definitions—Restrictions—Operating procedures.
- WAC 230-30-030 Punch board and pull-tab quality control program—Special inspections, defective devices, reimbursements, and fees.
- WAC 230-30-033 Event pull-tab series—Definitions—Restrictions.
- WAC 230-30-034 Seal card pull-tab series—Definitions—Restrictions.
- WAC 230-30-040 Bonus pull-tab series—Definitions—Restrictions.
- WAC 230-30-045 Carry-over jackpot pull-tab series—Definitions—Requirements.
- WAC 230-30-050 Punch board and pull-tab operating restrictions and dispensing limitations.
- WAC 230-30-052 Punch boards and pull-tabs operated by charitable or nonprofit organizations—Net income required.
- WAC 230-30-055 Standards for construction of punch boards.
- WAC 230-30-070 Control of prizes—Restrictions—Bonus prizes—Displaying—Procedures for awarding.
- WAC 230-30-072 Inventory control for punch boards and pull-tabs—Retention requirements—Audit adjustments.
- WAC 230-30-080 Punch board and pull-tab series restrictions—Prizes, size of game, and location of winners.
- WAC 230-30-090 All devices must comply with rules.
- WAC 230-30-097 Standards—Approved pull-tab dispensing devices.
- WAC 230-30-102 Pull-tab series assembly and packaging.
- WAC 230-30-103 Standards for construction of pull-tabs.

WAC 230-30-104

Possession or sale of pull-tab series in which winners or location of winners may be determined in advance—Prohibited.

WAC 230-30-106

Punch board and pull-tab flares restrictions—Standards—Substitute flares.

WAC 230-30-210

Sales restrictions.

WAC 230-30-220

Interest in separate business involving punch boards and pull-tabs at a different marketing level prohibited.

WAC 230-30-225

Exception to prohibition of holding an interest in separate punch board or pull-tab businesses at different marketing levels.

WAC 230-30-300

Recall of defective punch boards, pull-tabs or pull-tab dispensing devices.

WAC 230-30-500

Rules applicable to operators of punch boards and pull-tabs applicable as well to operators of either activity.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 230-40-010

Social card games—Rules of play—Types of card games authorized.

WAC 230-40-020

Portion of premises used for card playing limited.

WAC 230-40-030

Number of tables and players limited.

WAC 230-40-040

Fees for house-banked card games—Prohibited—Exception.

WAC 230-40-050

Fees for nonhouse-banked card games—Assessment and collection—Maximum fees.

WAC 230-40-052

Daily records—Card games.

WAC 230-40-055

Card tournaments for fee and prizes—Reporting requirements.

WAC 230-40-063

Charge for cutting cards.

WAC 230-40-070

Licensee to furnish all cards, chips and other services.

WAC 230-40-080	Person not to bring their own cards or chips.	WAC 230-40-560	Floor supervisor defined.
WAC 230-40-090	Devices, mechanisms, giving advantage—Prohibited.	WAC 230-40-562	Dealer defined.
WAC 230-40-120	Limits on wagers in card games.	WAC 230-40-600	Authorization procedures for player-supported jackpots.
WAC 230-40-130	Wagers to be made with chips only.	WAC 230-40-608	Deposit requirements—Player-supported jackpot funds.
WAC 230-40-140	Change in method of wagering prohibited.	WAC 230-40-610	Player-supported jackpots—Restrictions—Manner of conducting—Approval.
WAC 230-40-200	Players to compete on equal terms—Deal to rotate among players.	WAC 230-40-615	Nonhouse-banked card games—Administrative and accounting control structure—Organization.
WAC 230-40-225	House dealer allowed in certain games.	WAC 230-40-625	Closed circuit television system—Class F card rooms.
WAC 230-40-230	No person shall have someone play for him or assist another participant.	WAC 230-40-630	Count procedures—Class F card rooms.
WAC 230-40-250	Licensee to prevent cheating in card games.	WAC 230-40-800	Operating rules for house-banked card games.
WAC 230-40-315	No food or drink sales on time basis in card room.	WAC 230-40-801	Interruption of card games—Preoperational review and evaluation required—Procedures—House-banking.
WAC 230-40-320	Minors or intoxicated persons shall not play cards or provide services to the game.	WAC 230-40-805	Progressive jackpot prizes—Procedures—Restrictions—House-banking.
WAC 230-40-331	Bona fide nonprofit or charitable organizations—Members only to play social card and dice games—Exception.	WAC 230-40-808	Deposit requirements for prizes—House-banking.
WAC 230-40-400	Hours for card games—Procedures for changing hours.	WAC 230-40-810	House-banked card games—Odds based wagers—Prizes—Restrictions—Procedures.
WAC 230-40-450	Pictures to be posted with employee licenses.	WAC 230-40-815	Administrative and accounting control structure—Organization—House-banking.
WAC 230-40-500	Unlicensed charitable and nonprofit card games—Authority—House rules to be developed and posted.	WAC 230-40-821	Accounting system—House-banked card rooms.
WAC 230-40-505	Rules of play for social card games—Display—Availability for review.	WAC 230-40-823	Financial statements required—House-banked card rooms.
WAC 230-40-550	Incompatible functions defined.	WAC 230-40-825	Closed circuit television system—House-banking.
WAC 230-40-552	Cash equivalent defined.	WAC 230-40-830	Cashier's cage—Requirements—House-banking.
WAC 230-40-554	Chief executive officer or chief operations officer defined.	WAC 230-40-833	Cashier's bank and minimum bankroll—House-banking.
WAC 230-40-556	Gaming operations department manager defined.	WAC 230-40-835	Accounting controls for cashier's cage.
WAC 230-40-558	Shift manager defined.		



WAC 230-40-840	Drop boxes—House-banking—Drop box collection method.	<u>REPEALER</u> The following chapter of the Washington Administrative Code is repealed:	
WAC 230-40-845	Procedures for exchange of checks submitted by gaming patrons at cashier's cage.	WAC 230-48-010	Tribal-state compacts—Phase II commission review.
WAC 230-40-850	Procedures for purchasing gaming chips.	<u>REPEALER</u> The following chapter of the Washington Administrative Code is repealed:	
WAC 230-40-855	Acceptance of tips from patrons for house-banked activities.	WAC 230-50-005	Seizures—Hearings.
WAC 230-40-860	Table inventories and procedures for opening tables for house-banked card games.	WAC 230-50-010	Adjudicative proceedings—Hearings.
WAC 230-40-865	Distributing chips and coins to tables—Requests and fills—House-banking.	WAC 230-50-012	Summary suspensions.
WAC 230-40-870	Removing chips and coins from tables—Requests and credits—House-banking.	WAC 230-50-015	Stay of summary suspension.
WAC 230-40-875	Closing gaming tables—House-banking.	WAC 230-50-018	Review of orders on stay.
WAC 230-40-880	Count room requirements.	WAC 230-50-020	Adjudicated proceedings—Appointment of administrative law judge.
WAC 230-40-885	Count procedures—House-banking.	WAC 230-50-030	Adjudicated proceedings—Hearings—Interpreter—Timing.
WAC 230-40-890	Signatures—Requirements.	WAC 230-50-060	Adjudicated proceedings—Appearance and practice before the commission—Who may appear.
WAC 230-40-895	Key control—House-banking.	WAC 230-50-080	Solicitation of business unethical.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 230-46-010	Purpose.	WAC 230-50-090	Standards of ethical conduct.
WAC 230-46-025	Telephone charges—Valuable consideration.	WAC 230-50-100	Appearance by former employee of commission or former member of attorney general's staff.
WAC 230-46-045	Promotional contests of chance similar to bingo—"No fee bingo."	WAC 230-50-110	Computation of time.
WAC 230-46-070	Punch boards/pull-tabs and pull-tab dispensing devices not to be used in promotional contests—Exception.	WAC 230-50-150	Adjudicated proceedings—Notice of hearing—Requirements.
WAC 230-46-100	Bona fide charitable/non-profit organizations—Limited social card games without obtaining a license—Conditions.	WAC 230-50-160	Adjudicated proceedings—Service of process—By whom served.
		WAC 230-50-170	Service of process—Upon whom served.
		WAC 230-50-180	Service of process—Service upon parties.
		WAC 230-50-190	Adjudicated proceedings—Service of process—Method of service.

WAC 230-50-200	Adjudicated proceedings— Service of process—When service complete.	WAC 230-50-410	Depositions upon interroga- tories—Interrogation.
WAC 230-50-210	Adjudicated proceedings— Service of process—Filing with agency.	WAC 230-50-420	Depositions upon interroga- tories—Attestation and return.
WAC 230-50-225	Adjudicated proceedings— Discovery.	WAC 230-50-500	Official notice—Matters of law.
WAC 230-50-230	Adjudicated proceedings— Subpoenas, issuance, service, fees, quashing and enforce- ment.	WAC 230-50-510	Official notice—Material facts.
WAC 230-50-235	Brief adjudicative proceed- ings—Discovery limitations.	WAC 230-50-520	Presumptions.
WAC 230-50-300	Adjudicated proceedings— Depositions and interroga- tories—Right to take.	WAC 230-50-530	Stipulations and admissions of record.
WAC 230-50-310	Depositions and interroga- tories in contested cases— Scope.	WAC 230-50-550	Adjudicated proceedings— Initial or final order.
WAC 230-50-320	Depositions and interroga- tories in contested cases— Officer before whom taken.	WAC 230-50-560	Petition for review of an ini- tial order—Replies to a peti- tion for review, and cross appeals—When an initial order becomes a final order—Time limits and con- tent requirements.
WAC 230-50-330	Adjudicated proceedings— Depositions and interroga- tories—Notice.	WAC 230-50-562	Final orders—When and how to file a petition for reconsid- eration of a final order.
WAC 230-50-340	Depositions and interroga- tories in contested cases—Pro- tection of parties and depo- nents.	WAC 230-50-570	Adjudicated proceeding— Stay.
WAC 230-50-350	Depositions and interroga- tories in contested cases—Oral examination and cross-exam- ination.	WAC 230-50-580	Adjudicated proceedings— Hearings—Forms.
WAC 230-50-360	Depositions and interroga- tories in contested cases— Recordation.	WAC 230-50-610	Adjudicated proceedings set- tlement conferences and pre- hearing conferences.
WAC 230-50-370	Depositions and interroga- tories in contested cases— Signing attestation and return.	WAC 230-50-630	Submission of documentary evidence in advance.
WAC 230-50-380	Depositions and interroga- tories in contested cases—Use and effect.	WAC 230-50-640	Excerpts from documentary evidence.
WAC 230-50-390	Adjudicated proceedings— Depositions and interroga- tories—Fees of deponents— Costs of deposition.	WAC 230-50-650	Expert or opinion testimony and testimony based on eco- nomic and statistical data— Number and qualifications of witnesses.
WAC 230-50-400	Depositions upon interroga- tories—Submission of inter- rogatories.	WAC 230-50-660	Expert or opinion testimony and testimony based on eco- nomic and statistical data— Written sworn statements.
		WAC 230-50-670	Expert or opinion testimony and testimony based on eco- nomic and statistical data— Supporting data.
		WAC 230-50-680	Expert or opinion testimony and testimony based on eco- nomic and statistical data—

- Effect of noncompliance with WAC 230-50-650 or 230-50-660.
- WAC 230-50-700 Continuances.
- WAC 230-50-750 Rules of evidence—Admissibility criteria.
- WAC 230-50-760 Rules of evidence—Tentative admission—Exclusion—Discontinuance—Objections.
- WAC 230-50-800 Petitions for rule making, amendments, or repeal.
- WAC 230-50-815 Deadlines for submitting items to be included in the commission meeting agenda—Exceptions.
- WAC 230-50-850 Declaratory order.

within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor  
Washington State Register

**WSR 07-19-087**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**

[Filed September 18, 2007, 11:24 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-15-092.

Title of Rule and Other Identifying Information: The department proposes to make amendments to chapter 16-461 WAC, Inspection requirements for fruits and vegetables. The proposed change will remove WAC 16-461-010 (2)(b), which is the exemption for issuing a certificate of compliance between horticulture facilities other than those which sell at wholesale or retail. Minor changes are also proposed for WAC 16-461-010 to update the WAC references and increase its clarity.

Hearing Location(s): Tree Fruit Research Center, Large Conference Room, 1100 North Western Avenue, Wenatchee, WA 98801, on Tuesday, October 23, 2007, at 1:00 p.m. (park on Western); and at the WSDA Yakima Office, Conference Room 238 (Primary Conference Room), Suite 226, 21 North First Avenue, Yakima, WA 98902, on Wednesday, October 24, 2007, at 1:00 p.m.

Date of Intended Adoption: November 20, 2007.

Submit Written Comments to: Maryann Connell, Division Coordinator, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, e-mail mconnell@agr.wa.gov, fax (360) 902-2085, by 5:00 p.m. on October 24, 2007.

Assistance for Persons with Disabilities: Contact Virginia Walsh by October 3, 2007, (360) 902-1976, TTY 800-833-6388.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Currently, the rule allows for an exemption of the issuance of certificates of compliance when lots are transferred between warehouses. The current rule allows for the potential for duplicate reporting and duplicate inspection fees and assessments. Removing the exemption at WAC 16-461-010 (2)(b) will require a certificate of compliance be issued for each individual load, even when shipped from one individual warehouse to another. The new process would mitigate the potential for duplicate reporting and duplicate inspection fees and assessments. Minor changes are also proposed for WAC 16-461-010 to update the WAC references and increase its clarity.

Reasons Supporting Proposal: The new process would mitigate the potential for duplicate reporting and duplicate inspection fees and assessments.

Statutory Authority for Adoption: Chapter 15.17 RCW, Standards of grades and packs and chapter 34.05 RCW, Administrative Procedure Act.

**REPEALER**

The following chapter of the Washington Administrative Code is repealed:

- WAC 230-60-005 Purpose.
- WAC 230-60-010 Definitions.
- WAC 230-60-025 Public records available—Location—Time available.
- WAC 230-60-030 Public records officers.
- WAC 230-60-035 Office hours.
- WAC 230-60-040 Requests for public records.
- WAC 230-60-045 Copying.
- WAC 230-60-050 Exemptions.
- WAC 230-60-055 Review of denials of public records requests.
- WAC 230-60-060 Protection of public records.
- WAC 230-60-065 Records index.
- WAC 230-60-100 Interpretive and policy statements.

**WSR 07-19-080**  
**WITHDRAWAL OF PROPOSED RULES**  
**DEPARTMENT OF LICENSING**  
(By the Code Reviser's Office)  
[Filed September 18, 2007, 8:00 a.m.]

WAC 308-93-010, 308-93-087, and 308-93-088, proposed by the department of licensing in WSR 07-06-059 appearing in issue 07-06 of the State Register, which was distributed on March 21, 2007, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted

Statute Being Implemented: Chapter 15.17 RCW, Standards of grades and packs.

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

Name of Proponent: Washington state department of agriculture, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jim Quigley, Program Manager, P.O. Box 42560, Olympia, WA 98504-2560, (360) 902-1833.

No small business economic impact statement has been prepared under chapter 19.85 RCW. RCW 19.85.030 (1)(a) requires an agency to prepare a small business economic impact statement (SBEIS) for proposed rules that impose a more than minor cost on the business in an industry. The proposed change would not impose "more than minor impact" upon the regulated industry.

RCW 19.85.040(1) requires that an agency determine whether the proposed rule will have a disproportionate impact on small businesses by comparing the cost of compliance for small business with the cost of compliance for the 10% of businesses that are the largest businesses required to comply. The proposed change would not impose "more than minor impact" upon the regulated industry.

A cost-benefit analysis is not required under RCW 34.05.328. Washington state department of agriculture is not a named agency in RCW 34.05.328.

September 17, 2007

Dennis Hannapel

Assistant Director

AMENDATORY SECTION (Amending WSR 06-12-116, filed 6/7/06, effective 7/8/06)

**WAC 16-461-010 Inspection certificate and/or permit required.** (1) No person shall ship, transport, accept for shipment, or accept delivery of, any commercial lot of the following agricultural products without an inspection and the issuance of a certificate and/or a permit by the (~~plant services~~) commodity inspection division of the department of agriculture allowing such shipment, movement or delivery:

(a) Apricots(—) in closed or open containers for fresh market.

(b) Italian prunes(—) in closed or open containers for fresh market.

(c) Peaches(—) in closed or open containers for fresh market.

(d) Cherries(—) in closed or open containers for fresh market(~~(— Provided, That no)~~). No permit ((shall)) will be issued on cherries infested with live cherry fruit fly larvae.

(e) Apples(—) in closed or open containers for fresh market(~~(— Provided, That)~~).

(i) Apples may be shipped or transported if accompanied by a certificate of compliance issued by the shipper or packer of apples having the approval of the director to issue the certificates of compliance.

(ii) Apples of the Red Delicious and Delicious varieties must be certified as to quality and condition and must meet all the requirements of chapter 16-403 WAC, Standards for apples marketed within the state of Washington. Apples of

the Red Delicious and Delicious varieties not allowed to enter channels of commerce within twenty-one days following the original date of inspection as indicated by a state lot stamp, will require recertification for meeting the minimum firmness requirement as stated in WAC 16-403-142.

(f) Pears(~~(—)~~) in closed or open containers for fresh market(~~(— Provided, That)~~). Pears may be shipped or transported if accompanied by a certificate of compliance issued by the shipper or packer of pears having the approval of the director to issue the certificates of compliance.

(g) Asparagus(~~(—)~~) in closed or open containers for fresh market(~~(— Provided, That)~~). Asparagus may be shipped or transported if accompanied by a certificate(~~(s)~~) of compliance issued by the shipper or packer of the asparagus(~~(s)~~) having the approval of the director to issue the certificates of compliance.

(h) Apples in containers or bulk, for processing(~~(— Provided, That)~~).

(i) Apples for processing may be shipped or transported if accompanied by a certificate of compliance issued by the shipper of apples having the approval of the director to issue the certificates of compliance(~~(— Provided further, That)~~).

(ii) Apples for processing entering (~~(intrastate))~~ in-state commerce (~~(shall))~~ do not require a permit.

(i) Pears in containers or bulk, for processing(~~(— Provided, That)~~).

(i) Pears for processing may be shipped or transported if accompanied by a certificate of compliance issued by the shipper of pears having the approval of the director to issue the certificates of compliance(~~(— Provided further, That)~~).

(ii) Pears for processing entering (~~(intrastate))~~ in-state commerce (~~(shall))~~ do not require a permit.

(2) (~~(Exemptions —))~~ Fruits and vegetables listed in WAC 16-461-010 (~~(shall be))~~ are exempted from requirements for inspection and issuance of a certificate or permit:

(a) When the product is being transported from the premises where grown or produced to a horticultural facility other than wholesale or retail for the purpose of storing, grading, packing, packaging, (~~(labelling))~~ labeling, or processing(~~(s)~~) prior to entering commercial channels for resale(~~(s)~~).

(b) (~~(When transportation is between horticultural facilities other than those facilities which sell at wholesale or retail level, for the purposes set forth in (a) of this subsection;~~

(~~(s))~~) When sold or transported to a fruit/produce stand within the zone of production, not to exceed daily quantities of two thousand pounds net weight of a single commodity nor six thousand pounds net weight of any combination of commodities other than cherries, listed in subsection (1) of this section, when on a single conveyance(~~(, provided that such))~~. Exempt sales by the producer within a farmer's market shall not be restricted to the zone of production(~~(s)~~).

(~~(s))~~ (c) When daily quantities do not exceed one hundred pounds net weight of dark or light sweet varieties of sweet cherries (~~(which are))~~ sold for home use and not for resale, and the containers are marked "not for resale" in letters at least one-half inch in height.

(3)(a) Any shipper or packer of apples, apricots, cherries, pears, peaches, prunes, or asparagus may petition the director for authority to issue certificates of compliance for each season. The director may issue certificate of compliance agree-

ments, granting ~~((such))~~ authority, on ~~((such))~~ terms and conditions ~~((as he may))~~ that the director deems appropriate. The authority shall be limited to the issuance of certificates of compliance for apples, apricots, cherries, pears, peaches, prunes, and asparagus under the applicant's direct control or being handled at the shipper's or packer's facilities.

(b) The certificate of compliance shall be issued at time of shipment by the shipper or packer authorized to do so ~~((Provided, That the))~~.

(i) Apples, pears, cherries, and asparagus about to be shipped or transported ~~((are))~~ must be in full compliance with the requirements of chapter 15.17 RCW, ~~((regulations adopted thereunder))~~ Standards of grades and packs, rules adopted under chapter 15.17 RCW, and administrative directives of the director ~~((Provided further, That))~~.

(ii) Apricots, cherries, peaches, prunes, or pears about to be shipped or transported ~~((are))~~ must be in full compliance with an existing federal marketing order requiring quality and condition certification and Washington state lot identification or federal-state lot identification ~~((;))~~.

(iii) Cherries of the dark sweet varieties ~~((shall))~~ must be certified as to quality, condition, and size and shall meet all of the requirements of chapter 16-414 WAC, Washington standards for cherries. Cherries of the Rainier variety or other varieties of "light colored sweet cherries" ~~((shall))~~ must meet only the requirements of WAC 16-414-005 "mature" and WAC 16-414-011(3) size requirement.

(c) The director's approval to issue certificates of compliance may be suspended, revoked, or denied for cause, subject to RCW 34.05.422(3) ~~((and that))~~. Cause shall be the shipper's or packer's failure to comply with the requirements of subsection (3)(b) of this section, or for the shipper's or packer's actions which impede the department's abilities to ascertain full compliance with requirements of chapter 15.17 RCW, Standards of grades and packs, or rules adopted ~~((thereunder))~~ under chapter 15.17 RCW, or for violation of the terms of the certificate of compliance agreement. The period of any suspension ~~((shall))~~ will be determined by the director and ~~((shall))~~ will be commensurate with the seriousness of the violation.

(d) Any shipper or packer whose authority to issue certificates of compliance has been suspended, revoked, or denied by the director ~~((shall))~~ will be subject to those provisions of chapter 15.17 RCW and the regulations requiring the issuance of a shipping permit by the director before apples, apricots, cherries, pears, peaches, prunes, and asparagus may be shipped or transported.

(e) Certificates of compliance ~~((shall))~~ must be on forms approved and issued by the director of agriculture.

(f) Any shipper or packer authorized to issue certificates of compliance shall deposit with the director of agriculture ~~((at))~~ the regular base fee equivalent to that charged by the director for a shipping permit ~~((;))~~ for each certificate of compliance issued by the authorized shipper or packer. The base fees shall be deposited with the director of agriculture in the same manner as fees for shipping permits.

## WSR 07-19-089

## PROPOSED RULES

## DEPARTMENT OF REVENUE

[Filed September 18, 2007, 11:32 a.m.]

## Original Notice.

Preproposal statement of inquiry was filed as WSR 07-11-172.

Title of Rule and Other Identifying Information: WAC 458-20-277 Certified service providers—Compensation.

Hearing Location(s): Capital Plaza Building, 4th Floor, L&P Conference Room, 1025 Union Avenue S.E., Olympia, WA 98504, on October 23, 2007, at 9:30 a.m.

Date of Intended Adoption: October 31, 2007.

Submit Written Comments to: Tim Jennrich, P.O. Box 47453, Olympia, WA 98504-7453, e-mail Timje@dor.wa.gov, fax (360) 586-0127, by October 23, 2007.

Assistance for Persons with Disabilities: Contact Sandy Davis at (360) 725-7499 no later than ten days before the hearing date. Deaf and hard of hearing individuals may call 1-800-451-7985 (TTY users).

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department is proposing WAC 458-20-277 (Rule 277) to explain the role and responsibilities of a certified service provider (CSP) retained by voluntary sellers registered in Washington. This rule will also establish the monetary allowances due to a CSP with respect to specified sellers voluntarily collecting and remitting retail sales and use tax in Washington.

Reasons Supporting Proposal: The department believes a rule is needed to explain the roles and responsibilities of CSPs. Additionally, section 301, chapter 6, Laws of 2007, provides that the department will adopt by rule monetary allowances for certified service providers.

Statutory Authority for Adoption: RCW 82.32.300, 82.01.060(2).

Statute Being Implemented: SSB 5089, sections 101, 102, 105, 201, 301, 302, 601, 701, and 702, chapter 6, Laws of 2007 (streamline sales and use tax).

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

Name of Proponent: Department of revenue, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Tim Jennrich, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 570-6136; and Enforcement: Janis P. Bianchi, 1025 Union Avenue S.E., Suite #544, Olympia, WA (360) 570-6147.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The department is preparing a cost-benefit analysis to explain and clarify the effect of this significant legislative rule.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Roseanna Hodson, Department of Revenue, P.O. Box 47453, Olympia, WA 98504-7453, e-

mail RoseannaH@dor.wa.gov, phone (360) 570-6119, fax (360) 586-0127.

September 18, 2007  
Janis P. Bianchi  
Assistant Director  
Interpretations and  
Technical Advice Division  
by Chris Coffman

## NEW SECTION

**WAC 458-20-277 Certified service providers—Compensation.** (1) **Introduction.** This section explains compensation paid to certified service providers (CSPs) as defined in Substitute Senate Bill No. 5089 (SSB 5089), chapter 6, Laws of 2007 and RCW 82.58.080. The section also lists rights and responsibilities applicable to these CSPs when collecting and remitting retail sales and use taxes in Washington. On March 22, 2007, Washington enacted SSB 5089, a legislative package that brings Washington's sales and use tax laws into conformity with the streamlined sales and use tax agreement (SSUTA). For more information concerning the SSUTA, visit <http://www.streamlinedsalestax.org>. The web sites referenced in this section are not maintained by Washington or the department of revenue (department). These referenced web sites may contain recommendations that require a change to Washington law prior to becoming effective in Washington.

### (2) CSP compensation.

(a) **What is a CSP?** A CSP is an agent of the seller certified under the SSUTA to perform all of a seller's retail sales and use tax functions, other than the seller's obligation to remit retail sales and use tax on its own purchases. For more information concerning CSP certification or a list of current CSPs, visit the SSUTA web site located at: <http://www.streamlinedsalestax.org>.

(b) **What is a volunteer seller?** A volunteer seller is any seller that has selected a CSP, as agent, to perform all of that seller's retail sales and use tax functions, other than the obligation to remit retail sales and use tax on the seller's own purchases and who has voluntarily registered through the SSUTA central registration system (CRS) in accordance with the terms of the CSP contract (CSP contract). The CSP contract is the agreement executed between each CSP and the streamlined sales tax governing board under which CSPs perform services in SSUTA associate and member states.

(c) **What are member states and associate member states?** Member states are those states that have petitioned and been granted full membership under the SSUTA. Associate member states are those states that have petitioned and been designated associate member status under the SSUTA. Washington became an associate member state on July 1, 2007. Washington has been granted full membership status as of July 1, 2008. For a list of the current member and associate member states, visit the SSUTA web site at: <http://www.streamlinedsalestax.org>.

(d) **What are monetary allowances?** As a condition of becoming an associate member and member state, Washington has agreed to permit CSPs to act as agents for sellers in collecting and remitting sales and use taxes in Washington.

Washington has agreed to provide monetary allowances to CSPs acting as agents for volunteer sellers. A CSP will obtain these monetary allowances by retaining a portion of the Washington retail sales and use tax they collect. However, monetary allowances will not reduce the retail sales and use taxes collected for and remitted to local taxing jurisdictions. The calculation of these monetary allowances is discussed in subsection (3) of this section.

(e) **What is a certified automated system (CAS)?** A certified automated system is software certified by Washington under the SSUTA: To calculate the sales and use tax imposed by each taxing jurisdiction on a transaction; to determine the amount of tax to remit; and to maintain a record of the transaction.

(3) **How are monetary allowances calculated?** The formula for determining monetary allowances is set forth in the CSP contract. This monetary allowance is the CSP's sole form of compensation with respect to volunteer sellers during the term of the CSP contract and is the same with respect to all CSPs.

This monetary allowance is calculated by using the following formula: (The combined volume of taxes due to all member and associate member states from a volunteer seller in such capacity) multiplied by (the applicable base rate). Simply stated, the formula is (combined collected taxes) x (base rate). Affiliated volunteer sellers will be treated as a single volunteer seller if they are related persons under 267(b) or 707(b) of the United States Internal Revenue Code. The base rate resets annually at the lowest rate provided in Table A. Table A below sets forth the schedule for "combined collected taxes" and the applicable "base rate":

Table A

Combined Collected Taxes:			Base Rate:
\$0.00	-	\$250,000	8%
\$250,001	-	\$1,000,000	7%
\$1,000,001	-	\$2,500,000	6%
\$2,500,001	-	\$5,000,000	5%
\$5,000,001	-	\$10,000,000	4%
\$10,000,001	-	\$25,000,000	3%
Over \$25,000,000			2%

(a) **Can volunteer sellers lose volunteer seller status?** Volunteer seller status ceases when the seller conducts activities in Washington that would require the seller to legally register in Washington as described in the CSP contract.

(b) **Seller statements.** Each volunteer seller must periodically send written statements (statement) to the CSP verifying that the seller continues to qualify as a volunteer seller in Washington. The volunteer seller must send the first statement twenty-four consecutive months from the date on which the CSP began remitting sales and use taxes for the volunteer seller in Washington. Subsequently, volunteer sellers will send a statement every twelve consecutive months thereafter. A CSP may request a statement verifying a seller's volunteer seller status at any time. The CSP must notify the department when a seller loses volunteer seller status and this notification must be sent no later than ten business days after receipt of a

seller's statement indicating the seller is no longer a volunteer seller. Notice to the department must be provided consistent with the notice provisions contained in the CSP contract. Entitlement to monetary allowances will be terminated after a seller sends a statement that the seller is no longer a volunteer seller.

(c) **When will monetary allowances terminate?** A CSP is entitled to retain monetary allowances granted prior to receiving a statement indicating that the seller has lost volunteer seller status. However, entitlement to monetary allowances will end on the first day of the month following receipt of such statement. Regardless, a CSP will be entitled to monetary allowances for services performed under this section with respect to a volunteer seller for a period of twenty-four months (beginning on the date the CSP commenced remitting sales and use taxes for the volunteer seller in Washington and ending twenty-four consecutive months later).

(4) **CSP rights and responsibilities.**

(a) **Responsibility for retail sales and use taxes.** A CSP is liable to the member states and associate member states for the retail sales and use taxes on the sales transactions that it processes.

If the CSP does not remit the collected retail sales and use taxes when due, those taxes are delinquent. Washington may send a notice of delinquency to a CSP for these delinquent taxes. The CSP must then remit the delinquent taxes within ten business days of that notification. If the CSP does not remit the delinquent taxes within those ten business days, the CSP is not entitled to monetary allowances with respect to the delinquent taxes and is liable for the payment of the taxes along with penalties and interest. However, if the taxes are delinquent because a seller has not remitted part or all of the delinquent taxes to the CSP, the CSP will be given relief if it properly notifies the department. In order to obtain this relief, the CSP must notify the department of the seller's failure to remit the retail sales and use taxes to the CSP within ten business days of the date on which those delinquent taxes should have been remitted to the department. Notice by the CSP under this subsection must be provided consistent with the notice provisions contained in the CSP contract.

(b) **CSP liability relief.** A CSP is not liable for charging or collecting the incorrect amount of sales or use tax where that error results from reliance on incorrect data provided in the department's taxability matrix, or from tax rates, boundaries, and taxing jurisdiction assignments listed in Washington's rates and boundaries data bases. To obtain a copy of the taxability matrix, visit the SSUTA web site located at: <http://www.streamlinedsalestax.org>. Additionally, CSPs will be held harmless and not liable for sales and use taxes, interest, and penalties on those taxes not collected due to reliance on Washington's certification of the CSP's CAS. Pursuant to RCW 82.58.080, sellers that contract with a CSP are not liable to Washington for sales or use tax due on transactions processed by the certified service provider unless the seller misrepresents the type of items it sells or commits fraud.

(c) **Seller's contract with the CSP.** A CSP must provide the department with a copy of its agreement with contracting sellers if requested.

(d) **Credits or refunds with respect to bad debt.** A CSP may, on the behalf of a seller, claim credits or refunds

for sales taxes paid on bad debts. Bad debts have the same meaning provided in 26 U.S.C. Section 166, as amended in 2003. Bad debts do not include expenses incurred in collecting bad debts; repossessed property; and amounts due on property in the possession of the seller until the full purchase price has been paid. See section 103, SSB 5089 and WAC 458-20-196 for more information regarding bad debts.

(e) **Retention of personally identifiable consumer information.** With limited exceptions, CSPs must perform their services without retaining personally identifiable consumer information. A CSP may retain personally identifiable consumer information only as long as it is needed to ensure the validity of tax exemptions or to show the intended use of the goods or services purchased. See section 601, SSB 5089 for more information regarding personally identifiable consumer information.

(f) **Filing of tax returns and remittance of retail sales and use taxes.** CSP will file retail sales and use excise tax returns using Washington's electronic filing system (E-file). CSPs will remit retail sales and use taxes due with respect to these returns using ACH Debit, ACH Credit, or the Fedwire Funds Transfer System.

**WSR 07-19-092**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
[Filed September 18, 2007, 11:56 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-24-024.

Title of Rule and Other Identifying Information: Chapter 296-96 WAC, Safety regulations and fees for all elevators, dumbwaiters, escalators and other conveyances.

Hearing Location(s): Department of Labor and Industries, Tukwila Service Location, 12806 Gateway Drive, Tukwila, WA, on October 25, 2007, at 1:00 p.m.

Date of Intended Adoption: November 20, 2007.

Submit Written Comments to: Sally Elliott, P.O. Box 44400, Olympia, WA 98504-4400, e-mail [yous235@lni.wa.gov](mailto:yous235@lni.wa.gov), fax (360) 902-5292, by October 25, 2007.

Assistance for Persons with Disabilities: Contact Sally Elliott by September 1, 2007, at [yous235@lni.wa.gov](mailto:yous235@lni.wa.gov) or (360) 902-6411.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department reviewed the elevator rules for additions and revisions. The elevator rules are periodically reviewed to ensure the rules are consistent with the national consensus standards, industry practice, and to clarify [clarify] the rules. The following changes were made to the elevator rules:

- Updating national consensus standards to a more current version.
- Moving alteration permit and process from Part B to Part C to assist with clarification.
- Giving category 02 elevator mechanics the ability to install residential elevators. Category 02 elevator

mechanics will receive the same amount of training as category 01 elevator mechanics, therefore, residential elevators is being added to category 02.

- Updating the residential inclined elevator requirements to be consistent with the national consensus standards for enclosure and suspension.
- Reorganization of Part C to group related topics together. For example, all machine room requirements will be together instead of spread through the chapter.
- General housekeeping changes. For example, an annual elevator permit is being changed to an annual operating certificate. This change will be consistent with the new elevator conveyance management system.

Reasons Supporting Proposal: See Purpose above.

Statutory Authority for Adoption: Chapter 70.87 RCW.

Statute Being Implemented: Chapter 70.87 RCW.

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

Name of Proponent: Department of labor and industries, governmental.

Name of Agency Personnel Responsible for Drafting: Jack Day, Tumwater, Washington, (360) 902-6128; Imple-

mentation and Enforcement: Patrick Woods, Tumwater, Washington, (360) 902-6348.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The department has considered whether these proposed rules are subject to the Regulatory Fairness Act and has determined they do not require a small business economic impact statement because the proposed rules are clarifying the rules without changing their effect and incorporating national consensus codes that generally establish industry standards (see RCW 19.85.025 referencing exemptions listed under RCW 34.05.310 (4)(c) and (d)).

A cost-benefit analysis is not required under RCW 34.05.328. A cost-benefit analysis was not prepared under chapter 19.85 RCW. The department considered whether these proposed rules are subject to the Regulatory Fairness Act and has determined they do not require a cost-benefit analysis because the proposed rules are clarifying the rules without changing their effect and incorporating national consensus codes that generally establish industry standards (see exemptions, RCW 34.05.328 (5)(b)).

September 18, 2007

Judy Schurke  
Director

**AMENDATORY SECTION** (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

**WAC 296-96-00650 Which National Elevator Codes and Supplements has the department adopted?**

NATIONAL ELEVATOR CODES AND SUPPLEMENTS ADOPTED				
TYPE OF CONVEYANCE	NATIONAL CODE AND SUPPLEMENTS	DATE INSTALLED		COMMENTS
		FROM	TO	
((Elevators, Dumbwaiters, Escalators	American Standard Safety Code (ASA) A17.1, 1960	Prior to 11/1/1963		Adopted Standard- Part X of ASA applies to all installations in existence prior to 11/1/63-))
Elevators, Dumbwaiters, Escalators	American Standard Safety Code (ASA) ((A17.1, 1960)) A17.1.13, 1962	11/1/1963	12/29/1967	Adopted Standard
Moving Walks	American Safety Association A17.1.13, 1962	11/1/1963	12/29/1967	Adopted Standard
Elevators, Dumbwaiters, Escalators, and Moving Walks	U.S.A. Standards (USAS) USAS A17.1, 1965; Supplements A17.1a, 1967; A17.1b, 1968; A17.1c, 1969;	12/30/1967	2/24/1972	Adopted Standard USAS 1965 includes revision and consolidation of A17.1-1, 1960, A17.1a, 1963, and A17.1-13, 1962. Adopted code and supplements, excluding Appendix E and ANSI 17.1d, 1970.
Elevators, Dumbwaiters, Escalators, and Moving Walks	American National Standard Institute ANSI A17.1, 1971	2/25/1972	6/30/1982	Adopted Standard as amended and revised through 1971.
Elevators, Dumbwaiters, Escalators, and Moving Walks	ANSI A17.1, 1971; A17.1a, 1972	2/25/1972	6/30/1982	Adopted Supplement
Elevators, Dumbwaiters, Escalators, and Moving Walks	ANSI A17.1, 1981	7/1/1982	1/9/1986	Adopted Standard
Elevators, Dumbwaiters, Escalators, and Moving Walks	ANSI A17.1a, 1982	3/1/1984	1/9/1986	Adopted Supplement
Elevators, Dumbwaiters, Escalators, and Moving Walks	ANSI A17.1b, 1983	12/1/1984	1/9/1986	Adopted Supplement, except portable escalators covered by Part VIII of A17.1b, 1983.



NATIONAL ELEVATOR CODES AND SUPPLEMENTS ADOPTED				
TYPE OF CONVEYANCE	NATIONAL CODE AND SUPPLEMENTS	DATE INSTALLED		COMMENTS
		FROM	TO	
Elevators, Dumbwaiters, Escalators, and Moving Walks	ANSI A17.1, 1984	1/10/1986	12/31/1988	Adopted Standard Except Part XIX. After 11/1/1988 Part II, Rule 211.3b was replaced by WAC 296-81-275.
Elevators, Dumbwaiters, Escalators, and Moving Walks	ANSI A17.1a, 1985	1/10/1986	12/31/1988	Adopted Supplement
Elevators, Dumbwaiters, Escalators, and Moving Walks	ANSI A17.1b, 1985; A17.1c, 1986; A17.1d, 1986; and A17.1e, 1987	12/6/1987	12/31/1988	Adopted Supplement
Elevators, Dumbwaiters, Escalators, and Moving Walks	ANSI A17.1, 1987	1/1/1989	12/31/1992	Adopted Standard Except Part XIX and Part II, Rule 211.3b. WAC 296-81-275 replaced Part II, Rule 211.3b.
Elevators, Dumbwaiters, Escalators, and Moving Walks	<del>(ANSI)</del> ASME A17.1, 1990	1/1/1993	2/28/1995	Adopted Standard Except Part XIX and Part V, Section 513. Chapter 296-94 WAC replaced Part V, Section 513.
Elevators, Dumbwaiters, Escalators, and Moving Walks	<del>(ANSI)</del> ASME A17.1, 1993	3/1/1995	6/30/1998	Adopted Standard Except Part XIX and Part V, Section 513. Chapter 296-94 WAC replaced Part V, Section 513.
Elevators, Dumbwaiters, Escalators, and Moving Walks	ASME A17.1, 1996	6/30/1998	<del>((Effective date of these rules))</del> 6/30/2004	Adopted Standard Except Part V, Section 513.
Elevators, Dumbwaiters, Escalators, and Moving Walks	ASME A17.1, 2000; A17.1a, 2002; A17.1b, 2003	<del>((Effective date of these rules))</del> 7/1/2004	<del>((Current))</del> 1/1/2008	Adopted Standards and Addenda Except Rules 2.4.12.2, 8.6.5.8 and Sections 5.4, 7.4, 7.5, 7.6, 7.9, 7.10, 8.10.1.1.3 and 8.11.1.1.
Safety Standards for Platform Lifts and Stairway Chairlifts	ASME A18.1, 1999; A18.1a, 2001; A18.1b, 2001	<del>((Effective date of these rules))</del> 7/1/2004	<del>((Current))</del> 1/1/2008	Adopted Standards and Addenda.
<u>Safety Code for Elevators, Escalators, Dumbwaiters, Residential Elevators, Special Purpose</u>	<u>ASME A17.1-2004; A17.1a-2005</u>	<u>1/1/2008</u>	<u>Current</u>	<u>Adopted Standards and Addenda Except Rules 2.4.12.2, marked car top clearance space, 8.6.5.8, Maintenance of safety bulkhead, 5.4, Private residence incline elevators, 7.4 &amp; 7.5 &amp; 7.9 &amp; 7.10 Material lifts, 8.10.1.1.3 and 8.11.1.1, QEI-1 inspector.</u>
<u>Safety Code for Platform Lifts and Stairway Chairlifts</u>	<u>ASME A18.1-2005</u>	<u>1/1/2008</u>	<u>Current</u>	
<u>Safety Code for Belt Manlifts</u>	<u>ASME A90.1-2003</u>	<u>1/1/2008</u>	<u>Current</u>	
<u>Safety Code for Personnel Hoists, Retroactive</u>	<u>ANSI A10.4-2004</u>	<u>1/1/2008</u>	<u>Current</u>	

Note: Copies of codes and supplements can be obtained from The American Society of Mechanical Engineers, Order Department, 22 Law Drive, Box 2900, Fairfield, New Jersey, 07007-2900 or by visiting [www.asme.org](http://www.asme.org).

**AMENDATORY SECTION** (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

**WAC 296-96-00700 Chapter definitions.** The following definitions apply to this chapter (see RCW 70.87.010 for additional definitions necessary for use with this chapter):

"ANSI" means the American National Standard Institute.

"ASA" means the American Safety Association.

"ASME" means the American Society of Mechanical Engineers.

"Acceptable proof" refers to the documentation that must be provided to the department during the elevator contractor and mechanic license application and renewal process. Acceptable proof may include department-approved forms documenting years of experience, affidavits, letters

from previous employers, declarations of experience, education credits, copies of contractor registration information, etc. Additional documentation may be requested by the department to verify the information provided on the application.

"Code" refers to nationally accepted codes (i.e., ASME, ANSI, ASA, and NEC) and ~~(the)~~ the Washington Administrative Code.

"Decommissioned conveyance" means an installation whose power feed lines have been disconnected and:

(a) A traction elevator, dumbwaiter, or material lift whose suspension ropes have been removed, whose car and counterweight rests at the bottom of the hoistway, and whose hoistway doors have been permanently barricaded or sealed in the closed position on the hoistway side;

(b) A hydraulic elevator, dumbwaiter, or material lift whose: Car rests at the bottom of the hoistway, pressure piping has been disassembled and a section removed from the premises, hoistway doors have been permanently barricaded or sealed in the closed position on the hoistway side, suspension ropes have been removed and counterweights, if provided, landed at the bottom of the hoistway; or

(c) An escalator or moving walk whose entrances have been permanently barricaded.

"Final judgment" means any money that is owed the department as the result of an individual's or firm's unsuccessful appeal of a civil penalty. Final judgment also includes any penalties assessed against an individual or firm owed the department as a result of an unappealed civil penalty or any outstanding fees due under chapter 70.87 RCW and this chapter.

"General direction—Installation and alteration work" means the necessary education, assistance, and supervision provided by a licensed elevator mechanic (in the appropriate category) who is on the same job site as the helper/apprentice at least seventy-five percent of each working day. The ratio of helper to mechanic shall be one-to-one.

"General direction—Maintenance work" means the necessary education, assistance, and supervision provided by a licensed elevator mechanic (in the appropriate category) to ensure that the maintenance work is performed safely and to code.

"Lockout" means the placement of a lockout device on an energy isolating device, in accordance with an established procedure, ensuring that the energy isolating device and the equipment being controlled cannot be operated until the lockout device is removed.

"Primary point of contact" is the designated individual employed by a licensed elevator contractor.

"Red tag" or "red tag status" means an elevator or other conveyance that has been removed from service and operation because of noncompliance with chapter 70.87 RCW and this chapter or at the request of the owner.

"Private residence elevator" (residential elevator) means a power passenger elevator which is limited in size, capacity, rise and speed and is installed in a private residence or multiple dwelling as a means of access to a private residence provided the elevators are so installed that they are not accessible to the general public or to other occupants in the building.

"RCW" means the Revised Code of Washington.

"Tagout" means the placement of a tagout device on an energy isolating device, in accordance with an established procedure, to indicate that the energy isolating device and the equipment being controlled may not be operated until the tagout device is removed by the individual who established the tag or by a person designated by the chief elevator inspector.

"Traction elevator" means an elevator in which the friction between the hoist ropes and the machine sheave is used to move the elevator car.

"USAS" means the U.S.A. Standards.

"WAC" means the Washington Administrative Code.

**PART B - ((LICENSES AND FEES FOR  
ALL ELEVATORS, DUMBWAITERS,  
ESCALATORS AND OTHER CONVEYANCES))  
ELEVATOR CONTRACTOR AND  
CONVEYANCE MECHANIC LICENSES  
AND REGULATIONS AND FEES**

NOTE: Total fees include the sum of the permit cost plus plan check fees.

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

**WAC 296-96-00902 Are there exceptions from the elevator mechanic licensing requirements?** Yes.

(1) Elevator mechanic licenses issued under chapter 70.87 RCW and this chapter are not required for:

(a) Individuals who install signal systems, fans, electric light fixtures, illuminated thresholds, finished cab flooring materials that are identical to existing materials and feed wires to the terminals on the elevator main line control provided that the individual does not require access to the pit, hoistway, or top of the car for the installation of these items.

(b) An owner or regularly employed employee of the owner performing only maintenance work of conveyances in accordance with RCW 70.87.270.

(2) Elevator mechanic licenses may not be required for certain types of incidental work that is performed on conveyances when the appropriate lockout and tagout procedures have been performed by a licensed elevator mechanic in the appropriate category. The department must be notified in writing and must approve the scope of work prior to it being performed.

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

**WAC 296-96-00904 What must you do to become and remain a licensed elevator contractor?** (1) Obtain and maintain a valid specialty or general contractor registration under chapter 18.27 RCW to engage in the business of conveyance work.

(2) Complete and submit a department-approved application. As part of the application:

(a) Specify the employee who is the licensed elevator contractor's primary point of contact.

(b) The person representing the company, firm or company who is applying for the elevator contractor's license must:

(i) Provide acceptable proof to the department that shows that the person representing the company, firm, or company has five years of work experience in performing conveyance work as verified by current and previous state of Washington elevator contractor licenses to do business; or

(ii) Pass a written examination administered by the department on chapter 70.87 RCW and this chapter. (In the case of a firm or company, the exam will be administered to the designated primary point of contact.)

(iii) Failure to pass the examination will require the submittal of a new application.

(3) Pay the fees specified in WAC 296-96-00922.

(4) The department may deny application of a license under this section if the applicant owes outstanding final judgments to the department.

(5) If the primary point of contact identified in subsection (2)(a) of this section separates employment, his/her relationship or designation is terminated, or death of the designated individual occurs, the elevator contractor must, within ninety days, designate a new individual who has successfully completed the elevator contractor examination and inform the department of the change in writing or the elevator contractor license will be automatically suspended.

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

**WAC 296-96-00906 What must you do to become a licensed elevator mechanic?** (1) Qualify for licensing:

(a) For conveyance work covered by all categories identified in WAC 296-96-00910 except material lifts (05), residential conveyances (06), residential inclined elevators (07) and temporary licenses (09), the applicant must comply with the applicable mechanic licensing requirements as follows:

(i) Test.

(A) The applicant must provide acceptable proof to the department that shows the necessary combination of documented experience and education credits in the applicable license category (see WAC 296-96-00910) of not less than three years' work experience in the elevator industry performing conveyance work as verified by current and previous employers licensed to do business in this state or as an employee of a public agency; and

(B) Pass an examination administered by the department on chapter 70.87 RCW and this chapter.

(ii) ~~((Grandfather.~~

~~(A) Before October 1, 2004, the applicant must provide acceptable proof to the department that shows the necessary combination of documented experience and education credits in the applicable license category (see WAC 296-96-00910) of not less than three years' work experience in the elevator industry, performing conveyance work, as verified by current and previous employers licensed to do business in this state or as an employee of a public agency; and~~

~~(B) Have worked without direct and immediate supervision for an elevator contractor licensed to do business in this state or as an employee of a public agency. This employment~~

~~may not be less than three years immediately before March 1, 2004.~~

~~((iii)) National exam/education.~~

(A) Have obtained a certificate of completion and successfully passed the mechanic examination of a nationally recognized training program for the elevator industry such as the National Elevator Industry Educational Program or its equivalent; or

(B) Have obtained a certificate of completion of an apprenticeship program for an elevator mechanic, having standards substantially equal to those of chapter 70.87 RCW and this chapter, and registered with the Washington state apprenticeship and training council under chapter 49.04 RCW.

~~((iv))~~ (iii) Reciprocity. The applicant must provide acceptable proof to the department that shows that the applicant is holding a valid license from a state having entered into a reciprocal agreement with the department and having standards substantially equal to those of chapter 70.87 RCW and this chapter.

(b) For conveyance work performed on material lifts as identified in WAC 296-96-00910(5):

~~((i)) Test.~~

~~((A))~~ (i) The applicant and the licensed elevator contractor/employer must comply with the provisions of RCW 70.87.245; and

~~((B))~~ (ii) The applicant must pass an examination administered by the department on chapter 70.87 RCW and this chapter;

~~((ii) Grandfather.~~

~~(A) Before October 1, 2004, the applicant must provide acceptable proof to the department that shows the necessary combination of documented experience and education credits in the material lift license category (see WAC 296-96-00910) performing conveyance work on material lifts, as verified by current and previous employers licensed to do business in this state; and~~

~~(B) Worked without direct and immediate supervision for an elevator contractor licensed to do business in this state. This employment may not be less than three years immediately before March 1, 2004.)~~

(c) For residential conveyance work covered by category (06) as identified in WAC 296-96-00910:

~~((i)) Test.~~

~~((A))~~ (i) The applicant must provide acceptable proof to the department that shows the necessary combination of documented experience and education credits in the applicable license category (see WAC 296-96-00910) of not less than two years' work experience in the elevator industry performing conveyance work as verified by current and previous employers licensed to do business in this state; and

~~((B))~~ (ii) Pass an examination administered by the department on chapter 70.87 RCW and this chapter.

~~((ii) Grandfather.~~

~~(A) Before October 1, 2004, the applicant must provide acceptable proof to the department that shows the necessary combination of documented experience and education credits in the residential conveyance license category (see WAC 296-96-00910) performing conveyance work on residential inclined and vertical wheelchair lifts and stair chairlifts, as~~

~~verified by current and previous employers licensed to do business in this state; and~~

~~(B) Worked without direct and immediate supervision for an elevator contractor licensed to do business in this state. This employment may not be less than two years immediately before March 1, 2004.)~~

(d) For residential inclined conveyance work covered by category (07) as identified in WAC 296-96-00910;

~~((i)) Test.~~

~~((A)) (i) The applicant must provide acceptable proof to the department that shows the necessary combination of documented experience and education credits in the applicable license category (see WAC 296-96-00910) of not less than one year's work experience in the elevator industry or not less than three years' documented experience and education credits in conveyance work as described in category (01) performing conveyance work as verified by current and previous employers licensed to do business in this state; and~~

~~((B)) (ii) Pass an examination administered by the department on chapter 70.87 RCW and this chapter.~~

~~((ii) Grandfather.~~

~~(A) Before October 1, 2004, the applicant must provide acceptable proof to the department that shows the necessary combination of documented experience and education credits in the residential inclined conveyance license category (see WAC 296-96-00910) performing conveyance work on residential inclined conveyances, as verified by current and previous employers licensed to do business in this state; and~~

~~(B) Worked without direct and immediate supervision for an elevator contractor licensed to do business in this state. This employment may not be less than one year immediately before March 1, 2004.)~~

(e) For temporary mechanic licenses as identified in WAC 296-96-00910 category (09) the applicant must provide acceptable proof from a licensed elevator contractor that attests that the temporary mechanic is certified as qualified and competent to perform work under chapter 70.87 RCW and this chapter.

(2) Complete and submit a department-approved application.

~~((a) Applications received before October 1, 2004. If an applicant who meets subsection (1)(d)(i)(A) of this section, who applies before October 1, 2004, and is required to take an examination under the provisions of this section, the applicant may perform the duties of a licensed elevator mechanic until the applicant has been provided notice by the department of the results of his/her examination.~~

~~(b) Applications received on or after October 1, 2004.)~~ An applicant who is required to take an examination under the provisions of this section may not perform the duties of a licensed elevator mechanic until the applicant has been notified by the department that he/she has passed the examination.

(3) Pay the fees specified in WAC 296-96-00922.

(4) The department may deny application of a license under this section if the applicant owes outstanding final judgments to the department or does not meet the minimum criteria established in the elevator laws and rules.

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

**WAC 296-96-00910 What are the elevator mechanic license categories?** The following are the licensing categories for qualified elevator mechanics or temporary elevator mechanics:

(1) **Category (01):** A general elevator mechanic license encompasses mechanical and electrical operation, construction, installation, alteration, maintenance, inspection, relocation, and repair of all types of elevators and other conveyances in any location covered under chapter 70.87 RCW and this chapter.

(2) **Category (02):** This license is limited to the mechanical and electrical operation, construction, installation, alteration, maintenance, inspection, relocation, and repair of the following commercial and residential conveyances:

- ~~(a) Wheelchair lifts;~~
- ~~(b) Dumbwaiters; and~~
- ~~(c) Incline chairlifts.~~

Note: ~~Work experience on residential conveyances in (a)(i), (ii), and (iii) of this subsection may not be applied toward the category (02) license requirements.)~~

Residential conveyances:

- (i) Wheelchair lifts;
- (ii) Dumbwaiters;
- (iii) Incline chairlifts; and
- (iv) Residential elevators;
- (b) Commercial conveyances:
  - (i) Wheelchair lifts;
  - (ii) Dumbwaiters; and
  - (iii) Incline chairlifts.

(3) **Category (03):** This license is limited to the mechanical and electrical operation, construction, installation, alteration, maintenance, inspection, relocation, and repair of the following conveyances in industrial sites and grain terminals:

- (a) Electric and hand powered manlifts;
- (b) Special purpose elevators; and
- (c) Belt manlifts.

(4) **Category (04):** This license is limited to the mechanical and electrical operation, construction, installation, alteration, maintenance, inspection, relocation, and repair of the following conveyances:

- (a) Temporary personnel hoists;
- (b) Temporary material hoists; and
- (c) Special purpose elevators.

(5) **Category (05):** This license is limited to the mechanical and electrical operation, construction, installation, alteration, maintenance, inspection, relocation, and repair of material lifts.

(6) **Category (06):**

(a) This license is limited to the mechanical and electrical operation, construction, installation, alteration, maintenance, inspection, relocation, and repair of the following conveyances:

- (i) Residential wheelchair lifts;
- (ii) Residential dumbwaiters; and
- (iii) Residential incline chairlifts.

(b) Work experience on conveyances in (a)(i), (ii), and (iii) of this subsection may not be all inclusively applied toward the category (02) license requirements.

**Note:** Maintenance work performed by the owner or at the direction of the owner is exempted from licensing requirements provided that the owner resides in the residence at which the conveyance is located and the conveyance is not accessible to the general public. Such exempt work does not count toward work experience for licensure.

(7) **Category (07):** This license is limited to the mechanical and electrical operation, construction, installation, alteration, maintenance, inspection, relocation, and repair of residential inclined elevators.

**Note:** Maintenance work performed by the owner or at the direction of the owner is exempted from licensing requirements provided that the owner resides in the residence at which the conveyance is located and the conveyance is not accessible to the general public. Such exempt work does not count toward work experience for licensure.

(8) **Category (08):** This license is limited to maintenance of all conveyances and is further limited to employees of public agencies to obtain and maintain the license. This work should not count towards other licenses.

(9) **Category (09):** This temporary license is limited to the mechanical and electrical operation, construction, installation, alteration, maintenance, inspection, relocation, and repair of conveyances. This license is limited to individuals that are certified as qualified and competent by licensed elevator contractors. The individual must be an employee of the licensed elevator contractor. The contractor shall furnish acceptable proof of competency as the department may require. Each license must recite that it is valid for a period of thirty days from the date of issuance and for such particular elevators or geographical areas as the department may designate, and otherwise entitles the licensee to the rights and privileges of an elevator mechanic license issued under chapter 70.87 RCW and this chapter.

Note: See policy number 07-01.

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

**WAC 296-96-00924 What procedures does the department follow when issuing a civil penalty for licensing violations?** (1) If the department determines that an individual has violated the licensing requirements of chapter 70.87 RCW or this chapter, the department may issue a civil penalty describing the reasons for the violation(s). The department may issue a civil penalty to:

(a) A person who is advertising, offering to do work or submitting a bid to perform conveyance work, or employing elevator mechanics and does not have a valid elevator contractor's license as required under chapter 70.87 RCW or this chapter; or

(b) An individual who is working under chapter 70.87 RCW or this chapter and does not have a valid elevator mechanic license.

(2) A person may appeal a civil penalty issued under chapter 70.87 RCW or this chapter.

~~((3) The following enforcement schedule will be used for licenses issued under chapter 70.87 RCW and this chapter:~~

~~(a) **July 1, 2004, through September 30, 2004:** Any individual, firm, or company that is found in violation of the licensing requirements will be notified of the violation and be allowed ten calendar days to make application with the department to avoid being issued a civil penalty. If the individual, firm, or company does not make application within ten calendar days they will be issued a civil penalty.~~

~~(b) **On or after October 1, 2004:** Any individual, firm, or company that is found in violation of the licensing requirements may be issued a civil penalty.))~~

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

**WAC 296-96-00926 What are the civil (monetary) penalties for violating the licensing requirements of chapter 70.87 RCW or this chapter?** (1) A person cited for a violation under chapter 70.87 RCW or this chapter may be assessed a civil (monetary) penalty based upon the following schedule:

First Violation	\$500.00
Each additional Violation	\$500.00

(2) Each day a person, firm or company is in violation may be considered a separate violation.

(3) Each job site at which a person is in violation may be considered a separate violation.

(4) The department must serve notice by certified mail to a person for a violation of chapter 70.87 RCW or this chapter. A violation will be considered served on the date it is mailed to his or her last known address on record with the department.

**PART B-1 - ((REGULATIONS AND FEES FOR ALL ELEVATORS, DUMBWAITERS, ESCALATORS AND OTHER CONVEYANCES)) PERMIT REGULATIONS AND FEES, PENALTIES AND INSPECTION TYPES FOR ALL CONVEYANCES**

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

**WAC 296-96-01000 What is the permit process for conveyances?** (1) ~~Prior ((to the start of the construction, alteration, or relocation of all conveyances (this includes both private residence and commercial conveyances) plans must be submitted to and approved by the department. See WAC 296-96-01030.~~

~~(2) Prior to construction, alteration, or relocation of any conveyance, you must get an installation permit from the department. See WAC 296-96-01010 through 296-96-01025.~~

~~(3) Your conveyance must be inspected upon completion of the construction, alteration, or relocation. See WAC 296-96-01035.~~

~~(4) You must obtain and renew an annual operating permit for each conveyance that you own, except for residential conveyances. See WAC 296-96-01065.~~

~~(5) After initial purchase and inspection private residence conveyance(s) do not require an annual permit. However, annual inspections may be conducted upon request. See WAC 296-96-01065 for the associated fees)) to construction, alteration, or relocation of any conveyance, the licensed elevator contractor shall:~~

~~(a) Submit an installation application to the department. See WAC 296-96-01010 through 296-96-01025.~~

~~(b) Plans must be submitted to and approved by the department. See WAC 296-96-01030.~~

**EXCEPTION:** Most alterations will not require plans.

~~(c) Post an approved permit from the department on the job site.~~

~~(d) Obtain and pass an inspection prior to placing the conveyance in service. See WAC 296-96-01035.~~

~~(2) The owner must obtain and renew an annual operating certificate for each conveyance that they own, except for residential conveyances. See WAC 296-96-01065.~~

~~(3) After initial purchase and inspection, private residence conveyance(s) do not require an annual operating certificate. However, annual inspections may be conducted upon request. See WAC 296-96-01045 for the permit process.~~

AMENDATORY SECTION (Amending WSR 07-11-128, filed 5/22/07, effective 6/30/07)

**WAC 296-96-01005 When do I need and what are the steps in obtaining a permit?** (1) ~~((You must obtain a permit from the department before you begin constructing, altering or relocating any conveyance. To obtain your permit, you need to complete the permit application and pay the appropriate fee. Once your application is approved, a permit will be issued and you may begin work on your project.)) See WAC 296-96-01000 for the permit process.~~

(2) Construction and alteration permits are valid for one year from the date of issue. However, permits may be renewed if you:

(a) Apply for a renewal permit before your current permit expires;

(b) The department approves your request for a renewal permit; and

(c) You pay a \$51.60 renewal fee to the department for each permit you renew;

(3) If your permit has expired you must reapply for a new permit.

~~(4) ((You are not required to obtain permits and pay fees for repairs and replacement associated with normal functions and necessary maintenance done with parts of equivalent materials, strength and design; or for any conveyance exempted by RCW 70.87.200.)) See WAC 296-96-01006 for work requiring a permit.~~

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

**WAC 296-96-01006 What type of conveyance work requires permitting and inspection?** (1) All installations and relocation of conveyances requires permitting and inspection. All conveyance work must be performed by an elevator mechanic licensed to perform work in the appropriate category. (See WAC 296-96-00910).

(2) All alterations ~~((and other conveyance work))~~ require~~((s))~~ permitting ~~((and))~~, inspection, and must include~~((s))~~ but ~~((is))~~ are not limited to:

(a) Items identified in ASME A17.1.

(b) Any conveyance work that requires the conveyance to be tested prior to being returned to service, including:

(i) The replacement or repair of any parts, the installation of which would require recalibration or testing (e.g., brakes, hydraulic valves and piping, safeties, door reopening devices, governors, communication systems, cab interiors, car/hall buttons, etc.); or

(ii) Work performed on components or equipment affecting or necessary for fire and life safety (e.g., cab interiors, systems associated with fire recall, etc.).

(3) Permits and fees are not required for normal function and necessary maintenance and repair performed with parts of equivalent materials, strength, and design or for any conveyance exempted by RCW 70.87.200.

Contact the department if you have any questions or need assistance determining if a permit and inspection are required.

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

**WAC 296-96-01009 Who can purchase a permit?** The department may only issue a permit for conveyance work to a licensed elevator contractor.

Permits are only required for alterations, relocations and installations. ~~((Beginning with the effective date of these rules, the homeowner will no longer be allowed to purchase a permit.))~~

AMENDATORY SECTION (Amending WSR 07-11-128, filed 5/22/07, effective 6/30/07)

**WAC 296-96-01010 What are the installation permit fees for conveyances, material lifts, and hoists and how are they calculated?** Installation permit fees are based on the total cost of the conveyance and the labor to install the conveyance. The following permit fees apply to the construction or relocation of all conveyances and material lifts:

TOTAL COST OF CONVEYANCE	FEE
\$0 to and including \$1,000 . . . . .	\$54.60
\$1,001 to and including \$5,000 . . . . .	\$81.90
\$5,001 to and including \$7,000 . . . . .	\$136.70
\$7,001 to and including \$10,000 . . . . .	\$164.10
\$10,001 to and including \$15,000 . . . . .	\$218.90
OVER \$15,000 . . . . .	\$306.50 plus
Each additional \$1,000 or fraction thereof. . . . .	\$7.60

AMENDATORY SECTION (Amending WSR 07-11-128, filed 5/22/07, effective 6/30/07)

**WAC 296-96-01012 What are the permit fees for alterations to conveyances, material lifts, and hoists and how are they calculated?** Permit fees are based on the total cost of the equipment, materials and labor to perform the alteration. The following permit fees apply to the alteration of all conveyances and material lifts:

TOTAL COST OF ALTERATION	FEE
\$0 to and including \$1,000 . . . . .	\$54.60
\$1,001 to and including \$5,000. . . . .	\$81.90
\$5,001 to and including \$7,000. . . . .	\$136.70
\$7,001 to and including \$10,000. . . . .	\$164.10
\$10,001 to and including \$15,000. . . . .	\$218.90
OVER \$15,000 . . . . .	\$218.90
Each additional \$1,000 or fraction thereof . . . . .	\$7.60

AMENDATORY SECTION (Amending WSR 02-12-022, filed 5/28/02, effective 6/28/02)

**WAC 296-96-01025 What is the permit fee for personnel and material hoists?** The fee for each personnel hoist or material hoist installation is . . . . . ~~\$(200.00)~~ 218.90

See WAC 296-96-01035(2) for requirements for jumps.

Note: An operating ~~((permit))~~ certificate is also required for these types of conveyances.

AMENDATORY SECTION (Amending WSR 07-11-128, filed 5/22/07, effective 6/30/07)

**WAC 296-96-01027 Are initial installation permit fees refundable?** Your initial installation permit fees are refundable if the installation work has not been performed, minus a processing fee, unless your permits have expired. No refunds will be issued for expired permits. All requests for refunds must be submitted in writing to the elevator section and must identify the specific permits and the reasons for which the refunds are requested.

The processing fee for each refund is . . . . . \$32.70

AMENDATORY SECTION (Amending WSR 07-11-128, filed 5/22/07, effective 6/30/07)

**WAC 296-96-01030 What is the process for installation and alteration plan approval?** Prior to the start of construction, ~~((you))~~ the applicant must submit to the department for approval two copies of plans for new installations or major alterations. To be approved, the plan must comply with the latest adopted edition of the American Society of Mechanical Engineers (ASME), the National Electrical Code (NEC) and applicable Washington Administrative Codes (WAC). In addition, the plans must include all information necessary in determining whether each installation/alteration complies with all applicable codes. ~~((You))~~ The permit holder must keep a copy of the approved plan on the job site until the department has witnessed all acceptance tests. Any alterations to the approved plan must be submitted to the department for approval before a final inspection will be conducted. The nonrefundable fees for reviewing your plans are:

For each installation/major alteration . . . . . \$27.20  
If more than two sets of plans are submitted, the fee for each additional set . . . . . \$10.80

AMENDATORY SECTION (Amending WSR 07-11-128, filed 5/22/07, effective 6/30/07)

**WAC 296-96-01035 Are there inspection fees?** Yes. The initial inspection(s) of a conveyance or for the initial inspection of construction, alteration or relocation of a conveyance is included with your permit fee. Once the department has approved the initial installation of the conveyance you will be issued a temporary operating ~~((permit))~~ certificate that is valid for 30 days. Prior to the expiration of the 30-day ~~((permit))~~ temporary operating certificate the application for an annual operating ~~((permit))~~ certificate and the appropriate fees must be paid to the department. Once the department has received the appropriate fees and application ~~((you))~~ the owner will be issued ~~((your))~~ the first annual operating ~~((permit))~~ certificate. ~~((You are))~~ The owner or owners' representative will receive an invoice from the department for renewal. The owner is required to renew ~~((your))~~ the annual operating ~~((permit))~~ certificate yearly.

The following inspections require an additional inspection fee:

(1) **Reinspection.** If a conveyance does not pass an initial inspection and an additional inspection is required, the fee for each reinspection of a conveyance is \$109.40 per conveyance plus \$53.10 per hour for each hour in addition to the first hour.

The department may waive reinspection fees.

(2) **Inspecting increases in the height (jumping) of personnel and material hoists.**

The fee for inspecting an increase in the height (jumping) of each personnel hoist or material hoist is \$109.40 plus \$54.60 per hour for each hour in addition to 2 hours. This fee is for inspections occurring during regular working hours.

The permit holder may be allowed to operate a hoist prior to the jump inspection if:

(a) The electrical limits will not allow the lift to operate above the previously inspected landing.

(b) The state elevator inspector is contacted, agrees and can schedule within 3 days.

(3) **Variance inspections.**

(a) The fee for an on-site variance inspection is \$164.10 per conveyance plus \$54.60 per hour for each hour in addition to 2 hours. This fee is for inspections occurring during regular working hours.

(b) The fee for a variance that does not require an on-site inspection is \$54.60 per conveyance. The individual requesting the variance must provide the department with pictures, documentation, or other information necessary for the department to review the variance. The department may conduct an on-site variance inspection to verify the information provided or if it determines that an inspection is necessary. If an on-site variance inspection is performed, the fees in (a) of this subsection will apply.

(4) **"Red tag" status fee.** The annual fee for a conveyance in "Red tag" status is \$27.20.

**Note:** You must provide the department with written approval from the building official, indicating that the conveyance is not required for building occupancy, when you apply to have the conveyance placed in voluntary red tag status.

(5) **Decommission inspection.** The fee for performing a decommission inspection is \$54.60. Once the decommission inspection has been performed and approved, the conveyance will no longer require annual inspections until such time that the conveyance is brought back into service. Prior to operating the conveyance, a new inspection and annual operating permit must be obtained.

(6) **Voluntary inspections by request.** The owner or potential purchaser of a building within the department's jurisdiction may request a voluntary inspection of a conveyance. The fee for this inspection will be \$109.40 per conveyance and \$54.60 per hour for each hour in addition to 2 hours plus the standard per diem and mileage allowance granted to department inspectors. The owner/potential purchaser requesting the voluntary inspection will not be subject to any penalties based on the inspector's findings.

AMENDATORY SECTION (Amending WSR 07-11-128, filed 5/22/07, effective 6/30/07)

**WAC 296-96-01045 What are the inspection requirements and fees for conveyances in private residences?** (1) Chapter 70.87 RCW requires the department to inspect all new, altered or relocated conveyances operated exclusively for single-family use in private residences. Prior to ~~((inspection, you))~~ installation, a licensed elevator contractor must complete a permit application as described in WAC 296-96-01005 and pay the appropriate fee listed in WAC 296-96-01010.

(2) Chapter 70.87 RCW allows the department to inspect conveyances operated exclusively for single-family use in private residences when the department is investigating an accident or an alleged or apparent violation of the statute or these rules.

(3) No annual inspection and operating ~~((permit))~~ certificate is required for a private residence conveyance operated exclusively for single-family use unless the owner requests it. When an owner requests an inspection and an annual operating ~~((permit))~~ certificate, the following fee must be paid prior to an inspection:

TYPE OF CONVEYANCE	FEE
Each inclined stairway chair lift in private residence . . . . .	\$25.50
Each inclined wheel chair lift in a private residence . . . . .	\$25.50
Each vertical wheel chair lift in a private residence . . . . .	\$32.20
Each dumbwaiter in a private residence. . . . .	\$25.50
Each inclined elevator at a private residence . . . . .	\$91.00
Each private residence elevator . . . . .	\$58.60
Duplication of a lost, damaged or stolen operating permit . . . . .	\$10.80

NEW SECTION

**WAC 296-96-01057 Does the department charge a fee to perform investigations and what is the fee?** An elevator inspector may charge at a rate of \$65.50 per hour (including travel time) plus the standard per diem and mileage allowance granted to department inspectors. These services shall include accident investigation relating to any and all accidents. This fee would include an inspection as required during the accident investigation.

AMENDATORY SECTION (Amending WSR 07-11-128, filed 5/22/07, effective 6/30/07)

**WAC 296-96-01065 What are the annual operating ~~((permits))~~ certificate fees?** An annual operating ~~((permit))~~ certificate will be issued to you upon payment of the appropriate fee~~((s))~~. The owner of record will be invoiced by the department. If a change of owner has occurred, it is the new owner's responsibility to ensure the department has the corrected information. Below is the fee structure table:

TYPE OF CONVEYANCE	FEE
Each hydraulic elevator . . . . .	\$109.40
Each roped-hydraulic elevator . . . . .	\$136.70
plus for each hoistway opening in excess of two . . . . .	\$10.80
Each cable elevator. . . . .	\$136.70
plus for each hoistway opening in excess of two . . . . .	\$10.80
Each cable elevator traveling more than 25 feet without an opening—for each 25 foot traveled . . . . .	\$10.80
Each limited-use/limited-application (—LULA) elevator. . . . .	\$109.40
Each escalator. . . . .	\$90.90
Each dumbwaiter in other than a private residence. . . . .	\$58.60
Each material lift . . . . .	\$109.40
Each incline elevator in other than a private residence . . . . .	\$117.60
Each belt manlift. . . . .	\$109.40
Each stair lift in other than a private residence. . . . .	\$58.60
Each wheel chair lift in other than a private residence . . . . .	\$58.60
Each personnel hoist. . . . .	\$109.40
Each grain elevator personnel lift. . . . .	\$90.90
Each material hoist. . . . .	\$109.40
Each special purpose elevator . . . . .	\$109.40
Each private residence elevator installed in other than a private residence. . . . .	\$109.40
Each casket lift . . . . .	\$90.90
Each sidewalk freight elevator . . . . .	\$90.90



TYPE OF CONVEYANCE	FEE		
Each hand-powered manlift or freight elevator . . . . .	\$61.60	<del>((Between 91 and))</del> <u>After</u> 180 days	\$273.60
Each boat launching elevator . . . . .	\$90.90	<del>((Between 181 and))</del> <u>After</u> 270 days	\$438.00
Each auto parking elevator . . . . .	\$90.90	<del>((Between 271 and))</del> <u>After</u> 360 days	\$500.00
Each moving walk . . . . .	\$90.90	Each 30 days after 360 days . . . . .	\$500.00
Duplication of a damaged, lost or stolen operating permit . . . . .	\$10.80	Note: Penalties are cumulative	

(h) Failure to notify the department of each accident to a person requiring the services of a physician or resulting in a disability exceeding one day may result in a \$500.00 penalty per day. The conveyance must be removed from service until the department authorizes the operation of the conveyance. This may require an inspection and the applicable fees will be applied. Failure to remove the conveyance from service may result in an additional \$500.00 penalty per day.

Plus  
WAC 296-96-01057

**AMENDATORY SECTION** (Amending WSR 07-11-128, filed 5/22/07, effective 6/30/07)

**WAC 296-96-01070 What are the civil (monetary) penalties for violating the conveyance permit and operation requirements of chapter 70.87 RCW and this chapter?** (1) Any licensee, installer, owner or operator of a conveyance who violates a provision of chapter 70.87 RCW or this chapter shall be subject to the following civil penalties:

- (a) Operation of a conveyance without a permit:
  - First violation . . . . . \$164.10
  - Second violation . . . . . \$328.40
  - Each additional violation . . . . . \$500.00
- (b) Installation of a conveyance without a permit:
  - First violation . . . . . \$164.10
  - Second violation . . . . . \$328.40
  - Each additional violation . . . . . \$500.00
- (c) Relocation of a conveyance without a permit:
  - First violation . . . . . \$164.10
  - Second violation . . . . . \$328.40
  - Each additional violation . . . . . \$500.00
- (d) Alteration of a conveyance without a permit:
  - First violation . . . . . \$164.10
  - Second violation . . . . . \$328.40
  - Each additional violation . . . . . \$500.00
- (e) (i) Operation of a conveyance for which the department has issued a red tag or has revoked or suspended an operating permit or operation of a decommissioned elevator. . . . . \$500.00
  - (ii) Removal of a red tag from a conveyance . . . . . \$500.00
- (f) Failure to comply with a correction notice:
  - ~~((Within))~~ After 90 days . . . . . \$109.40
  - ~~((Between 91 and))~~ After 180 days . . . . . \$273.60
  - ~~((Between 181 and))~~ After 270 days . . . . . \$438.00
  - ~~((Between 271 and))~~ After 360 days . . . . . \$500.00
  - Each 30 days after 360 days . . . . . \$500.00
  - Note: Penalties are cumulative
- (g) Failure to submit official written notification that all corrections have been completed:
  - ~~((Within))~~ After 90 days . . . . . \$109.40

(i) Falsifying official written documentation submitted to the department. Each day is a separate violation. \$500.00

(2) A violation as described in subsection (1)(a), (b), (c), and (d) of this section will be a "second" or "additional" violation only if it occurs within one year of the first violation.

(3) The department must serve notice by certified mail to an installer, licensee, owner, or operator for a violation of chapter 70.87 RCW, or this chapter.

**PART C - REGULATIONS FOR NEW AND ALTERED ELEVATORS AND LIFTING DEVICES**

**NOTE:** The following rules set the minimum standard for all new installations and, where applicable, alterations.

**NOTE:** Part C is not intended to replace the current adopted standards outlined in WAC 296-96-00650. In conflicts between Part C and the adopted standards, Part C will take precedent.

NEW SECTION

**WAC 296-96-02400 When must the department be notified for a new or altered inspection?** (1) The person or firm installing, relocating, or altering a conveyance shall notify the department in writing, at least seven days before requesting any inspection of the work, and shall subject the new, moved, or altered portions of the conveyance to the acceptance tests.

(2) The department may grant exceptions to this notice requirement.

NEW SECTION

**WAC 296-96-02405 What is the inspection and approval process for alterations?** The following process must be followed when performing alterations:

(1) Obtain an alteration permit from the department prior to performing the alteration. The permit application must include detailed information on the scope of the alteration.

(2) Take the conveyance out-of-service and perform the alteration.

(3)(a) If the conveyance requires an inspection prior to being returned to service (as identified on the alteration permit), you must contact the department to perform an inspection and:

(i) If the conveyance passes the inspection, the conveyance may be placed back into service.

(ii) If the conveyance fails the inspection, the conveyance must remain out-of-service until the corrections are made and approved by the department.

(b) If the conveyance is not required to be inspected prior to being returned to service, you must contact the department to perform an inspection and:

(i) If the conveyance passes the inspection, the conveyance may remain in service.

(ii) If the conveyance fails the inspection, the conveyance will be placed out-of-service until the corrections are made and approved by the department.

#### NEW SECTION

**WAC 296-96-02410 Are there additional work requirements when performing an alteration?** For certain types of alterations additional work may be required as part of the alteration and prior to approval of the conveyance. These alterations include, but are not limited to:

(1) Replacements of controllers will require the following:

(a) Fire fighter service requirements must be met in accordance with the most recent code adopted by the department.

(b) Seismic requirements ("Derailment and/or seismic switch as required") must be met in accordance with the most recent code adopted by the department. In addition, the car must operate according to A17.1 seismic requirements.

(c) Lighting in the machine room and pit must comply with the most recent code adopted by the department.

(d) Electrical outlets in the machine room and pit must be of the ground fault interrupter type.

(2) Replacement of controllers and a car operating panel and/or hall fixtures:

(a) The requirements of subsection (1) of this section must be met.

(b) All panels and fixtures must meet the applicable (e.g., height, sound, Braille, etc.) requirements in accordance with this chapter.

(3) Replacement of door operators and/or door equipment: Any changes to these items require the installation of door restrictors.

(4) Hydraulic piping: Replacement or relocation of hydraulic piping will require the installation of a rupture (overspeed) valve.

**Note:** The department may grant exceptions to the requirements identified in this section.

#### NEW SECTION

**WAC 296-96-02415 What are the conditions for obtaining a temporary construction operating permit?**

**Note:** See WAC 296-96-01040 for fees.

(1) In order to obtain a permit: The elevator must at a minimum adhere to:

(a) ASME A17-1 Section 5.10 Elevators Used for Construction.

(b) A single means of disconnecting the elevator must be provided and related equipment must be identified by the use of numbers or letters on the disconnect, the controller, the drive machine, the cross head, and the car operating panel.

(c) The key operation of Phase I must recall the elevator.

(d) A means of emergency communication with the elevator must be provided. If there is no permanent method of emergency communication an operator with communication equipment must be provided.

(e) Tests shall be conducted according to A17.1-8.10.5.10 Elevators Used for Construction.

(f) Hydraulic elevators with less than four stops may not be issued a temporary construction operating permit unless preapproved by the department.

(g) Elevator cab interiors must be completed. Temporary cabs may be used and walls must be covered with fire retardant materials.

(h) The elevator must pass load tests and safety circuit inspections.

(i) Temporary or permanent lights in the cab, machine room and at the landings must be provided.

(j) Machine rooms must be fully enclosed and have a lockable door.

(k) Hoistways must be fully enclosed.

(l) The elevator is for construction use only. Office furniture and goods used to stock the building are not to be considered construction work.

(2) The person operating the permitted conveyance under this section must be properly trained in operation and safety and:

(a) The operator, which may be one of your employees, must be on the elevator whenever it is in use.

(b) The operator must be designated to be the sole operator of the elevator.

(c) The operator must be trained in the proper operation of the elevator, the proper procedure to handle an emergency and must know who to contact in the event of an emergency involving the operation of the elevator.

(d) The operator must carry a means of two-way communication on his/her person at all times. (This may be in the form of a cellphone, walkie-talkie, etc., providing proper reception is obtainable at all times.)

#### NEW SECTION

**WAC 296-96-02420 What are the requirements for temporary construction operating permits?** (1) A thirty-day temporary construction operating permit is for transportation of construction personnel and materials only, not for the transportation by the general public.

(2) Temporary construction operating permits are valid for thirty days.

(3) You must contact the department for a reinspection to renew the permit.

(4) All elevators with expired temporary construction operating permits that have not passed a final inspection may not be operated. Operating an elevator with an expired permit shall result in a civil penalty (see WAC 296-96-01070 (1)(a)).

(5) Renewal of a temporary operating permit is at the discretion of the department.

#### NEW SECTION

**WAC 296-96-02425 Where is a shut-off valve required for hydraulic elevators?** Two shut-off valves may be required.

(1) ASME requires that a shut-off valve be installed in the machine room.

(2) When the pit is lower than the machine, a shut-off valve must be installed in the pit.

(3) A separate shut-off valve is not required in the pit for hydraulic elevators equipped with a safety/rupture valve that rotates no more than 180 degrees to stop the flow of hydraulic fluid and has a safety shut-off handle capable of being grasped.

**EXCEPTION:** Limited use/limited application (LULA), special purpose and residential elevators are exempt from this section.

#### NEW SECTION

**WAC 296-96-02450 Can pipes and ducts be installed above a machine room?** Electric conduit and ducts may be installed in the upper space ("upper space" is defined as the space above the fire-rated ceiling) of the elevator machine room as long as they are installed above the required seven-foot clearance and they do not interfere with the elevator equipment which also must be installed to allow a seven-foot clear head room.

(1) Straight through runs of electrical conduit without junction boxes can be installed in this space.

(2) Pipes and ducts conveying gases, vapor, or liquids may be installed in the space above the machine room provided they are encased in a noncombustible secondary pipe without joints, or a moisture barrier without penetration.

**EXCEPTION:** Residential elevators are exempt from this section.

#### NEW SECTION

**WAC 296-96-02455 What is the minimum working space required in machine rooms?** (1) In machine rooms with equipment requiring maintenance and inspection, an eighteen-inch working space must be established.

(2) There must be a minimum of eighteen inches working space (other than the required controller panel clearances) on one of the four sides of the hydraulic tank.

(3) The requirements in subsections (1) and (2) of this section do not supersede NFPA 70.

(4) The side with the hydraulic outlet pipe is not considered usable working space.

#### NEW SECTION

**WAC 296-96-02460 What are the requirements for electrical main line disconnects?** (1) The main line disconnect switch(es) or circuit breaker must be located inside the machine room door on the lock jamb side of the machine room door and not more than twenty-four inches from the jamb to the operating handle; and it must be at a height of not more than sixty-six inches above the finish floor.

(2) For multicar machine rooms the switches shall be grouped together as close as possible to that location.

(3) For machine rooms with double swing doors, the doors must swing out and the switch(es) must be on the wall adjacent to the hinge side of the active door panel.

(4) The switch(es) must be designed so that they may be locked out and tagged in the open position.

**EXCEPTION:** Special purpose and residential inclined elevators are exempt from this section.

#### NEW SECTION

**WAC 296-96-02465 What are the requirements associated with elevator machine rooms?** (1) Panels or doors for the purpose of accessing nonelevator equipment are not permitted in elevator machine rooms. Passage through the machine room may not be used to gain access to other parts of the building that do not contain elevator equipment.

(2) The lighting control switch must be located inside the machine room within twenty-four inches of the lock jamb side of the machine room door.

(3) Cooling or venting of the elevator machine room shall be to the present building code adopted by the state.

Machinery spaces, machine rooms, control spaces, and control rooms that contain solid-state equipment for elevator operation shall be provided with an independent ventilation or air-conditioning system to protect against the overheating of the electrical equipment. Ventilation systems shall use outdoor makeup air. The system shall service the equipment space only, and shall be capable of maintaining the temperature and humidity within the range established by the manufacturer's specifications. Where no manufacturer specifications are available, the equipment space temperature shall be maintained at no less than fifty-five degrees Fahrenheit and no more than ninety degrees Fahrenheit.

The cooling load for the equipment shall include the BTU output of the elevator operation equipment as specified by the manufacturer based on one hour of continuous operation. The outdoor design temperature for ventilation shall be from the 0.5 percent column for summer from the Puget Sound Chapter of ASHRAE publication "*Recommended Outdoor Design Temperatures, Washington State.*" The following formula shall be used to calculate flow rate for ventilation:

$CFM = \text{BTU output of elevator machine room equipment} / [1.08 \times (\text{acceptable machine room temp} - \text{makeup air temp from the ASHRAE publication})]$

**EXCEPTION:** For buildings four stories or less, natural or mechanical means may be used in lieu of an independent ventilation or air-conditioning system to keep the equipment space ambient air temperature and humidity in the range specified by the elevator equipment manufacturer.

(4) A thermostat must be provided in the elevator machine room to control the temperature.

(5) Where no specifications are available, the machine room temperature shall be maintained at no less than fifty-five degrees Fahrenheit and no more than one hundred degrees Fahrenheit.

(6) When standby power is connected to the elevators, the machine room ventilation or air conditioning system shall be connected to the standby power.

(7) If the air conditioner is mounted overhead, seven feet of headroom clearance must be provided from the underside of the unit to the machine room floor.

(8) If ventilation is used, it must not exhaust air into other parts of the building.

(9) Machine rooms located in underground parking garages must have a means to exchange the air in the machine room. An "exchange of air" is completed through separate intake and exhaust systems.

**EXCEPTION:** The air in an underground parking garage machine room can be exchanged directly into the parking garage area.

(10) All elevators that are provided with remote elevator machine and/or control rooms must be provided with a permanent means of communication between the elevator car and the remote machine room and/or control room.

(11) Elevator machine room doors must have signs with lettering at least 1.25 inch in height with "elevator equipment room authorized personnel only - no storage."

**EXCEPTION:** Residential conveyances, LULAs and special purpose elevators are exempted from these requirements.

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

## **FIRE SERVICE, SPRINKLERS, SPRINKLER PIPES, SHUNT TRIP**

### NEW SECTION

**WAC 296-96-02470 What are the requirements for Fireman's Service Phase I and Phase II recall?** Devices for deactivating recall must be in the line of sight of the elevator; be secure from tampering; and must be accessible to fire, inspection, and elevator service personnel only. Owner-designated patient express and emergency hospital service elevators may have a manual control in the car for use by authorized patient care personnel. When activated, it shall preclude Phase I recall.

The illuminated visual signal in the car that indicates when Phase I Emergency Recall Operation is in effect must stay illuminated until the car is taken off Phase I operation.

Once the car returns to the designated landing on Phase I recall and the doors have reached their full open position, the buzzer must be silenced within ten seconds.

Groups of elevators containing four or more cars shall be provided with two, three-position key switches per group. For purposes of this section, a group shall be defined as all elevators serving the same portion of a building. Hall call buttons common to a group will remain in service unless both

Phase I recall switches of a four car or larger group are placed in the recall mode or a fire alarm recall signal is initiated.

**EXCEPTION:** Limited use/limited application (LULA), special purpose, and residential elevators are exempt from this section.

### NEW SECTION

**WAC 296-96-02475 What are the requirements for sprinklers in hoistways and machine rooms?** (1) The machine room sprinkler piping must terminate in the machine room. The sprinkler piping must not run through the machine room to other spaces.

(2) The hoistway must not be used to supply sprinkler piping to more than one floor.

(3) The pit will be considered as a floor level.

(4) Sprinkler heads at the top of the shaft must terminate in the shaft. The sprinkler must not run through the hoistway to other spaces. ("Other spaces" includes the machine room.)

(5) All risers and returns must be located outside of the hoistway and machine room.

(6) See requirements in ASME A17.1.

(7) If a sprinkler system is added to an existing installation, the conveyance will be required to:

(a) Install shunt trip per WAC 296-96-02277.

(b) If the conveyance was permitted to install on or after 1/1/1989 (A17.1-1987 code), then the fire service must operate to the code enforced per the original installation permit. A controller alteration will require fire and sprinkler system installation to the current adopted code.

(c) If the permit is prior to 12/31/1988, the fire service shall operate per current adopted standard in effect at the time of the alteration permit. (See A17.1-2.27.3.)

### NEW SECTION

**WAC 296-96-02480 How does the department enforce ASME requirements for sprinklers, smoke detectors, and heat detectors in hoistways and machine rooms?** ASME A17.1-2.8.2.3.2 states: "Means shall be provided to automatically disconnect the mainline power supply to the affected elevator upon or prior to the application of water from sprinklers located in the machine room or in the hoistway more than 600 mm (24 inches) above the pit floor. This means shall be independent of the elevator control and shall not be self-resetting. The activation of sprinklers outside the hoistway or machine room shall not disconnect the main line power supply." This section applies to both new and altered elevators when sprinklers have been installed in the elevator machine room and/or hoistway.

(1) The department enforces this rule as follows:

(a) When sprinkler systems are installed in an elevator hoistway, fixed temperature heat detectors set only at one hundred thirty-five degrees Fahrenheit must be located at the top of the hoistway. If sprinklers are installed in the machine room, the same rule applies to heat detectors in the machine room. If heat detectors are installed, they must be no more than eighteen inches from the sprinkler and in accordance with NFPA must also be installed for elevator recall. The purpose of the heat detector is to automatically disconnect

mainline power to the elevator before water flows from any sprinkler associated with the elevator system.

(b) Activation of a smoke detector or other department approved initiating device at the top of the hoistway shall cause all elevators having any equipment in that hoistway, and any associated elevators of a group automatic operation, to be returned nonstop to the designated level.

(c) Heat detectors must be:

(i) Located within eighteen inches of each sprinkler head, as required by the local building official, or as required by NFPA 13.

(ii) Ceiling mounted. However, pit detectors, if installed, may only be used as a signaling device and wall-mounted if they are so designed.

(iii) Heat detectors are not required in pits provided the automatic sprinkler heads are installed in such a way that the water spray pattern does not spray higher than three feet above the pit floor with a spray pattern directed level and down.

(d) The shunt trip disconnect must be installed in the machine room or machinery space and it must be easily identifiable.

(e) Power for the automatic disconnect control circuit.

(i) Must be derived from a one hundred twenty volt separate branch circuit. Circuit location must be identified on or next to the elevator disconnects; and

(ii) An illuminated visual device must be installed in the machine room adjacent to each elevator's disconnect. The purpose of this visual device is to indicate that power is available to the shunt trip activation mechanism; or

(iii) The department will allow disconnects that are labeled and listed to have built-in circuits that transform the power for the shunt trip device. This must be a one hundred twenty volt supply to the device. The shunt trip device must initiate shunt trip of the main line, not the fire panel. There must be an illuminated visual device incorporated on the disconnect switch that identifies that power is available to the shunt trip device.

(f) All electrical equipment and wiring associated with shunt trip devices must conform to the applicable ANSI/NFPA 70.

(g) The department does not require sprinkler shut-off valves. However, where they are installed, they must be located in an accessible place outside the hoistway, machine room or machinery space with their handles placed at no more than six feet above the floor.

(h) Emergency return units must be disabled when the shunt trip is activated.

(2) Alternative methods used to achieve ASME A17.1-2.8.2.3.2 must be approved by the department prior to installation.

**EXCEPTION:** Limited use/limited application (LULA), special purpose, and residential elevators are exempt from this section.

### CAR(S)

#### NEW SECTION

**WAC 296-96-02485 What is required for emergency escape hatches?** Emergency escape hatches must be hinged

and secured from the car top so that the cover opens from the top of the car only. The hatch must be able to be opened without the use of tools.

**EXCEPTION:** Machine roomless elevators are exempt from this requirement. They must be locked from inside the car and provide the key in the elevator lock box.

#### NEW SECTION

**WAC 296-96-02490 Are there exceptions for correction facility elevators?** Facilities that require special consideration to ensure the safety of security personnel and to prevent escapes must meet the relevant requirements of ASME A17.1, except that accessible "in-car" stop switches and signaling devices are not required when the elevator operation is:

(1) Continually monitored by audio-visual equipment.

(2) Remotely controlled from a single location.

(3) Controls necessary for an elevator's operation may be located inside a car when the operating panel has a locked cover.

#### NEW SECTION

**WAC 296-96-02495 Are self-leveling devices required?** Automatic elevators must be equipped with a self-leveling device. Each car shall be equipped with a self-leveling feature that will automatically bring and maintain the car at floor landings within a tolerance of one-half inch (13 mm) under rated loading to zero loading conditions.

#### NEW SECTION

**WAC 296-96-02500 Is a door reopening device required on automatic-closing car doors?** Elevator doors shall be provided with a reopening device that shall stop and reopen a car door and hoistway door automatically if the door becomes obstructed by an object or person.

The reopening device shall be activated by sensing an obstruction passing through the opening at five inches (125 mm) nominal and twenty-nine inches (735 mm) nominal above the floor.

The reopening device shall not require physical contact to be activated, although contact shall be permitted before the door reverses.

The reopening device shall remain effective for twenty seconds minimum.

**EXCEPTION:** Special purpose and residential elevators are exempt from this section.

#### NEW SECTION

**WAC 296-96-02505 What is the minimum acceptable initial transfer time for an elevator door?** The minimum acceptable time from notification that a car is answering a call until the doors of that car start to close shall be calculated from the following equation:

$T = D(1.5 \text{ ft/s})$  or  $T = D/(455 \text{ mm}) = 5$  seconds minimum, where T equals the total time in seconds and D equals the distance (in feet or millimeters) from the point in the lobby or corridor 60 inches (1525 mm) directly in front of the

farthest call button controlling that car to the centerline of its hoistway door.

**EXCEPTION:** For car with in car lanterns, T shall be permitted to begin when the signal is visible from the point sixty inches directly in front of the furthest hall call button and the audible signal is sounded.

Elevator doors shall remain fully open in response to a car call for three seconds minimum.

**EXCEPTION:** Special purpose and residential elevators are exempt.

**EXCEPTION:** Limited use/limited application (LULA), special purpose, and residential elevators are exempt from this section.

#### NEW SECTION

**WAC 296-96-02510 What are the minimum cab size and other applicable requirements for car interiors?** (1) All car interiors must be constructed to allow wheelchair users to enter the car, to maneuver within reach of the control panel and to exit the car.

(2) Minimum door width must be thirty-six inches.

(3) Minimum cab depth:

(a) From the rear wall to the return panel must be fifty-one inches; and

(b) From the rear wall to the inside face of the cab door must be fifty-four inches.

(4) For cabs with side-opening doors, the minimum cab width is sixty-eight inches;

(5) For cabs with center-opening doors, the minimum cab width is eighty inches;

(6) Maximum clearance between a car platform sill and the edge of a hoistway landing sill must be 1-1/4 inch; and

(7) If the building official having jurisdiction determines the elevator must comply with accessibility requirements, the elevator must comply with subsections (1) through (6) of this section.

**Note:** See IBC for stretcher requirements for building four stories or more. Written prior approval from the local building/fire official must be obtained to reduce these requirements.

**EXCEPTION:** Elevators located in existing school buildings or other buildings specifically identified by local authorities may have a minimum clear distance between walls or between a wall and the door, including the return panel, of 54 inches, and a minimum distance from the wall to the return panel of 51 inches.

**EXCEPTION:** LULA, special purpose, and residential elevators must meet the specifications in ASME A17.1 pertaining to car size.

#### NEW SECTION

**WAC 296-96-02515 What is required for car controls?** (1) Car controls shall be located within one of the reach ranges specified in ANSI 117.1 section 308.

**EXCEPTION:** Where the elevator panel serves more than sixteen openings and a parallel approach to the controls is provided, buttons with floor designations shall be permitted to be fifty-four inches maximum above the floor.

(2) Elevator car call sequential step scanning shall be provided where car control buttons are provided more than forty-eight inches above the floor.

(3) Floor selection shall be accomplished by applying momentary or constant pressure to the up or down scan button. The up scan button shall sequentially select floors above the current floor. The down scan button shall sequentially select floors above the current floor. When pressure is removed from the up and down scan button for more than two seconds, the last floor selected shall be registered as a car call. The up and down scan button shall be located adjacent to or immediately above the emergency control buttons. (new requirement)

(4) Car control buttons with floor designations shall be raised or flush.

(5) Buttons shall be three-fourth inch minimum in their smallest dimension.

(6) Buttons shall be arranged with numbers in ascending order. When two or more columns of buttons are provided they shall read from left to right.

(7) Control buttons shall be identified by tactile characters complying with ANSI 117.1 section 703.

(8) Tactile characters and Braille designations shall be placed immediately to the left of the control button to which the designations apply.

(9) Car control keypads shall be a standard telephone keypad arrangement.

(10) Keypads shall be identified by visual characters complying with ANSI A117.1 and shall be centered on the keypad button. The number five key shall have a single raised dot.

(11) The dot shall have a base diameter of 0.188 inch minimum to 0.120 inch maximum, and a height of 0.025 inch minimum and 0.037 inch maximum.

(12) Emergency controls shall have their centerlines thirty-five inches minimum above the floor.

(13) Emergency controls including the emergency alarm shall be grouped at the bottom of the panel.

(14) The control buttons for emergency stop, alarm, door open, door close, main entry floor, and phone shall be tactile symbols. Per ANSI table 407.4.7.1.3.

(15) Buttons with floor designations shall be provided with visible indicators to show that a call has been registered. The visible indicator shall extinguish when the car arrives at the designated floor.

**EXCEPTION:** Special purpose and residential elevators are exempt from this section.

#### NEW SECTION

**WAC 296-96-02520 What are the location and operation requirements for car position indicators in the car?**

(1) Audible and visible car position indicators shall be provided in elevator cars. Visible indicator characters shall be one-half inch minimum in height.

(2) Indicators shall be located above the car control panel or above the door.

(3) As the car passed the floor and when a car stops at a floor served by the elevator, the corresponding character shall illuminate.

(4) The signal shall be an automatic verbal annunciator that announces the floor at which the car is about to stop. The verbal announcement indicating the floor shall be completed prior to the initiation of door opening.

**EXCEPTION:** For elevators other than destination-oriented elevators that have a rated speed of two hundred feet per minute or less, a nonverbal audible signal with a frequency of 1500 Hz maximum that sounds as the car passes or is about to stop at a floor served by the elevator shall be permitted.

(5) The verbal annunciator shall be ten dBA minimum above ambient, but shall not exceed eighty dBA, measured at the annunciator.

(6) The verbal annunciator shall have a frequency of 300 Hz minimum and 3000 Hz maximum.

(7) Nonverbal audible annunciators must be at least twenty decibels with a frequency no higher than 1500 Hz.

**EXCEPTION:** Special purpose and residential elevators are exempt from this section.

#### NEW SECTION

**WAC 296-96-02525 What is required for installation and operation of emergency communication systems?** Every elevator must contain an emergency two-way communication system. The installation and operation of this emergency communication system must comply with the ASME A17.1 code in effect when the department issued the elevator's installation permit. In addition to the appropriate ASME A17.1 code, the following requirements apply:

(1) The communication device located in the elevator car must comply with the following:

(a) The maximum height of any operable part of the communication system is forty-eight inches above the floor.

(b) Raised symbols and letters must identify the communication system. These symbols and letters must be located adjacent to the communication device. The characters used must be:

- (i) At least 5/8 inches but no more than two inches high;
- (ii) Raised 1/32 inch;
- (iii) Upper case;
- (iv) Sans serif or simple serif type; and
- (v) Accompanied by Grade 2 Braille.

(c) If the system is located in a closed compartment, opening the door to the compartment must:

- (i) Require the use of only one hand without tight grasping, pinching, or twisting of the wrist; and
- (ii) Require a maximum force of five pounds.

(d) The emergency communication system must not be based solely upon voice communication since voice-only systems are inaccessible to people with speech or hearing impairments. An indicator light must be visible when the telephone is activated. This nonverbal means must enable the message recipient to determine the elevator's location address and, when more than one elevator is installed, the elevator's number.

(e) The emergency communication system must use a line that is capable of communicating with and signaling to a person or service that can respond appropriately to the emergency at all times.

(2) A communication device must be installed in the lobby adjacent to the Phase I key switch. This device must be a two-way communication device used to communicate with individuals in the elevator.

(a) The height of any communication device(s) located in the lobby must be located between forty-eight and sixty inches above the floor.

(b) Additional communication device(s) may also be located in other parts of the building in addition to the one located in the lobby.

**EXCEPTION:** Elevators that have less than sixty feet of travel do not require an intercom.

(3) Subsections (1) and (2) of this section do not apply to special purpose elevators. However, residential and special purpose elevators must have a means of communication located inside the elevator cab. This communication device must be available at all times.

**EXCEPTION:** Residential inclined elevators are exempt from this section.

#### NEW SECTION

**WAC 296-96-02530 What requirements apply to the size and location of car handrails?** A handrail must provide coverage lengthwise at least ninety percent from wall to wall.

(1) A handrail must be installed on all car walls not used for normal exits. The handrails must be:

(a) Attached to the wall at a height of between thirty-two and thirty-five inches from the floor.

(b) Attached to the wall with a 1-1/2 inch space between the wall and the rail;

(c) Constructed with the hand grip portion not less than 1-1/4 inches but not more than two inches wide;

(d) Constructed with a cross-section shape that is substantially oval or round;

(e) Constructed with smooth surfaces and no sharp corners. Approaching handrail ends on a blank wall in the interior corners of a car do not have to return to the wall. However, if the handrail is located on the closing door wall of a single-slide or two-speed entrance elevator and it projects an abrupt end towards people entering the car, the handrail end must return to the wall.

(2) Residential elevators must have at least one handrail. The handrail must be installed on a car wall not used for normal exits.

**EXCEPTION:** Special purpose elevators are exempt from this section.

#### NEW SECTION

**WAC 296-96-02535 What requirements apply to floor designations on elevator door jambs?** (1) Floor designations shall be provided in tactile characters complying with ANSI A117.1 section 703.3 located on both jambs of elevator hoistway entrances.

(2) Tactile characters must be two inches minimum in height.

(3) A tactile star shall be provided on both jambs at the main entry level.

(4) Tactile characters shall be raised 1/32 inch minimum above their background.

(5) Characters shall be uppercase.

(6) Characters shall not be italic, oblique, script, highly decorative, or other unusual forms.

(7) Characters and their background shall have a non-glare finish.

(8) Characters shall contrast with their background with either light characters on a dark background or dark characters on a light background.

(9) Braille shall be contracted Grade 2 Braille and comply with ANSI A117.1 section 703.4.

(10) Braille shall be forty-eight inches minimum and sixty inches maximum above the floor, measured to the base line of the Braille cells.

(11) Characters must be permanently attached (meaning tools required to remove).

**Note:** See ASNI A117.1 for a complete list of requirements.

**EXCEPTION:** Special purpose and residential elevators are exempt from this section.

#### NEW SECTION

**WAC 296-96-02540 What are the installation and operation requirements for hall buttons?** (1) A clear floor space complying with ANSI A117.1 section 305 shall be provided at call controls.

(2) Objects beneath hall call buttons shall protrude one inch maximum.

(3) Call buttons and keypads shall be located within one of the reach ranges specified in ANSI A117.1 section 308 measured to the centerline of the highest operable part. In no instance shall they be lower than thirty-six inches.

(4) Call buttons shall be raised or flush.

(5) Call buttons shall be 3/4 inch minimum in the smallest dimension.

(6) The call button that designates the up direction shall be located above the call button that designates the down direction.

(7) Call buttons shall have visible signals to indicate when each call is registered and when each call is answered.

**EXCEPTION:** Special purpose and residential elevators are exempt from this section.

#### NEW SECTION

**WAC 296-96-02545 What are the requirements for installation and operation of hall lanterns?** (1) A visible and audible signal shall be provided at each hoistway entrance to indicate which car is answering a call and the car's direction of travel. Where in-car signals are provided, they shall be visible from the floor area adjacent to the hall call buttons.

(2) Visible signal fixtures shall be centered at seventy-two inches minimum above the floor. The visible signal elements shall be 2-1/2 inches minimum measured along the vertical centerline of the element. Signals shall be visible from the floor area adjacent to the hall call button.

(3) Audible signals shall sound once for the up direction and twice for the down direction, or shall have verbal annunciators that indicate the direction of elevator car travel.

(4) Audible signals shall have a frequency of 1500 Hz maximum. Verbal annunciators shall have a frequency of 300 Hz minimum and 3000 Hz maximum.

(5) The audible signal or verbal signal annunciator shall be 10 dBZ minimum above ambient, but shall not exceed 80 dBA, measured at the call button.

### **HOISTWAY AND PIT**

#### NEW SECTION

**WAC 296-96-02550 What are the requirements for underground hydraulic elevator pipes, fittings, and cylinders?** All newly installed underground pressure cylinders and pipes containing hydraulic elevator fluids shall be encased in an outer plastic containment.

(1) The plastic casing shall be constructed of polyethylene or polyvinyl chloride (PVC). The plastic pipe wall thickness must not be less than 0.125 inches (3.175 mm). The casing shall be capped at the bottom and all joints must be solvent or heat welded.

(2) The casing shall be sealed and dry around hydraulic pipe and cylinder to contain any leakage into the ground and to prevent electrolysis to the hydraulic pipe and the cylinder. Dry sand may be used to stabilize the hydraulic cylinder.

(3) A one-half inch pipe nipple with a one-way check valve shall be located between the casing and cylinder for monitoring purposes.

(4) Alternate methods must receive approval from the department prior to installation.

(5) This rule shall apply to all conveyances with installation permits issued by the department on or after 01/01/1993.

#### NEW SECTION

**WAC 296-96-02555 What are the requirements for accessing elevated elevator pit equipment?** Where elevated pit equipment requires assisted vertical access of more than five feet, a permanent noncombustible working platform shall be provided. Access to the platform must be by a fixed ladder or stair conforming to ANSI A14.3. The platform shall be of sufficient strength to support personnel and may be of open grillwork.

In residential installations where the pit depth exceeds three feet, a fixed vertical ladder, designed to the current adopted rules for commercial installations, must be provided.

#### NEW SECTION

**WAC 296-96-02560 What are the requirements for submersible pumps or sumps?** Sump pumps and drains are not required in elevator pits. Sump holes must be installed and measure a minimum of eighteen inches by eighteen inches by eighteen inches. If drains or sump pumps are installed, they must not be directly connected to sewers and/or storm drains. P-traps and check valves are not allowed. All installations must meet the NEC and all plumb-



ing codes. Drains meeting the above requirements may be installed in lieu of sump holes.

Sump hole covers must be designed to withstand a load of three hundred pounds per square foot.

#### NEW SECTION

**WAC 296-96-02565 What are the requirements for top of car lighting for freight and passenger elevators?** A permanently wired work light and outlet shall be installed on the top of freight and passenger elevators. The light(s) shall provide illumination of ten foot candles across the entire horizontal plane of the top of the car up to a height of six feet. The fixture(s) shall be protected from accidental breakage.

#### NEW SECTION

**WAC 296-96-02570 How do we enforce hoistway ventilation?** (1) Area of vents. Except as provided for in Section 3004.3.1, the area of the vents shall not be less than 3-1/2 percent of the area of the hoistway nor less than three square feet (0.28 m<sup>2</sup>) for each elevator car, and not less than 3-1/2 percent nor less than one-half square foot (0.047 m<sup>2</sup>) for each dumbwaiter car in the hoistway, whichever is greater. The total required vent area shall be equipped with dampers that remain powered closed until activated open by the fire alarm system panel. The dampers shall open upon loss of power.

(2) Activation of the powered vent must not be from the same device that activates the phase one fire recall.

#### NEW SECTION

**WAC 296-96-02575 How do we enforce hoistway pressurization?** Pressurization requirements. Elevator hoistways shall be pressurized to maintain a minimum positive pressure of 0.10 inches of water column with respect to adjacent occupied space on all floors and a maximum pressure so as to not prevent the automatic operation of the elevator doors, as well as accounting for the stack and wind effect expected on the mean low temperature January day. This pressure shall be measured at the midpoint of each hoistway door, with all hoistway doors open at the designated primary recall level and all other hoistway doors closed. The supply air intake shall be from an outside, uncontaminated source located a minimum distance of 20 feet from any air exhaust system or outlet.

(1) Elevator doors. Each elevator door shall operate properly when hoistway pressurization is in effect.

(2) Hoistway venting. Hoistway venting required by Section 3004 need not be provided for pressurized elevator shafts.

(3) Machine rooms. Elevator machine rooms shall be pressurized in accordance with this section unless separated from the hoistway shaft by construction in accordance with the International Building Code, Section 707.

(4) Special inspection. Special inspection for performance shall be required in accordance with the International Building Code, Section 909.18.8. System acceptance shall be in accordance with the International Building Code, Section 909.19.

(a) The elevator department must observe the operation of the doors and insure proper documentation and tags are on site.

(b) Devices shall have an approved identifying tag or mark on them consistent with the other required documentation and shall be dated indicating the last time they were successfully tested and by whom.

### **OUTSIDE HOISTWAY**

#### NEW SECTION

**WAC 296-96-02580 Are keys required to be on-site?** The keys to the machine room and the keys that are necessary to operate the elevator must be located in a locked key retainer box in the elevator lobby at the designated level above the hall buttons, or located by machine room doors at no more than six feet above the floor, provided access to the key box doesn't require passage through locked doors. If in order to meet this requirement the box would be located in an unsecured location (such as the outside portion of a condo), other arrangements shall be accommodated with the written permission of the department.

The key retainer box must be:

- Readily accessible to authorized personnel;
- Clearly labeled "ELEVATOR";
- Securely mounted;
- Equipped with a 1-inch mortise cylinder cam lock with

keyway set to a #39504 Fort type key and securely mounted;

Further:

• Keys for access to elevator machine rooms and for operating elevator equipment must be tagged and kept in the key box.

- The box must contain all keys.
- Mechanical hoistway access devices must be located in

the key box or machine room.

**EXCEPTION:** Residential elevators are exempt from this section.

#### NEW SECTION

**WAC 296-96-02585 What are the requirements for fire doors installed in front of hoistway doors?** If fire and/or smoke doors are required to be installed by the International Building Code or the local building official, they must:

(1) Not be permanently attached to the hoistway door assembly.

(2) Not encroach upon the full width and height of the hoistway door opening.

(3) Ensure the adherence to ANSI A117.1 as to hall buttons, lanterns, jamb markings, key switches and position indicators locations and line of sight.

### **LULA**

#### NEW SECTION

**WAC 296-96-02590 When does the department require a local building official to sign off for the installation of LULAs, stair lifts, inclined wheelchair lifts and vertical wheelchair lifts?** In existing buildings where

LULAs, stair lifts, inclined wheelchair lifts and vertical wheelchair lifts are to be installed, the local building official must signify that he/she is allowing this type of conveyance on a form provided by the department.

#### NEW SECTION

**WAC 296-96-02595 What are the general requirements for LULA elevators?** (1) LULAs may be permitted in churches, private clubs, and buildings listed on the historical register that are not required to comply with accessibility requirements.

(2) Installation of LULAs in existing buildings that are not required to comply with accessibility requirements will be considered on a case-by-case basis by the department.

(3) For LULAs installed according to subsections (1) and (2) of this section a form provided by the department must be signed by the local building official.

(4) LULAs must be equipped with an emergency communication device meeting the requirements of WAC 296-96-02330.

### ACCESSIBILITY EQUIPMENT

#### NEW SECTION

**WAC 296-96-02600 What is required for physically handicapped lifts?** (1) All inclined stairway chairlifts and inclined and vertical wheelchair lifts installed in buildings where the conveyance is not visible at all times must be equipped with a standard electric switch Chicago style lock and #2252 key.

(2) All inclined stairway chairlifts and inclined and vertical wheelchair lifts installed in residences licensed as group homes must be equipped with a standard electric key switch Chicago style lock and #2252 key.

(3) All inclined stairway chairlifts and inclined and vertical wheelchair lifts installed in schools, day care centers, churches and other facilities which typically accommodate or provide services for children must also be equipped with a standard electric key switch Chicago style lock and #2252 key.

(4) Where these conveyances are installed outdoors, they must be equipped with either a standard electric key switch Chicago style lock and #2252 key or a timing device. The timing device must not allow the conveyance to run outside of normal business hours.

(5) In locations where the conveyance is not visible at all times, the conveyance must be equipped with a means of two-way communication that is capable of communicating with and signaling to a person or service that can respond appropriately at all times.

**EXEMPTION:** Inclined stairway chairlifts and inclined and vertical wheelchair lifts in private residences are not required to be equipped with key switches.

(6) Beginning July 1, 2004, vertical wheelchair lifts in commercial installations must be equipped with low energy power-operated doors or gates complying with ANSI/BHMA A156.19. Doors and gates shall remain open for twenty seconds minimum. End doors shall be thirty-two inches mini-

mum clear width. Side doors shall be forty-two inches minimum clear width.

**EXCEPTION:** Lifts having doors or gates on opposite sides shall be permitted to have manual doors and gates.

(7) For purposes of this section, "not visible at all times" includes, but is not limited to, conveyances located in stairwells, auditoriums, and other areas which are not generally in the normal path of travel during the hours that the building is occupied.

#### NEW SECTION

**WAC 296-96-02605 Are private residence inclined stairway chairlifts required to be permanently wired?** Private residence inclined stairway chairlifts are not required to be permanently wired into a structure. These conveyances may be equipped with a cord and plug. The plug must be directly inserted into a wall receptacle that is protected by a fuse or a circuit breaker at its source and is capable of supporting the additional load on the circuit. The source must be identified either at the receptacle or at the feeder panel. The cord must be secured in a manner that will not create any tripping hazards.

AMENDATORY SECTION (Amending WSR 01-02-026, filed 12/22/00, effective 1/22/01)

**WAC 296-96-05020 What requirements apply to the construction and fire safety of hoistway enclosures?** Generally, local codes and ordinances govern hoistway enclosure construction. When not in conflict with a local code requirement, the enclosure must:

(1) Be built to a height of 7 feet above each floor, landing and adjacent stairway tread;

(2) Extend (adjacent to the counterweights) the full height of the floor and 8 inches beyond the counterweight raceway;

(3) Be constructed of either solid material or material with openings that will reject a 2-inch diameter ball; and

(4) Be supported and braced so that it does not deflect more than 1 inch when subjected to a force of 100 pounds applied perpendicular at any point.

(5) A full height hoistway enclosure is required only on the side(s) of the material lift for which the car is not equipped with a gate or enclosure.

AMENDATORY SECTION (Amending WSR 01-02-026, filed 12/22/00, effective 1/22/01)

**WAC 296-96-05120 What requirements apply to car operating devices, terminal stopping devices and electrical protective devices?** If electrically operated, such devices must be enclosed. On lifts driven by winding drum machines, there must be a slack rope device employing an enclosed electric switch (manually reset type) which halts power to the drum and brake when the hoisting rope becomes slack.

On other lifts suspended by flexible means such as chain, there must be a slack rope/chains device employing an enclosed electric switch (manually reset type) which halts

power to the machine and brake when the suspension means becomes slack.

**AMENDATORY SECTION** (Amending WSR 01-02-026, filed 12/22/00, effective 1/22/01)

**WAC 296-96-05140 What requirements apply to car safeties?** Car safeties must be used on all material lifts that are suspended by wire ropes or chains. They must be able to stop and sustain a car carrying 125 percent of its rated load. On lifts driven by rack and pinion machines:

(1) Car safeties will consist of a freely rotating safety pinion, an overspeed governor and a safety device which may be mounted on the car.

(2) The rotating pinion driving an overspeed governor will travel on a stationary rack which is vertically mounted in the hoistway.

(3) The governor will actuate the safety device when the downward speed of the car reaches the tripping speed and will bring the car to a gradual stop.

(4) Car safeties must be able to stop and sustain a car carrying one hundred twenty-five percent of its rated load.

**AMENDATORY SECTION** (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

**WAC 296-96-05160 What types of ropes, chains, and rope connections must be used on a lift?** (1) The following general requirements apply:

(a) Iron (low carbon steel) or steel wire ropes with fiber cores must be used to suspend cars and counterweights.

(b) The minimum safety factor for suspension ropes must be 6 times the manufacturers rated breaking strength per rope.

(c) The car, the counterweight end of the car and the counterweight wire ropes (or the stationary hitch ends where multiple roping is used) must be fastened so that the looped ends of the turned back portion in the rope sockets are clearly visible. Fastenings must either be:

- (i) Individual tapered, babbitted rope sockets; or
- (ii) Other types of department approved rope fastenings.

(d) Rope sockets must develop at least 80 percent of the breaking strength of the strongest rope used in the sockets.

(e) U-bolt rope clips (clamps) cannot be used for load fastenings.

(f) A metal or plastic data tag must be securely attached to one of the wire rope fastenings each time the ropes are replaced or reshackled. The data tag must include:

- (i) The diameter of the ropes in inches; and
- (ii) The manufacturer's rated breaking strength.

(iii) The month and year the ropes or chain were installed.

(iv) The name of the person or organization who installed the ropes.

(v) All replacements of wire rope or chain must be in accordance with the lift manufacturer's specifications.

(2) The following requirements apply to specific types of material lifts:

(a) Traction type lifts must use at least three hoisting ropes.

(b) Lifts suspended by hoisting chains must comply with the chain manufacturer's specifications for maintenance, inspection, and application.

(c) Lifts using roller chain type lifting chains must use chains with a six to one safety factor based on ASME/ANSI B-29.1M minimum (not average) chain strength.

(d) Drum type lifts, must use either at least two hoisting ropes or a secondary as well as a primary load path to the hoist must be employed. Also, the cable secured to the drum must be at least one and one-half turns around the drum when the carrier is at its extreme limit of travel.

**AMENDATORY SECTION** (Amending WSR 01-02-026, filed 12/22/00, effective 1/22/01)

**WAC 296-96-07030 Does the department approve private residence elevator plans and specifications?** Yes.

(1) Before commencing construction of any inclined private residence elevator the (~~owner~~) licensed installer must submit complete plans and specifications to the department for approval.

(2) Plans and specifications covering the installation of an inclined private residence elevator must be endorsed by a professional engineer before the department will approve the plans.

**AMENDATORY SECTION** (Amending WSR 01-02-026, filed 12/22/00, effective 1/22/01)

**WAC 296-96-07050 What are the construction requirements for car landing enclosures and gates for inclined private residence elevators?** Any landing enclosures and gates must have:

(1) A railing at least 42 inches high to protect all landing platforms and those areas of a building used as landing platforms; and

(2) A gate whose height is equal to the height of the railing to protect the passenger landing opening.

(a) Gates may either be a horizontally sliding type or a swing type; and

(b) All gates must be equipped with a latch that holds the gate closed and an electrical contact to prevent movement of the car when a gate is open; and

(3) Railing enclosure and gate shall reject a 1.5 inch diameter ball.

**AMENDATORY SECTION** (Amending WSR 01-02-026, filed 12/22/00, effective 1/22/01)

**WAC 296-96-07120 What construction requirements apply to car doors and gates?** (1) All car entrances must be protected by a door or gate. The height of the door or gate must be at least 42 inches and equal to the height of the car enclosure. Doors and gates may be either of a solid design or an openwork design. If of an openwork design, the door or gate must be able to reject a 3-inch diameter ball. After the effective date of these rules the diameter will be reduced to 1.5 inches.

(2) Car doors or gates must be equipped with an electric contact that prevents the elevator from operating unless the door or gate is securely closed. If the gate is a swing type

opening outward from the car, the electric contact must not be made until the gate is securely latched.

(3) All car doors or gates must be manually operated.

AMENDATORY SECTION (Amending WSR 01-02-026, filed 12/22/00, effective 1/22/01)

**WAC 296-96-07150 What are the construction requirements for guide rails, track supports and fastenings?** (1) Guides, guide rails, guide rail brackets, splice plates, and fastenings must be made of steel or other metals conforming to the requirements of this section.

(2) Guides, guide rails, guide rail brackets, and their fastenings and supports must, at the point of support, deflect 1/8 inch or less while resisting horizontal forces encountered during loading. When horizontal force is measured at a mid-point between brackets, guide rails must deflect 1/4 inch or less in any direction.

Fixed, suspended cable guides may be used as a guide member(s). When used, the deflection is to be specified by the manufacturer and approved by a structural engineer licensed in the state of Washington.

(3) The top and bottom of each guide or guide rail run must not allow a car and counterweight guiding members to travel beyond the guide rail ends.

~~((4) Guides for inclined private residence elevators must have no more stresses and deflection than allowed by the manufacturer's specifications.))~~

AMENDATORY SECTION (Amending WSR 01-02-026, filed 12/22/00, effective 1/22/01)

**WAC 296-96-07171 How and when are safeties and governors tested?** (1) A safety must be tested before the inclined private residence elevator is put into service. It must be tested while the elevator is carrying its rated load.

(2) Governors on instantaneous type safeties must be tested by hand tripping the governor while the elevator is traveling at its rated speed. Creating sufficient slack in the rope and dropping the elevator is the method of testing speed governors located on ((a)) an elevator or chassis.

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

**WAC 296-96-07180 What are the construction requirements for driving machines and sheaves?** (1)(a) Winding drums, traction sheaves, overhead sheaves and deflecting sheaves must:

- (i) Be made of cast iron or steel;
  - (ii) Have diameters at least 30 times the diameter of the wire hoisting ropes; and
  - (iii) Have machined rope grooves.
- (b) EXCEPTION:
- (i) If 8 x 19 steel ropes are used, drum and sheave diameters may be reduced to 21 times the diameter of the hoisting rope.

(ii) Existing incline lifts suspended by cables are not required to have machine grooves, except for the first row of cables wrapped on the drum and shall be required to have a tracking device.

(ii) On existing inclined lifts suspended by cables that do not have machine grooves on the drum, the first layer of ropes will be recognized as providing the same traction as grooves, provided that this layer remains on the drum at all times and is not allowed to wind out. Such lifts must be provided with a tracking device to ensure that the rope does not wind over itself on the drum.

(2) The factor of safety, based on the static load (the rated load plus the weight of the car, ropes, counterweights, etc.) to be used in the design of driving machines and sheaves, must be at least:

(a) Eight for driving machines and sheaves built of wrought iron and steel; or

(b) Ten for driving machines built of cast iron, cast steel or other materials.

(3) Set screw type fastenings must not be substituted for keys or pins if connections are subject to torque or tension.

(4) Gears:

(a) When connecting drums or sheaves to the main driving gear, friction gears, clutch mechanisms or couplings must not be used.

(b) Worm gears having cast iron teeth must not be used.

(5) Brakes:

(a) Electric brakes must be of the friction type set by springs and must release electrically.

(b) All brakes must be able to stop and hold ((a)) an elevator carrying 125 percent of its rated load.

(c) At least one brake must be mounted so that in the case of gearbox failure, the drum will hold the rated load.

(d) If a single ground or short-circuit, a counter-voltage or a motor field discharge occurs and the operating device is set in the stop position, the brake magnet must set the brake.

(6) Driving machines:

(a) A driving machine may be mounted on ((a)) an elevator chassis or in a remote location. However, if mounted in a remote location, all sheaves and sprockets must be guarded and positioned so the hoisting ropes and chains remain properly aligned while the elevator is in use.

(b) Screw type machines must not be used.

(c) Hydraulic driving machines must conform to ASME A17.1.

(d) Roped-hydraulic machines may be used.

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

**WAC 296-96-07190 What construction requirements apply to terminal stopping switches?** A hoistway must be equipped with normal upper and lower terminal stopping switches that are activated by ((a)) an elevator chassis. Normal upper and lower terminal stopping switches must stop the elevator at the normal top and bottom terminals of travel.

(1) A hoistway must be equipped with final terminal stopping switches that are activated by ((a)) an elevator chassis. These switches must stop the elevator if the elevator travels beyond the normal terminals and prevent the elevator from moving in either direction.

(2) Winding drum machines may use a slack cable switch instead of a bottom final terminal switch.

(3) Normal and final terminal stopping switches must not control the same switches on the controller unless at least two separate and independent switches are used. At least two of these separate switches must be closed in order to complete the motor and brake circuits for each direction of travel.

**AMENDATORY SECTION** (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

**WAC 296-96-07200 What are the requirements for operation of an inclined private residence elevator?** (1) If the activation of the elevator is by key switch or key pad it must conform to the requirements of (a) and (b) of this subsection. The department may approve alternative methods of equal security such as key card or magnetic swipe card. Methods must conform to the following:

(a) The key or code must be entered each time to move the elevator.

(b) Key-operated switches must be of the spring return type and must be operated by a weatherproof cylinder type lock having not less than five pin or five disc combination with the key removable only when the switch is in the off position.

(2) If activation of the elevator is provided by a timing circuit that only allows the circuits to be initiated or unlocked for a sufficient amount of time to allow passengers to board the elevator and begin transit, a separate activation switch on the car is not required. The operating circuits must automatically relock:

(a) If the elevator is not activated within its preset period of time;

(b) When any landing stop button is activated;

(c) When the preset timing period has expired and the car has completed transit to another landing or returns to the departure landing.

(3) Emergency stop switches must be provided on or adjacent to the operating station.

(a) Stop switches in the car must:

(i) Be of a manually opened and manually closed type;

(ii) Have red handles or buttons and be conspicuously marked "STOP";

(iii) Open even if springs fail when springs are used.

(b) Stop switch at other operating stations:

(i) May be of a momentary type;

(ii) Must have red handles or buttons and be conspicuously marked "stop";

(iii) Must open even if springs fail when springs are used;

(iv) After initiation of stopping, the car may not automatically restart. Run condition must be manually initiated.

(4) Design and installation of control and operating circuits must meet the following:

(a) Control systems based upon the completion or maintenance of an electric circuit must not be used for interrupting power and applying machine brakes at terminals; stopping elevators when an emergency stop switch is open or when any electrical protective device operates; stopping a machine when the safety applies.

(b) If springs are used to activate switches, contact, or circuit breaking relays to stop the elevator at a terminal, the springs must be of the restrained compression type.

(5) Hand rope operation must not be used.

(6) Radio controls may be used in lieu of wiring for all car controls provided:

(a) The system is set up so that it is fail safe (if contact is lost, the unit will stop);

(b) In such installations, the ~~((stop))~~ STOP button in the car shall ~~((interrupt the circuit of frequency))~~ open the contact, and maintain an open condition, so that the car stops in the fail-safe mode as described in (a) of this subsection; and

(c) The controls are permanently mounted and conform to code.

**AMENDATORY SECTION** (Amending WSR 01-02-026, filed 12/22/00, effective 1/22/01)

**WAC 296-96-07210 What are the construction requirements for suspension methods?** (1) When a chassis is suspended from a driving machine by a wire rope, a single method of suspension may be used. The suspension means may be any one of the following:

(a) Steel elevator wire rope;

(b) Steel aircraft cable; or

(c) Roller chain conforming to ANSI transmission roller chains and sprocket teeth.

(2) Steel tapes must not be used as a suspension method.

(3) The minimum diameter of hoist ropes or cables must be 1/4 inch ~~((for))~~ galvanized elevator wire rope and 3/16 inch ~~((for galvanized))~~ aircraft cable.

(4) Factor of safety:

(a) The minimum factor of safety for a suspension method is 8 based upon the rope tension while elevating a car carrying its rated load.

(b) In no case, must the rated breaking strength of the rope be less than 4,000 pounds.

(5) The contact arc of a wire rope on a traction sheave must be sufficient to produce adequate traction under all load conditions.

(6) All wire ropes anchored to a winding drum must have at least one full turn of rope on the drum when the car or counterweight reaches its over-travel limit.

(7) The winding-drum ends of car and counterweight wire ropes must be secured by:

(a) Clamps on the inside of the drum; or

(b) Return loop; or

(c) Properly made individual tapered babbitted sockets; or

(d) Properly attached fittings recommended by wire rope manufacturers.

(e) U-bolt type clamps must not be used.

(8) The ends of wire ropes must be fastened to cars or counterweights by:

(a) Return loop; or

(b) Properly made individual tapered babbitted sockets that conform to ASME A17.1 requirements. (The diameter of the hole in the small end of the socket must not exceed the nominal diameter of the rope by more than 3/32 inch.); or

properly attached fittings recommended by wire rope manufacturers.

(c) U-bolt type clamps must not be used.

(9) Rope repair:

(a) Car and counterweight wire ropes cannot be lengthened or repaired by splicing.

(b) If a single wire rope in a set is worn or damaged and needs to be replaced, the entire set must be replaced.

**PART C2 - CONSTRUCTION, OPERATION, MAINTENANCE AND INSPECTION OF INCLINED PRIVATE RESIDENCE ELEVATOR FOR TRANSPORTING PERSON(S) ((FOR RESIDENTIAL USE))**

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

**WAC 296-96-07230 What requirements apply to electrical wiring?** (1) All wiring must conform to the National Electrical Code (NEC) in effect at the time of installation or major alteration.

(2) If a driving machine is mounted on the elevator chassis, the electrical connections between the elevator and the power source must be able to stop power if a traveling cable parts.

(3) All electrical connections between the elevator and the stationary connections must be insulated flexible conductors conforming to the applicable articles in the NEC relating to Elevators, Dumbwaiters, Escalators, Moving Walks, Wheelchair Lifts, and Stairway Chair Lifts.

(4) An elevator mechanic employed by an elevator contractor may perform electrical work from the electrical disconnect to and including the elevator operating control systems.

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

**WAC 296-96-08200 What are the requirements for the activation and operation of an inclined private residence conveyances for transporting property?** (1) If activation of the conveyance is by key switch, key pad or swipe card, the activation and operation must conform to the requirements of (a) and (b) of this subsection. The department may approve alternative methods of equal security.

(a) The key or code must be entered each time to move the conveyance.

(b) Key-operated switches must be of the spring return type and must be operated by a weatherproof cylinder type lock having not less than five pin or five disc combination with the key removable only when the switch is in the off position.

(2) If activation is provided by a timing circuit that only permits the circuits to be initiated or unlocked for a sufficient amount of time to allow the loading of materials, the operating circuits must automatically relock:

(a) If the conveyance is not activated within its preset period of time;

(b) When any landing stop button is activated; or

(c) When the car has completed transit to another landing or returns to the departure landing.

(3) Emergency stop switches must be provided on or adjacent to the operating station. Stop switches:

(a) May be of a momentary type;

(b) Must have red handles or buttons and be conspicuously marked "STOP"; and

(c) Must open even if springs fail when springs are used.

(4) After initiation of stopping, the car may not automatically restart. Run condition must be manually initiated.

(5) Design and installation of control and operating circuits must meet the following:

(a) Control systems based upon the completion or maintenance of an electric circuit must not be used for interrupting power and applying machine brakes at terminals, stopping elevators when an emergency stop switch is open or when any electrical protective device operates, or for stopping a machine when the safety applies.

(b) If springs are used to activate switches, contact, or circuit breaking relays to stop the elevator at a terminal, the springs must be a restrained compression type.

(6) Hand rope operation must not be used.

~~((7) Radio controls may be used in lieu of wiring for all car controls provided:~~

~~(a) The system is set up so that it is fail safe (if radio contact is lost, the unit will stop);~~

~~(b) In such installations, the stop button in the car shall interrupt the circuit of frequency; and~~

~~(c) The controls are permanently mounted and comply with the applicable rules.)~~

AMENDATORY SECTION (Amending WSR 01-02-026, filed 12/22/00, effective 1/22/01)

**WAC 296-96-08210 What are the requirements for suspension methods?** (1) When a chassis is suspended from a driving machine by a wire rope, a single method of suspension may be used. The suspension means may be any one of the following:

(a) Steel elevator wire rope;

(b) Steel aircraft cable; or

(c) Roller chain conforming to ANSI transmission roller chains and sprocket teeth.

(2) Steel tapes must not be used as a suspension method.

(3) The minimum diameter of hoist ropes or cables must be ~~((3/8))~~ 1/4 inch ~~((for))~~ galvanized elevator wire rope and 3/16 inch ~~((for galvanized))~~ aircraft cable.

(4) Factor of safety:

(a) The minimum factor of safety for a suspension method is 5 based upon the rope tension while elevating the elevator carrying its rated load.

(b) In no case, must the rated breaking strength of the rope be less than 4,000 pounds.

(5) The contact arc of a wire rope on a traction sheave must be sufficient to produce adequate traction under all load conditions.

(6) All wire ropes anchored to a winding drum must have at least one full turn of rope on the drum when the car or counterweight reaches its over-travel limit.

(7) The winding-drum ends of car and counterweight wire ropes must be secured by:

- (a) Clamps on the inside of the drum;
- (b) Return loop;
- (c) Properly made individual tapered babbitted sockets;

or

(d) Properly attached fittings recommended by wire rope manufacturers. U-bolt type clamps must not be used.

(8) The ends of wire ropes must be fastened to cars or counterweights by:

- (a) Return loop;
- (b) Properly made individual tapered babbitted sockets that conform to ASME A17.1 requirements (The diameter of the hole in the small end of the socket must not exceed the nominal diameter of the rope by more than 3/32 inch.); or
- (c) Properly attached fittings recommended by wire rope manufacturers. U-bolt type clamps must not be used.

(9) Rope repair:

(a) Car and counterweight wire ropes cannot be lengthened or repaired by splicing.

(b) If a single wire rope in a set is worn or damaged and needs to be replaced, the entire set must be replaced.

(10) A metal or plastic data tag must be securely attached to one of the wire rope fastenings each time the ropes are replaced or reshackled. The data tag must include:

- (a) The diameter of the ropes in inches; and
- (b) The manufacturer's rated breaking strength.

**PART C3 - CONSTRUCTION, OPERATION, MAINTENANCE AND INSPECTION OF PRIVATE RESIDENCE INCLUDED CONVEYANCES FOR TRANSPORTING ONLY PROPERTY (~~FOR RESIDENTIAL USE~~)**

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

**WAC 296-96-08230 What requirements apply to electrical wiring?** (1) All wiring must conform to the NEC in effect at the time of installation or major alteration.

(2) If a driving machine is mounted on the conveyance chassis, the electrical connections between the conveyance and the power source must be able to stop power if a traveling cable parts.

(3) All electrical connections between the conveyance chassis and the stationary connections must be insulated flexible conductors conforming to the applicable articles of the NEC relating to Elevators, Dumbwaiters, Escalators, Moving Walks, Wheelchair Lifts, and Stairway Chair Lifts.

(4) An elevator mechanic employed by an elevator contractor may perform electrical work from the electrical disconnect to and including the elevator operating control systems.

AMENDATORY SECTION (Amending WSR 01-02-026, filed 12/22/00, effective 1/22/01)

**WAC 296-96-09001 What regulations apply to personnel hoists?** All personnel hoists (~~installed~~) installations, maintenance, repair and tests must comply with the American

National Standard Institute ANSI A10.4-~~((1990))~~2004 edition or the latest published edition adopted by ANSI, Safety Requirements for Personnel Hoists and Employee Elevators for Construction and Demolition Operations.

AMENDATORY SECTION (Amending WSR 01-02-026, filed 12/22/00, effective 1/22/01)

**WAC 296-96-10001 What regulations apply to material hoists?** All material hoists installations, maintenance, repair, and tests must comply with the American National Standard Institute ANSI A10.5-1992 edition or the latest published edition adopted by ANSI, Safety Requirements for Material Hoists.

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

**WAC 296-96-11001 What regulations apply to belt manlifts?** WAC ~~((296-96-11010 through 296-96-11078 applies))~~ 296-96-11016 through 296-96-11080 apply to all existing belt manlifts.

Belt manlifts installed between July 1, 2004, and January 1, 2007, must meet the requirements in ASME A90.1-1997.

After the effective date of these rules all belt manlift(~~s~~) installations and alterations must ~~((be installed according to Belt Manlifts USAS))~~ meet ASME A90.1-((1997))2003.

All belt manlifts must be maintained, inspected and tested to conform to section 8 and appendix II of ASME A90.1-2003.

Maintenance inspection report shall be kept in a secure location within the building the belt manlift serves.

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

**WAC 296-96-13149 What are the structural requirements for counterweights, counterweight enclosures, and counterweight fastenings?** All counterweights must be fully enclosed at landings or at the path of travel.

(1) At the bottom of a counterweight enclosure, there must be an inspection opening large enough to allow the inspection of cable fastenings, counterweight and buffer.

(2) Rectangular shaped counterweights must be secured by at least two ~~((and one-half))~~, half-inch mild steel bolts with lock nuts.

(3) Round counterweights must be fastened with a center bolt at least three quarter inch in diameter and secured with a lock nut.

(4) All bolt eyes must be welded closed.

(5) Cable fastenings shall be by babbitted tapered elevator sockets or other acceptable methods. If cable clamps are used, a minimum of three cable clamps must be provided. U-shaped clamps shall not be acceptable.

AMENDATORY SECTION (Amending WSR 01-02-026, filed 12/22/00, effective 1/22/01)

**WAC 296-96-16140 How must car frames and platforms be connected?** Connections between members of the

car frames and platform must be riveted, bolted, or welded and must meet the following specifications:

(1) Bolts where used through sloping flanges of structural members must have ~~((bolt heads))~~ bolt heads of the tipped head type or must be fitted with beveled washers.

(2) Nuts used on sloping flanges of structural members must seat on beveled washers.

(3) Welding of parts upon which safe operation depends must be done in accordance with the appropriate standards established by the American Welding Society.

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

**WAC 296-96-23100 Are keys required to be on-site?** Yes.

(1) The keys to the machine room and the keys that are necessary to operate the elevator must be located in a locked key retainer box in the elevator lobby; or located by machine room doors at no more than six feet above the floor, provided access to the key box doesn't require passage through locked doors. The key retainer box must be:

((\*) (a) Readily accessible to authorized personnel;

((\*) (b) Clearly labeled "Elevator"; and

((\*) (c) Equipped with a 1-inch cylinder cam lock key #39504.

Further:

((\*) Keys for access to elevator machine rooms and for operating elevator equipment must be tagged and kept in the key box.

((\*) The key box must contain all keys necessary for inspections of the elevator.

((\*) Mechanical hoistway access devices must be kept in the key box or machine room.

(2) The department may approve existing retainer boxes provided they are:

((\*) (a) Readily accessible to authorized personnel;

((\*) (b) Clearly labeled "elevator"; and

((\*) (c) The lock must be either a 1-inch cylinder cam lock key #39504 or a combination lock. The combination for the lock must be on record with the department.

Deviations from this section due to security concerns must be approved by the department via a variance request.

AMENDATORY SECTION (Amending WSR 01-02-026, filed 12/22/00, effective 1/22/01)

**WAC 296-96-23116 What requirements apply to car numbers?** In any building with more than one elevator, numbers at least two inches in height identifying each car must be located at the main lobby entrance, inside the car, on the machine, and on the disconnect switch and if the conveyance has a walk-in pit, the buffer stands.

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

**WAC 296-96-23117 What requirements apply to top of car railings for traction elevators?** A standard railing must be installed on the top of all traction elevators where the perpendicular distance between the edges of the car top and

the adjacent hoistway enclosure exceeds twelve inches horizontal clearance. The railing shall be substantially constructed of metal and shall consist of a top rail, intermediate rail and post. The top rail shall have a smooth surface and the upper surface shall be located at a vertical height of forty-two inches. The intermediate rail shall be located approximately halfway between the top rail and the car top. There must be a minimum of six inches of clearance above the top rail when the car is at its furthest point of travel ~~((on inspection mode))~~. If the vertical clearance from the car top to the hoistway enclosure, including gravity-stopping distance, is less than 48 inches away, the top handrail height may be reduced to 42 inches plus or minus 3 inches. If the clearances will not allow a 36-inch handrail, do not install the top of car railing, instead provide signage required by WAC 296-96-23119.

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

**WAC 296-96-23118 What requirements apply to top of car railings for hydraulic elevators in unenclosed hoistways?** A standard railing must be installed on the top of hydraulic elevators installed in unenclosed hoistways. The railing shall be substantially constructed of metal and shall consist of a top rail, intermediate rail and post. The top rail shall have a smooth surface and ~~((, where practical))~~, the upper surface shall be located at a vertical height of ~~((forty-two))~~ 42 inches plus or minus 3 inches. The intermediate rail shall be located approximately halfway between the top rail and the car top. There must be a minimum of six inches of clearance above the top rail when the car is at its furthest point of travel on ~~((inspection mode))~~ the mechanical stop. If the vertical clearance of 6 inches cannot be achieved, do not install car top railing, instead provide signage required by WAC 296-96-119.

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

**WAC 296-96-23119 What signage requirements apply to traction elevators with minimal overhead clearance?** ~~((Traction))~~ Elevators that do not have a minimum of twenty-four inches of clearance from the crosshead, or any equipment mounted on the crosshead, to the lowest member of the overhead structure in the hoistway when the car has reached its maximum upward movement must have signage. A sign must be located near the top of car inspection station. An additional sign must be posted on the hoistway wall. This sign must be visible when accessing the car top. The sign shall consist of alternating four-inch diagonal red and white stripes and must clearly state "danger low clearance" in lettering not less than four inches in height.

AMENDATORY SECTION (Amending WSR 01-02-026, filed 12/22/00, effective 1/22/01)

**WAC 296-96-23122 What type of lighting must be installed in machine rooms and machinery space?** Permanent electric lighting must be provided in all machine rooms and machinery spaces. ~~((The))~~ All installations prior to



7/1/2004 require illumination ((must)) to be at least 10 foot-candles at floor level.

AMENDATORY SECTION (Amending WSR 01-02-026, filed 12/22/00, effective 1/22/01)

**WAC 296-96-23132 What lighting requirements apply to pits?** (1) Installations prior to 7/1/2004 require a permanent lighting fixture producing at least 5 foot-candle at the pit floor must be installed in all pits.

(2) A light switch must be installed and must be accessible from the pit access door.

(3) A permanent grounded outlet must be provided in all pits.

AMENDATORY SECTION (Amending WSR 01-02-026, filed 12/22/00, effective 1/22/01)

**WAC 296-96-23316 What requirements apply to plunger stops?** Plungers must be provided with solid metal stops and/or other means to prevent the plunger from traveling beyond the limits of the cylinder. Stops must be designed and constructed so as to stop the plunger from maximum speed in the up direction under full pressure without damage to the connection to the driving machine, plunger, plunger connection, or any other parts of the hydraulic system. For rated speeds exceeding 100 feet per minute where a solid metal stop is provided, means other than the normal terminal stopping device (i.e., emergency terminal speed limiting device) must be provided to retard the car to 100 feet per minute with ((a)) retardation no greater than gravity, before striking the stop.

AMENDATORY SECTION (Amending WSR 01-02-026, filed 12/22/00, effective 1/22/01)

**WAC 296-96-23450 What requirements apply to step tread lighting?** Step treads and landings must be illuminated throughout ~~((their run))~~. The light intensity on the treads must not be ~~((in accordance with local codes and ordinances for stairways))~~ less than 5 ftc (54 kx).

~~((It is recommended that))~~ The illumination shall be ~~((of))~~ uniform intensity and ~~((that it))~~ shall not contrast ~~((significantly))~~ materially with that of the surrounding area.

#### NEW SECTION

**WAC 296-96-23455 What requirements apply to comb and step distinction?** There shall be a visual contrast between the comb and step, achieved by color, pattern, or texture.

#### NEW SECTION

**WAC 296-96-23460 What requirements apply to safety zone?** The entry and exit zone shall be kept clear of all obstacles. The width of the zone shall be not less than the width between the centerlines of the handrails plus eight inches. The length of the zone, measured from the end of the newel, shall be not less than twice the distance between the centerlines of the handrails.

**EXCEPTION:** On the entrance side, the safety zone distance may be reduced, when cart restriction devices are installed, with prior written permission.

#### NEW SECTION

**WAC 296-96-23465 What requirements apply to landing access plates?** Access plates at the top and bottom landings shall be properly located and securely fastened in place when no more than seventy lbf effort is required to open the access plate.

AMENDATORY SECTION (Amending WSR 01-02-026, filed 12/22/00, effective 1/22/01)

**WAC 296-96-23600 What is the scope of Part VI, Alterations, Repairs and Maintenance?** Subpart VI, Alterations, Repairs and Maintenance, applies to periodic inspections, tests, alterations, and maintenance. The applicable code references are: ASME A17.1-Part 8, ASME A18.1-Part 10, ASME A90.1-Part 8, and appendix 2, ANSI A10.4-Part 26 & 27, ANSI A10.5-Part 4, and other requirements in this chapter.

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

**WAC 296-96-23610 What requirements apply to routine periodic inspections and tests?** The owner or the owner's agent must ensure that her/his conveyances are inspected and tested ~~((periodically))~~ on a periodic annual basis by a person qualified to perform such services. All conveyances must be tested to the applicable code(s) by an elevator mechanic licensed in the appropriate category for the conveyance being tested. (See appendix N in ASME A17.1.)

(1) For annual testing of electric, hydraulic, and roped hydraulic elevators, a log indicating the date of testing with all pertinent data included must be posted in the machine room. The log must be completed by the qualified person performing the test.

(a) A log indicating the date of testing with all pertinent data included must be posted in the machine room. The log must be completed by the licensed elevator mechanic performing the test.

(b) It is the responsibility of the owner or the owner's representative to install an updated log sheet in the machine room; the outdated log shall remain posted in the machine room.

(2) Required for fire fighters' service portion of the log. It is the owner's responsibility to test fire fighters' service operation of Phase I and Phase II key switches quarterly and annually perform the smoke detector test.

Note: The fire service key switch(es) and smoke detector testing may be performed and logged by the building owner.

~~((2)(a))~~ (3) For five-year testing ((of electric, hydraulic and roped hydraulic elevators a full load safety test must be performed with weights)):

(a) A full-load safety test must be performed with weights on all conveyances except hydraulic elevators.

(b) For roped hydraulic elevators a static load test with the full load on the car must also be performed.

(c) For tests administered under this subsection:

(i) ~~(A log indicating the date of testing with all pertinent data included must be posted in the machine room. The log must be completed by the licensed elevator mechanic performing the test.~~

~~(ii))~~ A safety tag with the date and company conducting the test must be permanently attached to the governor, safeties, and the rupture valves with a wire and seal.

~~((iii))~~ (A) For vertical platform lifts and stair chairs the tag must be located at the disconnecting means.

(B) Separate safety tags must be used to distinguish the no-load annual safety test and the five-year full load test.

(ii) Documentation must be submitted to the department on the approved state form.

(Note: ~~Separate safety tags must be used to distinguish the no-load annual safety test and the five-year full load test.~~)

(d) Qualified people will conduct the test. A qualified person is either:

(i) An elevator mechanic licensed in the appropriate category for the conveyance being tested;

(ii) The representative of a firm that manufactured the particular material lift, and who holds a current temporary mechanic's license in this state; or

(iii) The representative of a firm that manufactured the particular material lift who is working under the direct supervision of an elevator mechanic licensed in the appropriate category for the conveyance being tested.

Escalators shall be tested and cleaned annually. Upon completion of this work, the appropriate form indicating that the work was done must be submitted to the department.

~~((3))~~ (4) All other conveyances requiring annual testing must have tags indicating the date and the name of the company who performed the test. When the required location for mounting the tag is not readily accessible, the tag may be mounted on the main line disconnect.

AMENDATORY SECTION (Amending WSR 01-02-026, filed 12/22/00, effective 1/22/01)

**WAC 296-96-23620 What requirements apply to alterations, repairs and maintenance?** The owner or the owner's agent is responsible for the safe operation, proper maintenance, and alteration of his or her conveyance(s) and must comply with the present adopted ASME A17.1, Part ((XII)) §.

AMENDATORY SECTION (Amending WSR 01-02-026, filed 12/22/00, effective 1/22/01)

**WAC 296-96-23630 What requirements apply to elevator equipment displaced by seismic activity?** Any elevator equipment, hydraulic or cable ~~((type,))~~ that is displaced as a result of seismic activity must be anchored to conform with current standards, when repaired or reanchored to the building.

AMENDATORY SECTION (Amending WSR 01-02-026, filed 12/22/00, effective 1/22/01)

**WAC 296-96-23710 What requirements apply to lifts for the physically handicapped?** Inclined and vertical chair-lifts and inclined and vertical wheelchair lifts installed only for use by persons with disabilities in locations other than in or at a private residence must be equipped with a standard electric switch Chicago lock with key #2252.

**EXCEPTION:** See WAC 296-96-02370 for key alterations.

This requirement is in addition to ASME ~~((A17.1, Part XX))~~ A18.1, and the current Washington state rules and regulations on barrier-free design located in ANSI A117.1 in effect via the State Building Code (IBC).

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 296-96-01007	What is the inspection and approval process for alterations?
WAC 296-96-02230	When must the department be notified for a new or altered inspection?
WAC 296-96-02232	What are the conditions for obtaining a temporary operating permit?
WAC 296-96-02235	What are the requirements for temporary operating permits?
WAC 296-96-02240	Where is a shut-off valve required for hydraulic elevators?
WAC 296-96-02275	What are the requirements for Fireman's Service Phase I and Phase II recall?
WAC 296-96-02276	What are the requirements for sprinklers in hoistways and machine rooms?
WAC 296-96-02277	How does the department enforce ASME requirements for sprinklers, smoke detectors, and heat detectors in hoistways and machine rooms?
WAC 296-96-02278	Are keys required to be on-site?
WAC 296-96-02280	Can pipes and ducts be installed above a machine room?
WAC 296-96-02281	What is required for emergency escape hatches?

WAC 296-96-02282	What is required for fire fighters' service?	WAC 296-96-02360	What are the requirements for installation and operation of hall lanterns?
WAC 296-96-02283	What is the minimum working space required in machine rooms?	WAC 296-96-02361	What are the requirements for electrical main line disconnects?
WAC 296-96-02285	Are there exceptions for correction facility elevators?	WAC 296-96-02362	What are the requirements associated with elevator machine rooms?
WAC 296-96-02290	What are the requirements for underground hydraulic elevator pipes, fittings, and cylinders?	WAC 296-96-02363	What are the requirements for fire doors installed in front of hoistway doors?
WAC 296-96-02300	Are self-leveling devices required?	WAC 296-96-02364	What are the requirements for accessing elevated elevator pit equipment?
WAC 296-96-02306	Is a door reopening device required on automatic-closing car doors?	WAC 296-96-02366	What are the requirements for submersible pumps or sumps?
WAC 296-96-02310	What is the minimum acceptable initial transfer time for an elevator door?	WAC 296-96-02367	What are the requirements for top of car lighting for freight and passenger elevators?
WAC 296-96-02315	What are the minimum cab size and other applicable requirements for car interiors?	WAC 296-96-02370	What is required for physically handicapped lifts?
WAC 296-96-02317	When does the department require a local building official to sign off for the installation of LULAs, stair lifts, inclined wheelchair lifts and vertical wheelchair lifts?	WAC 296-96-02371	Are private residence inclined stairway chairlifts required to be permanently wired?

**WSR 07-19-093**

**PROPOSED RULES**

**WESTERN WASHINGTON UNIVERSITY**

[Filed September 18, 2007, 2:09 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-09-028.

Title of Rule and Other Identifying Information: Chapter 516-11 WAC, Public records.

Hearing Location(s): Western Washington University, Main Campus, Board Room, Old Main 340, 516 High Street, Bellingham, WA 98225, on November 1, 2007, at 3:30 p.m.

Date of Intended Adoption: December 14, 2007.

Submit Written Comments to: Suzanne Baker, Rules Coordinator, 516 High Street, Old Main 335, Bellingham, WA 98225-9015, e-mail Suzanne.Baker@wwu.edu, fax (360) 650-6197, by November 1, 2007.

Assistance for Persons with Disabilities: Contact Suzanne Baker by October 24, 2007, (360) 650-3117.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Due to legislative amendments in 2005 of the state's public records law, Western Washington University proposes to repeal its existing public record rules and adopt new public records rules. New

WAC 296-96-02318	What are the general requirements for LULA elevators?
WAC 296-96-02320	What is required for car controls?
WAC 296-96-02325	What are the location and operation requirements for car position indicators in the car?
WAC 296-96-02330	What is required for installation and operation of emergency communication systems?
WAC 296-96-02340	What requirements apply to the size and location of car handrails?
WAC 296-96-02350	What requirements apply to floor designations on elevator door jambs?
WAC 296-96-02355	What are the installation and operation requirements for hall buttons?

rules would streamline compliance and provide clearer guidelines for the public.

Reasons Supporting Proposal: Western Washington University's new public records rules will be consistent with public disclosure model rules filed by the state's attorney general's office (chapter 44-14 WAC).

Statutory Authority for Adoption: RCW 28B.35.120 (12).

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

Name of Proponent: Western Washington University, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bela Foltin, Public Records Officer, 516 High Street, Haggard Hall 231, Bellingham, WA, (360) 650-3051.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Proposed new public records chapter would not impose a disproportionate impact on small businesses.

A cost-benefit analysis is not required under RCW 34.05.328. Proposed new public records chapter is not considered a significant legislative rule by Western Washington University.

September 18, 2007  
Suzanne M. Baker  
Rules Coordinator

**REPEALER**

The following chapter of the Washington Administrative Code is repealed:

WAC 516-11-010	Definition and classification of public records.
WAC 516-11-040	General course and method of decision making.
WAC 516-11-060	Designation of public records officers.
WAC 516-11-070	Availability for public inspection and copying of public records.
WAC 516-11-080	Requests for public records.
WAC 516-11-090	Charges for copying.
WAC 516-11-100	Determination regarding exempt records.
WAC 516-11-110	Review of denials of public records requests.

**Chapter 516-09 WAC**

**PUBLIC RECORDS**

**NEW SECTION**

**WAC 516-09-010 Authority and purpose.** (1) For the purposes of this chapter, the Public Records Act, chapter

42.56 RCW, is referred to as the act. RCW 42.56.070(1) requires each agency to make available for inspection and copying nonexempt "public records" in accordance with published rules. The act defines "public record" to include 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 agency. RCW 42.56.070(2) requires each agency to set forth "for informational purposes" every law, in addition to the Public Records Act, that exempts or prohibits the disclosure of public records held by that agency.

(2) The purpose of these rules is to establish the procedures Western Washington University will follow in order to provide full access to public records. Western Washington University shall hereinafter be referred to as the "university." Where appropriate, the term university also refers to the staff and employees of Western Washington University. These rules provide information to persons wishing to request access to public records of the university and establish processes for both requestors and university staff that are designed to best assist members of the public in obtaining such access.

(3) The purpose of the act is to provide the public full access to information concerning the conduct of government, mindful of individuals' privacy rights and the desirability of the efficient administration of government. The act and these rules will be interpreted in favor of disclosure. In carrying out its responsibilities under the act, the university will be guided by the provisions of the act describing its purposes and interpretation.

**NEW SECTION**

**WAC 516-09-020 Agency description—Contact information—Public records officer.** (1) Western Washington University is an institution of higher education, authority for which is located in chapter 28B.35 RCW. The administrative offices of the university are located at the university's main campus at Bellingham, Washington. The university also has education centers in Seattle, Everett, Mountlake Terrace, Shoreline, Bremerton, Oak Harbor, Anacortes, and Port Angeles.

(2) Any person wishing to request access to public records of the university, or seeking assistance in making such a request, should contact the university's public records officer located at the main campus listed below:

Public Records Officer  
Western Washington University  
516 High Street  
Bellingham, WA 98225  
Phone: 360-650-3051  
Fax: 360-650-3044

Current contact information and additional information regarding release of public records can be found on the university web site at [http://www.library.wvu.edu/info/pubrecords\\_procedures.html](http://www.library.wvu.edu/info/pubrecords_procedures.html).

(3) The public records officer will oversee compliance with the act but another university staff member may process the request. Therefore, these rules will refer to the public

records officer or "designee." The public records officer or designee and the university will provide the "fullest assistance" to requestors; ensure that public records are protected from damage or disorganization; and prevent fulfilling public records requests from causing excessive interference with essential functions of the university.

#### NEW SECTION

##### **WAC 516-09-030 Availability of public records. (1)**

Hours for inspection of records. Public records are available for inspection and copying during normal business hours of the university in the presence of university staff. For the purposes of this chapter, the normal business hours for the public records office are from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m., Monday through Friday, excluding university holidays. Other hours of inspection may be arranged if the requestor and the public records officer or designee agree on a different time. Records must be inspected at the offices of the university in the presence of university staff.

(2) Index of records. The Western Washington University records retention schedule is the index of records created after June 30, 1990. Links to many of these schedules can be located at <http://www.wvu.edu/depts/recgmt/>.

(3) Organization of records. The university will maintain its records in a reasonably organized manner. The university will take reasonable actions to protect records from damage and disorganization. A requestor shall not take university records from university offices without the permission of the public records officer or designee. Certain records are available on the university web site at [www.wvu.edu](http://www.wvu.edu). Requestors are encouraged to view the documents available on the web site prior to submitting a records request.

(4) Making a request for public records.

(a) Any person wishing to inspect or copy public records of the university must make the request in writing on the university's request form, appended to this chapter and located at [http://www.library.wvu.edu/info/pubrecords\\_request.pdf](http://www.library.wvu.edu/info/pubrecords_request.pdf); or by letter or fax addressed to the public records officer and including the following information:

- (i) Name of requestor;
- (ii) Address of requestor;
- (iii) Other contact information, including telephone number and any e-mail address;
- (iv) Date of the request;
- (v) Identification of the public records adequate for the public records officer to locate the records; and
- (vi) A verification that the records requested shall not be used to compile a commercial sales list.



Western Washington University
Public Records Office
Western Libraries; HH231
516 High St.
Bellingham, WA 98225 - 9103
Phone: (360) 650-3051
FAX: (360) 650-3044

Request for Public Records

IDENTIFICATION
Name Date of Request
Street Address Phone
City / State / Zip Representing
Records to be: Viewed Copied
The University charges 15¢ per page for standard copies. There is no charge for viewing records. Requester must pay in advance by check, made payable to WWU; please remit to above address. Materials will be released when payment is received.

NATURE OF REQUEST
Description of Records - Please give a written description of the records you wish to see and, where possible, indicate dates, topic, and person(s) referenced. Please be as specific as possible.
I hereby certify that the information obtained as a result of this request for public records will not be used in whole or in part to compile a list for commercial purposes. (RCW 42.56.070)
Requester's Signature:

DISPOSITION OF REQUEST - OFFICE USE ONLY
Date Received Request Number
Request Referred to: Name / Department Date Sent
1.
2.
REQUEST APPROVED Date: By:
Copies @ 15¢ per page, for total of \$
No charge; request was less than 10 pages.
REQUEST DENIED Date: By:
Reasons for Denial:

Revised May 2007

(b) If the requestor wishes to have copies of the records made instead of simply inspecting them, he or she should so indicate and make arrangements to pay for copies of the records or a deposit. Pursuant to RCW 42.56.120, standard photocopies will be provided at a rate of no more than fifteen cents per page, or such amount as may be established in law.

NEW SECTION

WAC 516-09-03001 "Public record" defined. Courts use a three-part test to determine if a record is a "public record." The document must be: A "writing," containing information "relating to the conduct of government" or the

performance of any governmental or proprietary function, "prepared, owned, used, or retained" by an agency.<sup>1</sup>

(1) **Writing.** A "public record" can be any writing "regardless of physical form or characteristics." RCW 42.17.020(41). "Writing" is defined very broadly as: "... handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated." RCW 42.17.020(48). An e-mail is a "writing."

(2) **Relating to the conduct of government.** To be a "public record," a document must relate to the "conduct of government or the performance of any governmental or proprietary function." RCW 42.17.020(41). Almost all records held by an agency relate to the conduct of government; however, some do not. A purely personal record having absolutely no relation to the conduct of government is not a "public record." Even though a purely personal record might not be a "public record," a record of its existence might be. For example, a record showing the existence of a purely personal e-mail sent by an agency employee on an agency computer would probably be a "public record," even if the contents of the e-mail itself were not.<sup>2</sup>

(3) **"Prepared, owned, used, or retained."** A "public record" is a record "prepared, owned, used, or retained" by an agency. RCW 42.17.020(41).

A record can be "used" by an agency even if the agency does not actually possess the record. If an agency uses a record in its decision-making process, it is a "public record."<sup>3</sup> For example, if an agency considered technical specifications of a public works project and returned the specifications to the contractor in another state, the specifications would be a "public record" because the agency "used" the document in its decision-making process.<sup>4</sup> The agency could be required to obtain the public record, unless doing so would be impossible. An agency cannot send its only copy of a record to a third party for the sole purpose of avoiding disclosure.<sup>5</sup>

Sometimes agency employees work on agency business from home computers. These home computer records (including e-mail) were "used" by the agency and relate to the "conduct of government" so they are "public records." RCW 42.17.020(41). However, the act does not authorize unbridled searches of agency property.<sup>6</sup> If agency property is not subject to unbridled searches, then neither is the home computer of an agency employee. Yet, because the home computer documents relating to agency business are "public records," they are subject to disclosure (unless exempt). Agencies should instruct employees that all public records, regardless of where they were created, should eventually be stored on agency computers. Agencies should ask employees to keep agency-related documents on home computers in separate folders and to routinely blind carbon copy ("bcc") work e-mails back to the employee's agency e-mail account. If the agency receives a request for records that are solely on

employees' home computers, the agency should direct the employee to forward any responsive documents back to the agency, and the agency should process the request as it would if the records were on the agency's computers.

Notes: <sup>1</sup>*Confederated Tribes of the Chehalis Reservation v. Johnson*, 135 Wn.2d 734, 748, 958 P.2d 260 (1998). For records held by the secretary of the senate or chief clerk of the house of representatives, a "public record" is a "legislative record" as defined in RCW 40.14.100. RCW 42.17.020(41).

<sup>2</sup>*Tiberino v. Spokane County Prosecutor*, 103 Wn. App. 680, 691, 13 P.3d 1104 (2000).

<sup>3</sup>*Concerned Ratepayers v. Public Utility Dist. No. 1*, 138 Wn.2d 950, 958-61, 983 P.2d 635 (1999).

<sup>4</sup>*Id.*

<sup>5</sup>*See Op. Att'y Gen. 11* (1989), at 4, n.2 ("We do not wish to encourage agencies to avoid the provisions of the public disclosure act by transferring public records to private parties. If a record otherwise meeting the statutory definition were transferred into private hands solely to prevent its public disclosure, we expect courts would take appropriate steps to require the agency to make disclosure or to sanction the responsible public officers.")

<sup>6</sup>*See Hangartner v. City of Seattle*, 151 Wn.2d 439, 448, 90 P.3d 26 (2004).

## NEW SECTION

**WAC 516-09-040 Processing of public records requests—General.** (1) Providing "fullest assistance." The university is charged by statute with adopting rules which provide for how it will "provide full access to public records," "protect records from damage or disorganization," "prevent excessive interference with the essential functions of the agency," provide "fullest assistance" to requestors, and provide the "most timely possible action" on public records requests. The public records officer or designee will process requests in the order allowing the most requests to be processed in the most efficient manner.

(2) Acknowledging receipt of request. Within five business days of receipt of the request, the public records officer or designee will do one or more of the following:

(a) Make the records available for inspection or copying;

(b) If copies are requested and payment for the copies, if any, is made or terms of payment are agreed upon, send the copies to the requestor;

(c) Provide a reasonable estimate of when records will be available;

(d) If the request is unclear or does not sufficiently identify the requested records, request clarification from the requestor. Such clarification shall be requested and provided in writing by mail or fax. Based upon that clarification, the public records officer or designee may revise the estimate of when records will be available; or

(e) Deny the request.

(3) Consequences of failure to respond. If the university does not respond in writing within five business days of receipt of the request for disclosure, the requestor should consider contacting the public records officer to determine the reason for the failure to respond.

(4) Informing persons of records request. In the event that the request seeks records of named persons to whom the records pertain, the public records officer may, prior to pro-

viding records, give notice to such persons named in the request whose rights may be affected by the disclosure. The notice to the affected persons will include a copy of the request.

(5) Records exempt from disclosure. Some records are exempt from disclosure, in whole or in part. If the university believes that a record is exempt from disclosure and should be withheld, the public records officer will state the specific exemption and provide a brief explanation of why the record or a portion of the record is being withheld. If only a portion of a record is exempt from disclosure, but the remainder is not exempt, the public records officer will redact the exempt portions, provide the nonexempt portions, and indicate to the requestor why portions of the record are being redacted.

(6) Inspection of records.

(a) Consistent with other demands, the university shall promptly provide space to inspect public records in the presence of university staff. No member of the public may remove a document from the viewing area or disassemble or alter any document. The requestor shall indicate which documents he or she wishes the university to copy.

(b) The requestor must claim or review the assembled records within thirty days of the university's notification to him or her that the records are available for inspection or copying. The university will notify the requestor in writing of this requirement and inform the requestor that he or she should contact the university to make arrangements to claim or review the records. If the requestor or a representative of the requestor fails to claim or review the records within the thirty-day period or make other arrangements, the university may close the request. Other public records requests can be processed ahead of a subsequent request by the same person for the same or almost identical records, which can be processed as a new request.

(7) Providing copies of records. After inspection is complete, the public records officer or designee shall make any copies of records requested by the requestor or arrange for copying.

(8) Providing records in installments. When the request is for a large number of records, the public records officer or designee will provide access for inspection and copying in installments, if he or she reasonably determines that it would be practical to provide the records in that way. If, within thirty days, the requestor fails to inspect the entire set of records or one or more of the installments, the public records officer or designee may stop searching for the remaining records and close the request.

(9) Completion of inspection. When the inspection of the requested records is complete and all requested copies are provided, the public records officer or designee will indicate that the university has completed a diligent search for the requested records, made any located nonexempt records available for inspection, and provided copies.

(10) Closing withdrawn or abandoned request. When the requestor either withdraws the request or fails to fulfill his or her obligations to inspect the records or pay the deposit or final payment for the requested copies, the public records officer will close the request and indicate to the requestor that the university has closed the request.

(11) Later discovered documents. If, after the university has informed the requestor that it has provided all available records, the university becomes aware of additional documents existing at the time of the request, it will promptly inform the requestor of the additional documents and will make them available for inspection or provide copies upon payment on an expedited basis.

#### NEW SECTION

**WAC 516-09-050 Reserved.**

#### NEW SECTION

**WAC 516-09-060 Exemptions.** (1) The Public Records Act provides that a number of types of documents are exempt from public inspection and copying. In addition, documents are exempt from disclosure if any "other statute" exempts or prohibits disclosure. Requestors should be aware of the following exemptions, outside the Public Records Act, that restrict the availability of some documents held by the university for inspection and copying. This is not an exhaustive list as numerous exemptions exist outside the act. The university's failure to list an exemption here shall not affect the efficacy of any exemption.

(a) RCW 5.60.060 - Privileged communications;

(b) 20 U.S.C. 1232g - Family Education Rights and Privacy Act (FERPA);

(c) 42 U.S.C. 405 (c)(2)(vii)(1) - Social Security numbers;

(d) 45 CFR 16-0164 - HIPAA Privacy Rule;

(e) Chapter 19.108 RCW and RCW 4.24.601 - Uniform Trade Secrets Act; and

(f) Chapter 10.97 RCW - Regarding criminal history information.

(2) The university is prohibited by RCW 42.56.070(9) from providing lists of individuals for commercial purposes.

#### NEW SECTION

**WAC 516-09-070 Costs of providing copies of public records.** (1) Costs for providing copies.

(a) Costs for paper copies. There is no fee for inspecting public records. A requestor may obtain standard black and white photocopies for fifteen cents per page. Before beginning to make the copies, the public records officer or designee may require a deposit of up to ten percent of the estimated costs of copying all the records selected by the requestor. The public records officer or designee may also require payment of the costs of copying an installment before providing that installment. The university will not charge sales tax when it makes copies of public records.

(b) Costs for duplicating electronic and other records. The university may charge actual costs for special arrangements necessary for providing copies of records when required by the requestor, e.g., costs of color copying, oversized records, tapes, CDs, or records in other formats. Prior to making duplicate copies, the public records officer or designee may request a deposit of ten percent of the estimated cost of reproduction.



(2) Costs of mailing. The university may also charge actual costs of mailing, including the cost of the shipping container.

(3) Payment. Payment may be made by cash, check, or money order to the university.

#### NEW SECTION

**WAC 516-09-080 Review of denials of public records.** (1) Petition for internal administrative review of denial of access. Any person who objects to the initial denial or partial denial of a records request may petition in writing to the public records officer for a review of that decision. The petition shall include a copy of or reasonably identify the written statement by the public records officer or designee denying the request.

(2) Review by the attorney general's office. Pursuant to RCW 42.56.530, if the university denies a requestor access to public records because it claims the record is exempt in whole or in part from disclosure, the requestor may request the attorney general's office to review the matter. The attorney general has adopted rules on such requests in WAC 44-06-160.

(3) Judicial review. Any person may obtain court review of denials of public records requests pursuant to RCW 42.56.550 at the conclusion of two business days after the initial denial regardless of any internal administrative appeal.

**WSR 07-19-095**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
[Filed September 18, 2007, 2:56 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-15-075.

Title of Rule and Other Identifying Information: Medical aid rules, the industrial insurance chiropractic advisory committee was established by ESSB 5290 (chapter 282, Laws of 2007) to assure workers receive safe, effective chiropractic treatment in a cost-effective manner.

Hearing Location(s): Department of Labor and Industries, 7273 Linderson Way S.W., Tumwater, WA 98501, on October 23, 2007, at 10:00 a.m.

Date of Intended Adoption: November 28, 2007.

Submit Written Comments to: Jami Lifka, Department of Labor and Industries, P.O. Box 44321, Olympia, WA 98504-4321, e-mail lifk235@lni.wa.gov, fax (360) 902-6315, by November 14, 2007.

Assistance for Persons with Disabilities: Contact Office of Information and Assistance by October 1, 2007, TTY (360) 902-5797 or (360) 902-4941.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: WAC 296-20-0100, chiropractic advisory committee, will be amended to consider the details of the committee with regard to the administration and function of the committee. This proposed

rule will also amend WAC 296-20-02704 and 296-20-02705 for the same purpose.

Statutory Authority for Adoption: ESSB 5290 (chapter 282, Laws of 2002 [2007]), RCW 51.04.020, 51.04.030.

Statute Being Implemented: ESSB 5290 (chapter 282, Laws of 2007).

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

Name of Proponent: Department of labor and industries, governmental.

Name of Agency Personnel Responsible for Drafting: Jami Lifka, 7273 Linderson Way S.W., Tumwater, (360) 902-4941; Implementation: Gary Franklin, MD, MPH, Medical Director, (360) 902-5020; and Enforcement: Bob Malooly, Assistant Director of Insurance Services, (360) 902-4209.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule relates only to internal governmental operations that are not subject to violation by a nongovernment party, and per RCW 34.05.328 (5)(b)(ii) is exempt from the small business economic impact statement requirement.

A cost-benefit analysis is not required under RCW 34.05.328. This rule relates only to internal governmental operations that are not subject to violation by a nongovernment party, and per RCW 34.05.328 (5)(b)(ii) is exempt from the small business economic impact statement requirement.

September 18, 2007

Judy Schurke

Director

AMENDATORY SECTION (Amending Order 88-28, filed 12/1/88, effective 1/1/89)

**WAC 296-20-0100 Industrial insurance chiropractic advisory committee.** ~~((1) The director or the director's designee shall appoint a chiropractic advisory and utilization review committee.~~

~~(2) The committee will function as an advisor to the department with respect to policies affecting chiropractic care, quality assurance, clinical management of cases, utilization review, and the establishment of rules. It shall advise and assist the department in the department's relationship with providers of chiropractic care, and assist the department in ensuring that injured workers receive good quality chiropractic care in a safe and effective manner.~~

~~(3) The chiropractic advisory committee shall:~~

~~(a) Advise the department on standards as to what constitutes effective and accepted chiropractic treatment, for use by attending chiropractors and for chiropractic consultants to use in reviewing cases referred for consultation;~~

~~(b) Advise the department on standards and minimum credentials for chiropractic consultants and the content of consultant reports; and~~

~~(c) Review the performance of individual chiropractors and chiropractic consultants for conformance with standards and requirements and advise the department of instances where standards and requirements have not been met.~~

~~The department shall review the advice and recommendations of the committee and shall promulgate those stan-~~

standards and requirements which it chooses to adopt. The department shall review the advice from the committee on the performance of chiropractors and shall act upon this advice at its sole discretion.

(4) The committee will meet on a monthly basis or as needed. The department will reimburse members of the committee for travel and incidental expenses related to the meetings. (1)(a) The director shall appoint an industrial insurance chiropractic advisory committee (committee) composed of up to nine members licensed in Washington from the nominations provided by statewide associations.

(b) At least two of the total nine members must be chiropractors who are recognized for expertise in evidence-based practice or occupational health, or both.

(c) To the extent possible, all members shall have experience or knowledge of treating injured workers or evidence-based practice, or both.

(d) The director may, at his or her discretion, exclude or remove any nominee, committee member, or hired expert if the person does not meet a condition of appointment, including but not limited to:

(i) Having, or failing to disclose, a conflict of interest;

(ii) Breaching a statute, rule, or the committee's bylaws, including a quality of care concern or professional related action alleged by a government agency; or

(iii) If the committee or committee chair recommends removal for good cause shown.

(e) Appointments to the committee shall be up to three year terms, which the department may renew.

(2)(a) The committee will function as an advisor to the department with respect to the provision of safe, effective, and cost-effective health care for injured workers, including but not limited to, policy development regarding chiropractic care for injured workers, the development of practice guidelines and coverage criteria, review of coverage decisions and technology assessments, review of chiropractic programs, and review of rules pertaining to health care issues.

(b) The committee may provide peer review and advise and assist the department in the resolution of controversies, disputes, and issues between the department and the providers of chiropractic care.

(c) After approval by the department, the committee may consult with experts, services, and form ad hoc groups, committees, or subcommittees for the purpose of advising the department on specific topics to fulfill the purposes of the committee. Such experts or ad hoc groups will develop recommendations for the committee's approval.

(d) The committee's function may include, but is not limited to, the following:

(i) Advising the department on coverage decisions from technology assessments based on the best available scientific evidence, from which the department may use the committee's advice for making coverage decisions and for making proper and necessary industrial insurance claim decisions for covered services (see WAC 296-20-02704 for coverage decision criteria);

(ii) Advising the department on treatment guidelines for covered services based on proper and necessary standards, the best available scientific evidence, and the expert opinion of the industrial insurance chiropractic advisory committee.

The department may use the committee's advice for provider education, for criteria for the department's utilization review program, and for making proper and necessary industrial insurance claim decisions:

(iii) Advising the department on criteria related to definitions of quality of care and patterns of harmful care;

(iv) Advising the department on issues related to emerging medical conditions and the scientific evidence related to them; and

(v) Advice to the department in (d)(i) through (iv) of this subsection shall not pertain to nor include the review of a specific individual claim.

(e) Committee approval regarding advice to the department shall be based on a consensus of the members present. If after all reasonable efforts a consensus cannot be reached, the committee shall vote using the procedure described in the bylaws. A quorum, which shall be half plus one of the appointed members, must be present to vote and provide approval regarding advice to the department. Implementation of the committee's advice by the department is discretionary and solely the responsibility of the department.

(3) The members of the committee, including hired experts and any ad hoc group or subcommittee:

(a) Are immune from civil liability for any official acts performed in good faith to further the purposes of the industrial insurance chiropractic advisory committee; and

(b) May be compensated for participation in the work of the industrial insurance chiropractic advisory committee in accordance with a personal services contract to be executed after appointment and before commencement of activities related to the work of the industrial insurance chiropractic advisory committee.

(4) The committee shall coordinate with the state health technology assessment program and the state prescription drug program. With regard to issues in which the committee's opinion may differ with findings of the state health technology assessment program or the state prescription drug program, the department must give greater weight to the findings of the state's health technology assessment program and the state's prescription program.

(5) The committee shall operate under conditions set out in bylaws as approved by the department and ratified by the committee.

(6)(a) The committee and ad hoc group or subcommittee shall meet on a schedule as set by the department.

(b) The department shall collaborate with the committee to prepare the agenda for each meeting, including prioritization of issues to be addressed, with the final approval of the agenda given to the department.

(c) All meetings of the committee or ad hoc subcommittee(s) are subject to chapter 42.30 RCW, the Open Public Meetings Act. Notice as to the date, time, location and agenda or topics shall be published on the department's web site, and in the *Washington State Register*. Additional notification via electronic communication shall be provided to committee members and other interested parties. Publication of the committee meeting shall occur with enough notice to ensure committee members or members of the public who have disabilities have an equal opportunity to participate.

AMENDATORY SECTION (Amending WSR 04-08-040, filed 3/30/04, effective 5/1/04)

**WAC 296-20-02704 What criteria does the director or director's designee use to make medical coverage decisions?** (1) In making medical coverage decisions, the director or the director's designee considers information from a variety of sources. These sources include, but are not limited to:

- Scientific evidence;
- National and community-based opinions;
- Informal syntheses of provider opinion;
- Experience of the department and other entities;
- Regulatory status.

Because of the unique nature of each health care service, the type, quantity and quality of the information available for review may vary. The director or director's designee weighs the quality of the available evidence in making medical coverage decisions.

(2) Scientific evidence.

(a) "Scientific evidence" includes reports and studies published in peer-reviewed scientific and clinical literature. The director or the director's designee will consider the nature and quality of the study, its methodology and rigorosity of design, as well as the quality of the journal in which the study was published.

- For treatment services, studies addressing safety, efficacy, and effectiveness of the treatment or procedure for its intended use will be considered.
- For diagnostic devices or procedures, studies addressing safety, technical capacity, accuracy or utility of the device or procedure for its intended use will be considered.

(b) The greatest weight will be given to the most rigorously designed studies and on those well-designed studies that are reproducible. The strength of the design will depend on such scientifically accepted methodological principles as randomization, blinding, appropriateness of outcomes, spectrum of cases and controls, appropriate power to detect differences, magnitude and significance of effect. Additional consideration will be given to those studies that focus on sustained health and functional outcomes of workers with occupational conditions rather than unsustained clinical improvements.

(3) National and community-based opinion.

(a) "National opinion" includes, but is not limited to, syntheses of clinical issues that may take the form of published reports in the scientific literature, national consensus documents, formalized documents addressing standards of practice, practice parameters from professional societies or commissions, and technology assessments produced by independent evidence-based practice centers.

The director or the director's designee will consider the nature and quality of the process used to reach consensus or produce the synthesis of expert opinion. This consideration will include, but may not be limited to, the qualifications of participants, potential biases of sponsoring organizations, the inclusion of graded scientific information in the deliberations, the explicit nature of the document, and the processes used for broader review.

(b) "Community-based opinion" refers to advice and recommendations of formal committees made up of clinical providers within the state of Washington. As appropriate to the

subject matter, this may include recommendations from the department's formal advisory committees:

- The industrial insurance ((and rehabilitation committee of the Washington State Medical Association, which includes a representative from the Washington Osteopathic Medical Association)) medical advisory committee;

- The industrial insurance chiropractic advisory committee.

- The Washington state pharmacy and therapeutics committee.

- The Washington state health technology assessment clinical committee.

(4) "Informal syntheses of provider opinion" includes, but is not limited to, professional opinion surveys.

(5) Experience of the department and other entities.

The director or director's designee may consider data from a variety of sources including the department, other state agencies, federal agencies and other insurers regarding studies, experience and practice with past coverage. Examples of these include, but are not limited to, formal outcome studies, cost-benefit analyses, and adverse event, morbidity or mortality data.

(6) Regulatory status.

The director or director's designee will consider related licensing and approval processes of other state and federal regulatory agencies. This includes, but is not limited to:

- The federal food and drug administration's (FDA) regulation of drugs and medical devices (21 U.S.C. 301 et seq. and 21 CFR Chapter 1, Subchapters C, D, & H consistent with the purposes of this chapter, and as now or hereafter amended); and

- The Washington state department of health's regulation of scope of practice and standards of practice for licensed health care professionals regulated under Title 18 RCW.

AMENDATORY SECTION (Amending WSR 04-08-040, filed 3/30/04, effective 5/1/04)

**WAC 296-20-02705 What are treatment and diagnostic guidelines and how are they related to medical coverage decisions?** (1) Treatment and diagnostic guidelines are recommendations for the diagnosis or treatment of accepted conditions. These guidelines are intended to guide providers through the range of the many treatment or diagnostic options available for a particular medical condition. Treatment and diagnostic guidelines are a combination of the best available scientific evidence and a consensus of expert opinion.

(2) The department may develop treatment or diagnostic guidelines to improve outcomes for workers receiving covered health services. As appropriate to the subject matter, the department may develop these guidelines in collaboration with the department's formal advisory committees:

- The industrial insurance ((and rehabilitation committee of the Washington State Medical Association, which includes a representative from the Washington Osteopathic Medical Association)) medical advisory committee;

- The industrial insurance chiropractic advisory committee.

- The Washington state pharmacy and therapeutics committee.

• The Washington state health technology assessment clinical committee.

(3) In the process of implementing these guidelines, the department may find it necessary to make a formal medical coverage decision on one or more of the treatment or diagnostic options. The department, not the advisory committees, is responsible for implementing treatment guidelines and for making coverage decisions that result from such implementation.

**WSR 07-19-096**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**

[Filed September 18, 2007, 2:59 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-15-074.

Title of Rule and Other Identifying Information: Medical aid rules, a new industrial insurance medical advisory committee was established by ESSB 5290 (chapter 282, Laws of 2007) to assure workers receive safe, effective treatment in a cost-effective manner.

Hearing Location(s): Department of Labor and Industries, 7273 Linderson Way S.W., Tumwater, WA 98501, on October 23, 2007, at 10:00 a.m.

Date of Intended Adoption: November 28, 2007.

Submit Written Comments to: Jami Lifka, Department of Labor and Industries, P.O. Box 44321, Olympia, WA 98504-4321, e-mail lifk235@lni.wa.gov, fax (360) 902-6315, by November 14, 2007.

Assistance for Persons with Disabilities: Contact Office of Information and Assistance by October 1, 2007, TTY (360) 902-5797 or (360) 902-4941.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: WAC 296-20-01001, medical, will be amended to consider the details of the committee with regard to the administration and function of the committee. This proposed rule will also amend WAC 296-20-02704 and 296-20-02705 for the same purpose [see WSR 07-19-095]. This proposed rule will also amend WAC 296-20-02704 and 296-20-02705 [see WSR 07-19-095].

Statutory Authority for Adoption: ESSB 5290 (chapter 282, Laws of 2002 [2007]), RCW 51.04.020, 51.04.030.

Statute Being Implemented: ESSB 5290 (chapter 282, Laws of 2007).

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

Name of Proponent: Department of labor and industries, governmental.

Name of Agency Personnel Responsible for Drafting: Jami Lifka, 7273 Linderson Way S.W., Tumwater, (360) 902-4941; Implementation: Gary Franklin, MD, MPH, Medical Director, (360) 902-5020; and Enforcement: Bob Malooly, Assistant Director of Insurance Services, (360) 902-4209.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule relates only to internal government operations that are not subject to violation by a nongovernmental party, and per RCW 34.05.328 (5)(b)(ii) is exempt for the small business economic impact statement requirement.

A cost-benefit analysis is not required under RCW 34.05.328. This rule relates only to internal government operations that are not subject to violation by a nongovernmental party, and per RCW 34.05.328 (5)(b)(ii) is exempt for the small business economic impact statement requirement.

September 18, 2007

Judy Schurke

Director

AMENDATORY SECTION (Amending Order 77-27, filed 11/30/77, effective 1/1/78)

**WAC 296-20-01001 ((Medical advisory)) Industrial insurance medical advisory committee. (((1) The Washington state medical association shall appoint an advisory and utilization review committee composed of nine members, one of whom shall be an osteopathic physician nominated by the Washington state osteopathic medical association. The remaining members should be selected from the following specialty groups: Family or general practice, orthopaedics, neurology or neurosurgery, general surgery, physical medicine and rehabilitation, psychiatry, internal medicine, and industrial medicine.**

~~(2) The committee will function as an advisor to the department with respect to policies affecting medical care and rehabilitation, quality control and supervision of medical care, and the establishment of rules and regulations. It shall also advise and assist the department in the resolution of controversies, disputes and problems between the department and the providers of medical care. It will also advise and assist the department in the education of members of the medical community with regard to the roles of the physician, the department and the employer in providing the needs and care of the injured worker.~~

~~(3) The committee shall normally meet on a monthly basis or as necessity dictates. The department will reimburse members of the committee for each meeting.)~~ (1)(a) The director shall appoint an industrial insurance medical advisory committee (committee) composed of up to fourteen members.

(b) The appointments shall include twelve members from the nominations provided by statewide clinical groups, specialties, and associations and shall be consistent with the specialty types required by law.

(c) At least two of the total fourteen members must be physicians who are recognized for expertise in evidence-based medicine.

(d) The director may choose up to two of the fourteen members, not necessarily from the nominations submitted, who have expertise in occupational medicine.

(e) To the extent possible, members shall be chosen from nominees with experience or knowledge of treating injured workers or evidence-based medicine, or both.

(f) The director may, at his or her discretion, exclude or remove any nominee, committee member, or hired expert if the person does not meet a condition of appointment, including but not limited to:

(i) Having, or failing to disclose, a conflict of interest;

(ii) Breaching a statute, rule, or the committee's bylaws, including a quality of care concern or professional related action alleged by a government agency; or

(iii) If the committee or committee chair recommends removal for good cause shown.

(g) Appointments to the committee shall be up to three year terms, which the department may renew.

(2)(a) The committee will function as an advisor to the department with respect to the provision of safe, effective, and cost-effective health care for injured workers, including but not limited to the development of practice guidelines, and coverage criteria, review of coverage decisions and technology assessments, review of medical programs, and review of rules pertaining to health care issues.

(b) The committee may provide peer review and advise and assist the department in the resolution of controversies, disputes, and issues between the department and the providers of medical care.

(c) After approval by the department, the committee may consult with experts, services, and form ad hoc groups, committees, or subcommittees for the purpose of advising the department on specific topics to fulfill the purposes of the committee. Such experts or ad hoc groups will develop recommendations for the committee's approval.

(d) The committee's function may include but is not limited to the following:

(i) Advising the department on coverage decisions from technology assessments based on the best available scientific evidence, from which the department may use the committee's advice for making coverage decisions and for making proper and necessary industrial insurance claim decisions for covered services (see WAC 296-20-02704 for medical coverage decision criteria);

(ii) Advising the department on treatment guidelines for covered services based on proper and necessary standards, the best available scientific evidence, and the expert opinion of the medical advisory committee. The department may use the committee's advice for provider education, for criteria for the department's utilization review program, and for making proper and necessary industrial insurance claim decisions;

(iii) Advising the department on criteria related to definitions of quality of care and patterns of harmful care;

(iv) Advising the department on issues related to emerging medical conditions and the scientific evidence related to them; and

(v) Advice to the department in (d)(i) through (iv) of this subsection shall not pertain to nor include the review of a specific individual claim.

(e) Committee approval regarding advice to the department shall be based on a consensus of the members present. If after all reasonable efforts a consensus cannot be reached, the committee shall vote using the procedure described in the bylaws. A quorum, which shall be half plus one of the appointed members, must be present to vote and provide approval regarding advice to the department. Implementa-

tion of the committee's advice by the department is discretionary and solely the responsibility of the department.

(3) The members of the committee, including hired experts and any ad hoc group or subcommittee:

(a) Are immune from civil liability for any official acts performed in good faith to further the purposes of the industrial insurance medical advisory committee; and

(b) May be compensated for participation in the work of the industrial insurance medical advisory committee in accordance with a personal services contract to be executed after appointment and before commencement of activities related to the work of the industrial insurance medical advisory committee.

(4) The committee shall coordinate with the state health technology assessment program and the state prescription drug program. With regard to issues in which the committee's opinion may differ with findings of the state health technology assessment program or the state prescription drug program, the department must give greater weight to the findings of the state's health technology assessment program and the state's prescription program.

(5) The committee shall operate under conditions set out in bylaws as approved by the department and ratified by the committee.

(6)(a) The committee and ad hoc group or subcommittee shall meet on a schedule as set by the department.

(b) The department shall collaborate with the committee to prepare the agenda for each meeting, including prioritization of issues to be addressed, with the final approval of the agenda given to the department.

(c) All meetings of the committee or ad hoc subcommittee(s) are subject to chapter 42.30 RCW, the Open Public Meetings Act. Notice as to the date, time, location and agenda or topics shall be published on the department's web site, and in the *Washington State Register*. Additional notification via electronic communication shall be provided to committee members and other interested parties. Publication of the committee meeting shall occur with enough notice to ensure committee members or members of the public who have disabilities have an equal opportunity to participate.

## WSR 07-19-097

### PROPOSED RULES

### DEPARTMENT OF

### LABOR AND INDUSTRIES

[Filed September 18, 2007, 3:59 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-15-070.

Title of Rule and Other Identifying Information: Chapter 296-17 WAC, General reporting rules, audit and record-keeping, rates and rating system for Washington workers' compensation insurance; and chapter 296-17A WAC, Classifications for workers' compensation insurance.

Hearing Location(s): Department of Labor and Industries Building, Room S117-118, 7273 Linderson Way S.W., Tumwater, WA 98501, on November 1, 2007, at 1:00 p.m.

Date of Intended Adoption: November 6, 2007.

Submit Written Comments to: Mr. Ronald Moore, Program Manager, Employer Services, P.O. Box 44140, Olympia, WA 98504-4140, e-mail MOOA235@lni.wa.gov, fax (360) 902-4729, 5 p.m., November 1, 2007.

Assistance for Persons with Disabilities: Contact Office of Information and Assistance, TTY (360) 902-5797, by October 29, 2007.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: One new classification for geoduck harvesting is being proposed as a result of 2007 legislation; creating new classification and two sub classifications for community action councils is being proposed (to be effective January 1, 2009) at the industry request to assist with reporting needs. Housekeeping changes are being proposed to the following rules and classifications:

**Effective January 1, 2008:** New WAC 296-17A-4801; and amending WAC 296-17-35203, 296-17-31021, 296-17A-0508, 296-17A-1109, 296-17A-3309, 296-17A-3512, 296-17A-4803, 296-17A-4902, 296-17A-5300, 296-17A-5307, 296-17A-6301, 296-17A-6614, 296-17A-6615, 296-17A-6616, 296-17A-6617, 296-17A-6618, 296-17A-6622, 296-17A-6623, and 296-17A-7201.

**Effective January 1, 2009:** New WAC 296-17A-5308; and amending WAC 296-17A-1501 and 296-17A-4904.

Reasons Supporting Proposal: Most proposals are general housekeeping changes. Creating a new class and two sub classifications is being proposed for community action councils at the industry request for more efficient reporting; WAC 296-17-31021 proposes removing the forty-hour minimum requirement for sports teams which will encourage more accurate reporting from that industry. A new classification, 4801 for geoduck harvesting divers, is being proposed in response to 2007 legislation.

Statutory Authority for Adoption: RCW 51.16.035 and 51.16.100.

Statute Being Implemented: RCW 51.16.035 and 51.16.100.

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

Name of Proponent: Department of labor and industries, governmental.

Name of Agency Personnel Responsible for Drafting: Jo Anne Smith, Tumwater, Washington, (360) 902-4777; Implementation: Ronald Moore, Tumwater, Washington, (360) 902-4748; and Enforcement: Robert Malooly, Tumwater, Washington, (360) 902-4209.

No small business economic impact statement has been prepared under chapter 19.85 RCW. In this case the agency is exempt from conducting a small business economic impact statement since the proposed rules set or adjust fees or rates to legislative standards described in RCW 34.05.310 (4)(f) and because the content of the rules is specifically dictated by statute described in RCW 34.05.310 (4)(e).

A cost-benefit analysis is not required under RCW 34.05.328. In this case, the agency is exempt from conducting a cost-benefit analysis since the proposed rules set or adjust fees or rates pursuant to legislative standards described in RCW 34.05.325 (5)(b)(vi) and because the content of the

rules is specifically dictated by statute described in RCW 34.05.328 (5)(b)(v).

September 18, 2007

Judy Schurke

Director

AMENDATORY SECTION (Amending WSR 05-23-161, filed 11/22/05, effective 1/1/06)

**WAC 296-17-31021 Units of exposure. (1) What is a "unit of exposure?"**

A unit of exposure is the measure which is used to help determine the premium you will pay. For most businesses the unit of exposure is the *hours* worked by their employees. Because not all employees are compensated based on the hours they work, we have developed reporting alternatives to make reporting to us easier. Those alternatives are outlined in subsection (2) of this section. In other cases, the department *may* authorize some other method in assuming workers hours for premium calculation purposes.

**(2) What are the alternatives to actual hours worked?**

The exceptions are:

- **Apartment house managers, caretakers, domestic, home care or similar employees:** To determine the number of hours you need to report to us, divide an employee's total compensation, including housing and utility allowances, by the average hourly wage for the classification. The total number of work hours to be reported for each employee is not to exceed 520 hours per quarter. You will need to call us at (360) 902-4817 to obtain average hourly wage information.
- ~~**Baseball, basketball, and soccer teams as defined in WAC 296-17-745 including players, coaches, trainers, and officials:** Report each individual at 40 hours per week for each week in which they have duties.~~
- **Commission employees - outside (such as, but not limited to, real estate and insurance sales):** You must select one of the following methods to report your commission employees - outside:
  - Actual hours worked; or
  - Assumed hours of eight hours per day for part-time employees or one hundred-sixty hours per month for full-time employees.
 All outside commission employees of an employer must be reported by the same method. You cannot report some outside commission employees based on the actual hours they work and others using the eight hours per day for part-time employees or one hundred-sixty hours per month for full-time employees method.
- **Drywall - stocking, installation, scrapping, taping, and texturing:** Premiums are based on material installed/finished rather than the hours it took to install/finish the drywall.
- **Horse racing - excluding jockeys:** Employers in the horse racing industry pay premiums based on a type of license their employees hold rather than the hours the employees work. Premiums are collected by the Washington horse racing commission at the time of licensing.

- **Jockeys:** Report ten hours for each race/mount or for any day in which duties are reported.
- **Pilots and flight crew members:** Pilots and flight crew members having flight duties during a work shift including preflight time shall have premium calculated by utilizing daily readings logged per federal requirements of the aircraft tachometer time: Provided, That if the total tachometer time for any day includes a fraction of an hour, the reportable time will be increased to the next full hour: Provided further, That pilots and flight crew members who assume nonflying duties during a work shift will have premium calculated in accordance with the appropriate rules and classifications applicable to nonflight duties.
- **Race car drivers:** Report ten hours for each race/heat.
- **Salaried employees:** You must select one of the following methods to report your salaried employees:
  - Actual hours worked; or
  - Assumed hours of one hundred-sixty hours per month.

All salaried employees of an employer must be reported by the same method. You cannot report some salaried employees based on the actual hours they work and others using the one hundred sixty hours per month method. Provided further, as in the case of contract personnel employed by schools and/or school districts, the school or school district shall report actual hours worked for each employee, one hundred sixty hours per month for each employee, or the department *may* authorize some other method in assuming workers hours for premium calculation purposes.

**(3) Can I use assumed work hours for piece workers?**

No, if you employ piece workers you must report the actual hours these individuals work for you unless another unit of exposure is required.

*Example: If you have employees engaged in drywall work you would report and pay premiums on the basis of the square footage of the material they installed not the hours they worked.*

AMENDATORY SECTION (Amending WSR 07-12-045, filed 5/31/07, effective 7/1/07)

**WAC 296-17-35203 Special reporting instruction. (1) Professional and semiprofessional athletic teams.** Athletes assigned to a Washington-domiciled sports team are mandatorily covered by Washington industrial insurance: Provided, That a professional athlete who is under contract with a parent team domiciled outside of the state of Washington while assigned to a team domiciled within Washington is subject to mandatory coverage by Washington industrial insurance unless the player and employer (parent team) have agreed in writing as to which state shall provide coverage in accordance with RCW 51.12.120(6).

The following rules shall apply to the written agreement:

- (a) Agreement must be in writing and signed by the employer and the individual athlete.
- (b) Agreement must specify the state that is to provide coverage. The state agreed upon to provide coverage must be a state in which the player's team, during the course of the season, will engage in an athletic event. For example, if the Washington-based team is a part of a league with teams in

only Washington, Oregon, and Idaho, the player and the employer can agree to any of those three states to provide coverage. However, they could not agree to have California provide the coverage as this would not qualify as a state in which the player regularly performs assigned duties.

(c) The state agreed upon accepts responsibility for providing coverage and acknowledges such to the department by certified mail.

(d) Agreement and certification by the other state must be received by this department's underwriting section prior to any injury incurred by the athlete.

(e) Agreement will be for one season only commencing with the assigning of the player to a particular team. A separate agreement and certification must be on file for each additional season.

Failure to meet all of these requirements will result in the athlete being considered a Washington worker for premium and benefit purposes until such time as all requirements have been met.

Professional sports teams who are domiciled outside the state of Washington and who participate in sporting events with Washington-domiciled teams are not subject to Washington industrial insurance for their team members while in this state. These out-of-state teams are not considered employers subject to Title 51 on the basis that they are not conducting a business within this state.

**(2) Excluded employments.** Any employer having any person in their employ excluded from industrial insurance whose application for coverage under the elective adoption provisions of RCW 51.12.110 or authority of RCW 51.12.095 or 51.32.030 has been accepted by the director shall report and pay premium on the actual hours worked for each such person who is paid on an hourly, salaried-part time, percentage of profit or piece basis; or one hundred sixty hours per month for any such person paid on a salary basis employed full time. In the event records disclosing actual hours worked are not maintained by the employer for any person paid on an hourly, salaried-part time, percentage of profits or piece basis the worker hours of such person shall be determined by dividing the gross wages of such person by the state minimum wage for the purpose of premium calculation. However, when applying the state minimum wage the maximum number of hours assessed for a month will be one hundred sixty.

**(3) Special trucking industry rules.** The following subsection shall apply to all trucking industry employers as applicable.

(a) Insurance liability. Every trucking industry employer operating as an intrastate carrier or a combined intrastate and interstate carrier must insure their workers' compensation insurance liability through the Washington state fund or be self-insured with the state of Washington.

Washington employers operating exclusively in interstate or foreign commerce or any combination of interstate and foreign commerce must insure their workers' compensation insurance liability for their Washington employees with the Washington state fund, be self-insured with the state of Washington, or provide workers' compensation insurance for their Washington employees under the laws of another state when such other state law provides for such coverage.

Interstate or foreign commerce trucking employers who insure their workers' compensation insurance liability under the laws of another state must provide the department with copies of their current policy and applicable endorsements upon request.

Employers who elect to insure their workers' compensation insurance liability under the laws of another state and who fail to provide updated policy information when requested to do so will be declared an unregistered employer and subject to all the penalties contained in Title 51 RCW.

(b) Reporting. Trucking industry employers insuring their workers' compensation insurance liability with the Washington state fund shall keep and preserve all original time records/books including supporting information from drivers' logs for a period of three calendar years plus three months.

Employers are to report actual hours worked, including time spent loading and unloading trucks, for each driver in their employ. For purposes of this section, actual hours worked does not include time spent during lunch or rest periods or overnight lodging.

Failure of employers to keep accurate records of actual hours worked by their employees will result in the department estimating work hours by dividing gross payroll wages by the state minimum wage for each worker for whom records were not kept. However, in no case will the estimated or actual hours to be reported exceed five hundred twenty hours per calendar quarter for each worker.

(c) Exclusions. Trucking industry employers meeting all of the following conditions are exempted from mandatory coverage.

(i) Must be engaged exclusively in interstate or foreign commerce.

(ii) Must have elected to cover their Washington workers on a voluntary basis under the Washington state fund and must have elected such coverage in writing on forms provided by the department.

(iii) After having elected coverage, withdrew such coverage in writing to the department on or before January 2, 1987.

If all the conditions set forth in (i), (ii), and (iii) of this subsection have not been met, employers must insure their workers' compensation insurance liability with the Washington state fund or under the laws of another state.

(d) Definitions. For purposes of interpretation of RCW 51.12.095(1) and administration of this section, the following terms shall have the meanings given below:

(i) "Agents" means individuals hired to perform services for the interstate or foreign commerce carrier that are intended to be carried out by the individual and not contracted out to others but does not include owner operators as defined in RCW 51.12.095(1).

(ii) "Contacts" means locations at which freight, merchandise, or goods are picked up or dropped off within the boundaries of this state.

(iii) "Doing business" means having any terminals, agents or contacts within the boundaries of this state.

(iv) "Employees" means the same as the term "worker" as contained in RCW 51.08.180.

(v) "Terminals" means a physical location wherein the business activities (operations) of the trucking company are conducted on a routine basis. Terminals will generally include loading or shipping docks, warehouse space, dispatch offices and may also include administrative offices.

(vi) "Washington" shall be used to limit the scope of the term "employees." When used with the term "employees" it will require the following test for benefit purposes (all conditions must be met).

- The individual must be hired in Washington or must have been transferred to Washington; and
- The individual must perform some work in Washington (i.e., driving, loading, or unloading trucks).

(4) **Forest, range, or timber land services—Industry rule.** Washington law (RCW 51.48.030) requires every employer to make, keep, and preserve records which are adequate to facilitate the determination of premiums (taxes) due to the state for workers' compensation insurance coverage for their covered workers. In the administration of Title 51 RCW, and as it pertains to the forest, range, or timber land services industry, the department of labor and industries has deemed the records and information required in the various subsections of this section to be essential in the determination of premiums (taxes) due to the state fund. The records so specified and required, shall be provided at the time of audit to any representative of the department who has requested them.

Failure to produce these required records within thirty days of the request, or within an agreed upon time period, shall constitute noncompliance of this rule and RCW 51.48.030 and 51.48.040. Employers whose premium computations are made by the department in accordance with (d) of this subsection are barred from questioning, in an appeal before the board of industrial insurance appeals or the courts, the correctness of any assessment by the department on any period for which such records have not been kept, preserved, or produced for inspection as provided by law.

(a) General definitions. For purpose of interpretation of this section, the following terms shall have the meanings given below:

(i) "Actual hours worked" means each workers' composite work period beginning with the starting time of day that the employees' work day commenced, and includes the entire work period, excluding any nonpaid lunch period, and ending with the quitting time each day work was performed by the employee.

(ii) "Work day" shall mean any consecutive twenty-four-hour period.

(b) Employment records. Every employer shall with respect to each worker, make, keep, and preserve original records containing all of the following information for three full calendar years following the calendar year in which the employment occurred:

- (i) The name of each worker;
- (ii) The Social Security number of each worker;
- (iii) The beginning date of employment for each worker and, if applicable, the separation date of employment for each such worker;
- (iv) The basis upon which wages are paid to each worker;



(v) The number of units earned or produced for each worker paid on a piece-work basis;

(vi) The risk classification(s) applicable to each worker;

(vii) The number of actual hours worked by each worker, unless another basis of computing hours worked is prescribed in WAC 296-17-31021. For purposes of chapter 296-17 WAC, this record must clearly show, by work day, the time of day the employee commenced work, and the time of day work ended;

(viii) A summary time record for each worker showing the calendar day or days of the week work was performed and the actual number of hours worked each work day;

(ix) In the event a single worker's time is divided between two or more risk classifications, the summary contained in (b)(viii) of this subsection shall be further broken down to show the actual hours worked in each risk classification for the worker;

(x) The workers' total gross pay period earnings;

(xi) The specific sums withheld from the earnings of each worker, and the purpose of each sum withheld;

(xii) The net pay earned by each such worker.

(c) Business, financial records, and record retention. Every employer is required to keep and preserve all original time records completed by their employees for a three-year period. The three-year period is specified in WAC 296-17-352 as the composite period from the date any such premium became due.

Employers who pay their workers by check are required to keep and preserve a record of all check registers and canceled checks; and employers who pay their workers by cash are required to keep and preserve records of these cash transactions which provide a detailed record of wages paid to each worker.

(d) Recordkeeping - estimated premium computation. Any employer required by this section to make, keep, and preserve records containing the information as specified in (b) and (c) of this subsection, who fails to make, keep, and preserve such records, shall have premiums calculated as follows:

(i) Estimated worker hours shall be computed by dividing the gross wages of each worker for whom records were not maintained and preserved, by the state's minimum wage, in effect at the time the wages were paid or would have been paid. However, the maximum number of hours to be assessed under this provision will not exceed five hundred twenty hours for each worker, per quarter for the first audited period. Estimated worker hours computed on all subsequent audits of the same employer that disclose a continued failure to make, keep, or preserve the required payroll and employment records shall be subject to a maximum of seven hundred eighty hours for each worker, per quarter.

(ii) In the event an employer also has failed to make, keep, and preserve the records containing payroll information and wages paid to each worker, estimated average wages for each worker for whom a payroll and wage record was not maintained will be determined as follows: The employer's total gross income for the audit period (earned, received, or anticipated) shall be reduced by thirty-five percent to arrive at "total estimated wages." Total estimated wages will then be divided by the number of employees for whom a record of

actual hours worked was not made, kept, or preserved to arrive at an "estimated average wage" per worker. Estimated hours for each worker will then be computed by dividing the estimated average wage by the state's minimum wage in effect at the time the wages were paid or would have been paid as described in (d)(i) of this subsection.

(e) Reporting requirements and premium payments.

(i) Every employer who is awarded a forest, range, or timber land services contract must report the contract to the department promptly when it is awarded, and prior to any work being commenced, except as provided in (e)(iii) of this subsection. Employers reporting under the provisions of (e)(iii) of this subsection shall submit the informational report with their quarterly report of premium. The report shall include the following information:

(I) The employers' unified business identification account number (UBI).

(II) Identification of the landowner, firm, or primary contractor who awarded the contract, including the name, address, and phone number of a contact person.

(III) The total contract award.

(IV) Description of the forest, range, or timber land services work to be performed under terms of the contract.

(V) Physical location/site where the work will be performed including legal description.

(VI) Number of acres covered by the contract.

(VII) Dates during which the work will be performed.

(VIII) Estimated payroll and hours to be worked by employees in performance of the contract.

(ii) Upon completion of every contract issued by a landowner or firm that exceeds a total of ten thousand dollars, the contractor primarily responsible for the overall project shall submit in addition to the required informational report described in (e)(i) of this subsection, report the payroll and hours worked under the contract, and payment for required industrial insurance premiums. In the event that the contracted work is not completed within a calendar quarter, interim quarterly reports and premium payments are required for each contract for all work done during the calendar quarter. The first such report and payment is due at the end of the first calendar quarter in which the contract work is begun. Additional interim reports and payments will be submitted each quarter thereafter until the contract is completed. This will be consistent with the quarterly reporting cycle used by other employers. Premiums for a calendar quarter, whether reported or not, shall become due and delinquent on the day immediately following the last day of the month following the calendar quarter.

(iii) A contractor may group contracts issued by a landowner, firm, or other contractor that total less than ten thousand dollars together and submit a combined quarterly report of hours, payroll, and the required premium payment in the same manner and periods as nonforestation, range, or timber land services employers.

(f) Out-of-state employers. Forest, range, or timber land services contractors domiciled outside of Washington state must report on a contract basis regardless of contract size for all forest, range, or timber land services work done in Washington state. Out-of-state employers will not be permitted to have an active Washington state industrial insurance account

for reporting forest, range, or timber land services work in the absence of an active Washington forest, range, or timber land services contract.

(g) Work done by subcontract. Any firm primarily responsible for work to be performed under the terms of a forest, range, or timber land services contract, that subcontracts out any work under a forest, range, or timber land services contract must send written notification to the department prior to any work being done by the subcontractor. This notification must include the name, address, Social Security number, farm labor contractor number, (UBI) of each subcontractor, and the amount and description of contract work to be done by subcontract.

(h) Forest, range, or timber land services contract release - verification of hours, payroll, and premium. The department may verify reporting of contractors by way of an on-site visit to an employers' work site. This on-site visit may include close monitoring of employees and employee work hours. Upon receipt of a premium report for a finished contract, the department may conduct an audit of the firm's payroll, employment, and financial records to validate reporting. The entity that awarded the contract can verify the status of the contractors' account online at the department's web site ([www.lni.wa.gov](http://www.lni.wa.gov)) or by calling the account manager. The landowner, firm, or contractor will not be released from premium liability until the final report for the contract from the primary contractor and any subcontractors has been received and verified by the department.

(i) Premium liability - work done by contract. Washington law (RCW 51.12.070) places the responsibility for industrial insurance premium payments primarily and directly upon the person, firm, or corporation who lets a contract for all covered employment involved in the fulfillment of the contract terms. Any such person, firm, or corporation letting a contract is authorized to collect from the contractor the full amount payable in premiums. The contractor is in turn authorized to collect premiums from any subcontractor they may employ his or her proportionate amount of the premium payment.

To eliminate premium liability for work done by contract permitted by Title 51 RCW, any person, firm, or corporation who lets a contract for forest, range, or timber land services work must submit a copy of the contract they have let to the department and verify that all premiums due under the contract have been paid.

Each contract submitted to the department must include within its body, or on a separate addendum, all of the following items:

- (I) The name of the contractor who has been engaged to perform the work;
- (II) The contractor's UBI number;
- (III) The contractor's farm labor contractor number;
- (IV) The total contract award;
- (V) The date the work is to be commenced; a description of the work to be performed including any pertinent acreage information;
- (VI) Location where the work is to be performed;
- (VII) A contact name and phone number of the person, firm, or corporation who let the contract;

(VIII) The total estimated wages to be paid by the contractor and any subcontractors;

(IX) The amount to be subcontracted out if such subcontracting is permitted under the terms of the contract;

(X) The total estimated number of worker hours anticipated by the contractor and his/her subcontractors in the fulfillment of the contract terms;

(j) Reports to be mailed to the department. All contracts, reports, and information required by this section are to be sent to:

The Department of Labor and Industries  
Reforestation Team 8  
P.O. Box 44168  
Tumwater, Washington 98504-4168

(k) Rule applicability. If any portion of this section is declared invalid, only that portion is repealed. The balance of the section shall remain in effect.

**(5) Logging and/or tree thinning—Mechanized operations—Industry rule.** The following subsection shall apply to all employers assigned to report worker hours in risk classification 5005, WAC 296-17A-5005.

(a) Every employer having operations subject to risk classification 5005 "logging and/or tree thinning - mechanized operations" shall have their operations surveyed by labor and industries insurance services staff prior to the assignment of risk classification 5005 to their account. Annual surveys may be required after the initial survey to retain the risk classification assignment.

(b) Every employer assigned to report exposure (work hours) in risk classification 5005 shall supply an addendum report with their quarterly premium report which lists the name of each employee reported under this classification during the quarter, the Social Security number of such worker, the piece or pieces of equipment the employee operated during the quarter, the number of hours worked by the employee during the quarter, and the wages earned by the employee during the quarter.

**(6) Special drywall industry rule.**

**(a) What is the unit of exposure for drywall reporting?** Your premiums for workers installing and finishing drywall (reportable in risk classifications 0540, 0541, 0550, and 0551) are based on the amount of material installed and finished, not the number of hours worked.

The amount of material installed equals the amount of material purchased or taken from inventory for a job. No deduction can be made for material scrapped (debris). A deduction is allowed for material returned to the supplier or inventory.

The amount of material finished for a job equals the amount of material installed. No deduction can be made for a portion of the job that is not finished (base layer of double-board application or unfinished rooms).

Example: Drywall installation firm purchases 96 4' x 8' sheets of material for a job which includes some double-wall installation. The firm hangs all or parts of 92 sheets, and returns 4 sheets to the supplier for credit. Drywall finishing firm tapes, primes and textures the same job. Both firms should report 2,944 square feet (4 x 8 x 92) for the job.

**(b) I do some of the work myself. Can I deduct material I as an owner install or finish?** Yes. Owners (sole proprietors, partners, and corporate officers) who have not elected coverage may deduct material they install or finish.

When you as an owner install (including scrap) or finish (including tape and prime or texture) only part of a job, you may deduct an amount of material proportional to the time you worked on the job, considering the total time you and your workers spent on the job.

To deduct material installed or finished by owners, you must report to the department by job, project, site or location the amount of material you are deducting for this reason. You must file this report at the same time you file your quarterly report:

$$\begin{aligned} & \text{Total owners hours} \div (\text{owners hours} + \text{workers hours}) = \\ & \quad \text{\% of owner discount.} \\ & \text{\% of owner discount} \times (\text{total footage of job} - \text{subcontracted} \\ & \quad \text{footage, if any}) = \text{Total owner deduction of footage.} \end{aligned}$$

**(c) Can I deduct material installed or finished by subcontractors?** You may deduct material installed or taped by subcontractors you are not required to report as your workers. You may not deduct for material only scrapped or primed and textured by subcontractors.

To deduct material installed or taped by subcontractors, you must report to the department by job, project, site or location the amount of material being deducted. You must file this report at the same time you file your quarterly report. You must have and maintain business records that support the number of square feet worked by the subcontractor.

**(d) I understand there are discounted rates available for the drywall industry. How do I qualify for them?** To qualify for discounted drywall installation and finishing rates, you must:

(i) Have an owner attend two workshops the department offers (one workshop covers claims and risk management, the other covers premium reporting and recordkeeping);

(ii) Provide the department with a voluntary release authorizing the department to contact material suppliers directly about the firm's purchases;

(iii) Have and keep all your industrial insurance accounts in good standing (including the accounts of other businesses in which you have an ownership interest), which includes fully and accurately reporting and paying premiums as they come due, including reporting material deducted as owner or subcontractor work;

(iv) Provide the department with a supplemental report (filed with the firm's quarterly report) showing by employee the employee's name, Social Security number, the wages paid them during the quarter, how they are paid (piece rate, hourly, etc.), their rate of pay, and what work they performed (installation, scrapping, taping, priming/texturing); and

(v) Maintain accurate records about work you subcontracted to others and materials provided to subcontractors (as required by WAC 296-17-31013), and about payroll and employment (as required by WAC 296-17-35201).

The discounted rates will be in effect beginning with the first quarter your business meets all the requirements for the discounted rates.

Note: If you are being audited by the department while your application for the discounted classifications is pending, the department will not make a final decision regarding your rates until the audit is completed.

**(e) Can I be disqualified from using the discounted rates?** Yes. You can be disqualified from using the discounted rates for three years if you:

(i) Do not file all reports, including supplemental reports, when due;

(ii) Do not pay premiums on time;

(iii) Underreport the amount of premium due; or

(iv) Fail to maintain the requirements for qualifying for the discounted rates.

Disqualification takes effect when a criterion for disqualification exists.

Example: A field audit in 2002 reveals that the drywall installation firm underreported the amount of premium due in the second quarter of 2001. The firm will be disqualified from the discounted rates beginning with the second quarter of 2001, and the premiums it owed for that quarter and subsequent quarters for three years will be calculated using the nondiscounted rates.

If the drywall underwriter learns that your business has failed to meet the conditions as required in this rule, your business will need to comply to retain using the discounted classifications. If your business does not comply promptly, the drywall underwriter may refer your business for an audit.

If, as a result of an audit, the department determines your business has not complied with the conditions in this rule, your business will be disqualified from using the discounted classifications for three years (thirty-six months) from the period of last noncompliance.

**(f) If I discover I have made an error in reporting or paying premium, what should I do?** If you discover you have made a mistake in reporting or paying premium, you should contact the department and correct the mistake. Firms not being audited by the department who find errors in their reporting and paying premiums, and who voluntarily report their errors and pay any required premiums, penalties and interest promptly, will not be disqualified from using the discounted rates unless the department determines they acted in bad faith.

**(7) Safe patient handling rule.** The following subsection will apply to all hospital industry employers as applicable.

(a) Definitions. For the purpose of interpretation of this section, the following terms shall have the meanings given below:

(i) "Hospital" means an "acute care hospital" as defined in (a)(ii) of this subsection, a "mental health hospital" as defined in (a)(iii) of this subsection, or a "hospital, N.O.C. (not otherwise classified)" as defined in (a)(iv) of this subsection.

(ii) "Acute care hospital" means any institution, place, building, or agency providing accommodations, facilities, and services over a continuous period of twenty-four hours or more for observation, diagnosis, or care of two or more individuals not related to the operator who are suffering from illness, injury, deformity, or abnormality, or from any other condition for which obstetrical, medical, or surgical services

would be appropriate for care or diagnosis. "Hospital" as used in this rule does not include:

Hotels, or similar places furnishing only food and lodging, or simply domiciliary care; nor does it include

Clinics, or physicians' offices where patients are not regularly kept as bed patients for twenty-four hours or more; nor does it include

Nursing homes, as defined and which come within the scope of chapter 18.51 RCW; nor does it include

Birthing centers, which come within the scope of chapter 18.46 RCW; nor does it include

Psychiatric or alcoholism hospitals, which come within the scope of chapter 71.12 RCW; nor

Any other hospital or institution specifically intended for use in the diagnosis and care of those suffering from mental illness, mental retardation, convulsive disorders, or other abnormal mental conditions.

Furthermore, nothing in this chapter will be construed as authorizing the supervision, regulation, or control of the remedial care or treatment of residents or patients in any hospital conducted for those who rely primarily upon treatment by prayer or spiritual means in accordance with the creed or tenets of any well-recognized church or religious denominations.

(iii) "Mental health hospital" means any hospital operated and maintained by the state of Washington for the care of the mentally ill.

(iv) "Hospitals, N.O.C." means health care facilities that do not qualify as acute care or mental health hospitals and may be privately owned facilities established for purposes such as, but not limited to, treating psychiatric disorders and chemical dependencies or providing physical rehabilitation.

(v) "Safe patient handling" means the use of engineering controls, lifting and transfer aids, or assistance devices, by lift teams or other staff, instead of manual lifting to perform the acts of lifting, transferring and repositioning health care patients.

(vi) "Lift team" means hospital employees specially trained to conduct patient lifts, transfers, and repositioning using lifting equipment when appropriate.

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

(b) Hospitals will report worker hours in the risk classification that describes the nature of their operations and either their level of implementation of, or need for, the safe patient handling program.

(c) A fully implemented safe patient handling program must include:

(i) Acquisition of at least the minimum number of lifts and/or appropriate equipment for use by lift teams as specified in chapters 70.41 and 72.23 RCW.

(ii) An established safe patient handling committee with at least one-half of its membership being front line, nonmanagerial direct care staff to design and recommend the process for implementing a safe patient handling program.

(iii) Implementation of a safe patient handling policy for all shifts and units.

(iv) Conducting patient handling hazard assessments to include such variables as patient-handling tasks, types of

nursing units, patient populations, and the physical environment of patient care areas.

(v) Developing a process to identify appropriate use of safe patient handling policy based on a patient's condition and availability of lifting equipment or lift teams.

(vi) Conducting an annual performance evaluation of the program to determine its effectiveness with results reported to the safe patient handling committee.

(vii) Consideration, when appropriate, to incorporate patient handling equipment or the physical space and construction design needed to incorporate that equipment at a later date during new construction or remodeling.

(viii) Development of procedures that allow employees to choose not to perform or participate in patient handling activities that the employee believes will pose a risk to him/herself or to the patient.

(d) Department staff will conduct an on-site survey of each acute care and mental health hospital before assigning a risk classification. Subsequent surveys may be conducted to confirm whether the assigned risk classification is still appropriate.

(e) To remain in classification 6120-00 or 7200-00, a hospital must submit a copy of the annual performance evaluation of their safe patient handling program, as required by chapters 70.41 and 72.23 RCW, to the Employer Services Program, Department of Labor and Industries, P.O. Box ((44161)) 44140, Olympia, Washington, 98504.

**AMENDATORY SECTION** (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

**WAC 296-17A-0508 Classification 0508.**

**0508-00 Radio, television, cellular or water towers, poles and towers, N.O.C.: Construction or erection, dismantling, maintenance or repair**

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of iron, steel, or wood radio, television, cellular or water towers, poles, towers and those towers which are not covered by another classification (N.O.C.). Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the foundation/excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, erecting the frame, installation of scaffolding, raising structural members by crane and welding or bolting them into place, and the installation, removal, service and/or repair of antennas, dish units and/or other transmitting/receiving apparatus to the structure. This classification also includes the delivery of material and supplies to the job site when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of a control building or installation

of a modular control building which is to be reported separately in the applicable construction classification.

**Special note:** This classification does not allow the separate reporting of excavation or foundation work irrespective of who performs the work. This classification includes specialty contractors who install, remove, service or repair antennas, dish units and/or other transmitting/receiving apparatus to a structure covered by this classification.

**0508-01 Smokestack: Construction or erection, dismantling, maintenance or repair**

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of iron, steel or concrete smokestacks. These structures are part of an industrial complex and facilitate the discharge of combustion vapors, gases, or smoke. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, installation of scaffolding, raising segments into place with a crane and welding or bolting them into place. This classification includes the delivery of material and supplies to the job site and installation of any apparatus onto a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported separately in classification 0603; preliminary clearing of land by a contractor who is not also excavating the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of a control building or installation of a modular control building which is to be reported separately in the applicable construction classification.

**Special note:** This classification does not allow separate reporting of excavation or foundation work irrespective of who performs the work.

**0508-02 Windmill and silo: Construction or erection, dismantling, maintenance or repair**

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of iron, concrete, steel, or wood windmills or silos. Windmills use the force of wind passing around the rotor blades to turn turbines and produce electric power. These may be built individually or in groups known as "wind farms." Additional apparatus and storage batteries are housed in separate buildings nearby. Silos are large cylindrical structures used to store grain or fodder (silage). They are filled through the top by means of a conveyor. Within the structure, augers and pumps can move the grain to blend, aerate, or feed it out the chute. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, erecting the frame,

installation of scaffolding, raising structural members by crane and welding or bolting them into place. This classification includes the delivery of material and supplies to the job site and the installation of apparatus onto a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported separately in classification 0603; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of a control building or installation of a modular control building which is to be reported separately in the applicable construction classification.

**Special note:** This classification does not allow the separate reporting of excavation or foundation work irrespective of who performs the work.

**0508-03 Oil still or refinery: Construction or erection, dismantling, maintenance or repair**

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of oil stills or refineries. These facilities are basically composed of multi-story storage tanks, chimneys, pipelines, separating apparatus and steam generating systems. They receive unprocessed petroleum (crude oil) and convert it into usable products such as gasoline, kerosene, wax, grease and chemical feed stocks. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation and other concrete, on-site fabrication and assembly of parts, erecting framework, installation of scaffolding, raising structural members by crane and welding or bolting them into place. This classification includes the delivery of material and supplies to the job site and the installation of apparatus in an oil still or refinery when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery or apparatus by a specialty contractor which is to be reported separately in classification 0603; plant maintenance contract work as described in classification 0603; preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of control or pump houses and other buildings not part of the main processing plant which is to be reported separately in the applicable construction classification.

**Special note:** This classification does not allow separate reporting of excavation or foundation work irrespective of who performs the work.

**0508-04 Blast furnace and metal burners: Construction or erection, dismantling, maintenance or repair**

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of blast furnaces and metal burners. These are tall, very heavy gauge, cylindrical steel structures in which heated air and combustible fuels are combined to produce the heat necessary to separate the usable material in metal ores from the waste products. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, erecting the frame, installation of scaffolding, installation of a brick lining, raising structural members by crane and welding or bolting into place. This classification includes the delivery of material and supplies to the job site and the installation of apparatus onto a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported separately in classification 0603; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of additional buildings as part of an ore reduction or metal producing facility which is to be reported separately in the applicable construction classification.

*Special note:* This classification does not allow separate reporting of excavation or foundation contractors irrespective of who performs the work.

**0508-08 Elevated railway, tram, lift or similar conveyances: Construction or erection, dismantling, maintenance or repair**

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of elevated railways, trams, lifts or similar conveyances. An elevated railway can be a full scale railroad or a smaller scale system such as a recreational monorail. For the purposes of this classification, trams are overhead cable cars, and lifts are similar to the typical ski lift. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, erecting frames and supports (metal or concrete), installation of scaffolding, raising structural members by crane and welding or bolting them into place, and installing and securing tracks, cables or pulley systems. This classification includes the delivery of material and supplies to the job site and the installation of apparatus onto a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported

separately in classification 0603; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; or the construction of a control building or installation of a modular control building which is to be reported separately in the applicable construction classification.

*Special note:* This classification does not allow separate reporting of excavation or foundation contractors irrespective of who performs the work.

**0508-09 Exterior tanks, N.O.C.: Construction or erection, dismantling, maintenance or repair**

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of all types of exterior tanks not covered by another classification (N.O.C.). These tanks may be part of water storage and distribution systems, chemical or petroleum processing and storage operations, or other industrial applications. This classification includes the erection or construction of tanks that are elevated on structural piers and those that rest on the ground. These tanks may be constructed singly or in groups known as "tank farms" which are common to the petroleum industry. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, erecting the frame, installation of scaffolding, and raising structural members by crane and welding or bolting them into place. This classification includes the delivery of material and supplies to the job site and installation of apparatus onto a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported separately in classification 0603; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of a control building or installation of a modular control building which is to be reported separately in the applicable construction classification.

*Special note:* This classification does not allow separate reporting of excavation or foundation contractors irrespective of who performs the work.

**0508-11 Crane or derrick: Installation, construction or erection, dismantling, maintenance or repair**

Applies to contractors engaged in the installation, construction or erection, dismantling, maintenance or repair of nonmobile cranes and derricks for commerce and industrial use. Cranes and derricks can be very similar in that they are both defined as machines for hoisting and moving heavy objects through the use of stationary or movable booms

equipped with cables. An object, sometimes weighing many tons, can be secured to the cables and moved into position along the length of a stationary boom or to another location within the reach of a movable boom. A derrick, however, can also be a permanent framework over an opening, such as an oil-drilling operation, to support boring equipment. The cranes included in this classification are those that are permanently installed at a marine port, cargo handling facility or an industrial facility to move supplies, cargo containers, or heavy objects (vertically or horizontally) that are being assembled and must pass through the length of a building to complete the process. Work contemplated by this classification includes, but is not limited to, the placement of forms and reinforcing steel for a foundation (in the case of some structures described above, the additional reinforcing required to support the crane is usually contemplated in the plan for the building's foundation where the crane is being anchored), on-site fabrication and assembly of parts, erecting the frame, installation of scaffolding, raising structural members by hoist and welding or bolting them into place. This classification includes the delivery of material and supplies to the job site and installation of apparatus onto a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the operation of mobile cranes which is to be reported in classification 3506, the installation of machinery which is to be reported separately in classification 0603; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; and delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification.

**Special note:** This classification does not allow separate reporting of excavation or foundation contractors irrespective of who performs the work.

**0508-12 Water cooling towers or structures - metal or wood: Construction or erection, dismantling, maintenance or repair**

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of metal or wood water cooling towers or vertical structures. These structures are usually part of an industrial complex in which water is used as a cooling element in a manufacturing process. The water, which absorbs heat from the machinery being cooled, can be circulated and reused after it has been channeled through a cooling tower to be chilled sufficiently. A common design allows the hot water to tumble down numerous open louvers or steps to lower its temperature. These towers are often composed of prefabricated parts which are delivered to the site and then assembled by bolting or welding together, then the necessary motors, pipes, fans and pumps are installed. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, erecting the frame, installation of scaffolding, raising structural members by crane and welding, bolting or otherwise fastening them into place. This classification includes the

delivery of material and supplies to the job site and installation of apparatus onto a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported separately in classification 0603; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of other related buildings at the project site which is to be reported separately in the applicable construction classification.

**Special notes:** This classification does not allow separate reporting of excavation or foundation irrespective of who performs the work. Construction of a water cooling structure that uses a horizontal rather than tower-like design is to be reported separately in classification 0518.

**AMENDATORY SECTION** (Amending WSR 07-12-047, filed 5/31/07, effective 7/1/07)

**WAC 296-17A-1501 Classification 1501.**

**1501-00 Counties and taxing districts, N.O.C. - all other employees**

Applies to employees of counties and taxing districts, not covered by another classification (N.O.C.), who perform manual labor, or who supervise a work crew performing manual labor such as custodial or maintenance, and machinery or equipment operators including transit bus drivers. This classification includes administrative personnel such as engineers, safety inspectors, and biologists who have field exposure, and internal inventory and supply clerks. For purposes of this classification, field exposure is defined as any exposure other than the normal travel to or from a work assignment.

This classification excludes electric light and power public utility districts which are to be reported separately in classification 1301; privately owned and operated bus or transit systems which are to be reported separately in classification 1407; water distribution or purification system public utility districts which are to be reported separately in classification 1507; irrigation system public utility districts which are to be reported separately in classification 1507; port districts which are to be reported separately in classification 4201; school districts, library districts or museum districts which are to be reported separately in classifications 6103 or 6104; hospital districts which are to be reported separately in classification 6105; fire fighters who are to be reported separately in classification 6904; law enforcement officers who are to be reported separately in classification 6905 and 6906, as appropriate; clerical office and administrative employees who are to be reported separately in classification 5306, and volunteers who are to be reported separately in classifications 6901 or 6906, as appropriate.

**1501-01 Housing authorities, N.O.C. - all other employees**

Applies to employees of housing authorities, not covered by another classification, who perform manual labor, or who supervise a work crew performing manual labor such as custodial or maintenance, and machinery or equipment operators. This classification includes all functional operations of a housing authority such as inspection, maintenance and repairs, including minor structural repairs, janitorial service, and building and grounds maintenance. Also included in this classification are meter readers, security personnel, other than those with law enforcement powers, administrative personnel such as engineers and safety inspectors who have field exposure, and internal inventory and supply clerks. For purposes of this classification, housing authorities are defined as nonprofit, public and political entities which serve the needs of a specific city, county or Indian tribe. The nature and objectives of some of the projects undertaken by housing authorities include providing decent, safe and sanitary living accommodations for low income persons, or providing group homes or halfway houses to serve developmentally or otherwise disabled persons or juveniles released from correctional facilities. A housing authority has the power to prepare, carry out, lease and operate housing facilities; to provide for the construction, reconstruction, improvement, alteration or repair of any housing project; to sell or rent dwellings forming part of the project to or for persons of low income; to acquire, lease, rent or sell or otherwise dispose of any commercial space located in buildings or structures containing a housing project; to arrange or contract for the furnishing of the units; and to investigate into the means and methods of improving such conditions where there is a shortage of suitable, safe and sanitary dwelling accommodations for persons of low income.

This classification excludes new construction or major alteration activities which are to be reported separately in the appropriate construction classifications; clerical office and administrative employees who are to be reported separately in classification 5306; security personnel with law enforcement powers who are to be reported separately in classification 6905; and volunteers who are to be reported separately in classifications 6901 or 6906, as appropriate.

**1501-08 Native American tribal councils - all other employees**

Applies to employees of Native American tribal councils who perform manual labor, or who supervise a work crew performing manual labor such as custodial or maintenance, and machinery or equipment operators. This classification includes administrative personnel such as engineers, safety inspectors, and biologists who have field exposure, and internal inventory and supply clerks of the tribal council. For purposes of this classification, field exposure is defined as any exposure other than the normal travel to and from a work assignment.

This classification excludes electric light and power public utility districts which are to be reported separately in classification 1301; water distribution or purification system public utility districts which are to be reported separately in classification 1507; irrigation system public utility districts which are to be reported separately in classification 1507; school districts, library districts or museum districts which

are to be reported separately in classifications 6103 or 6104; hospital districts which are to be reported separately in classification 6105; fire fighters who are to be reported separately in classification 6904; law enforcement officers who are to be reported separately in classifications 6905 and 6906; new construction or reconstruction activities which are to be reported separately in the appropriate construction classification; clerical office and administrative employees who are to be reported separately in classification 5306.

**Special notes:** Housing authorities operating under the name of, and for the benefit of, a particular tribe are not exempt from mandatory coverage. These housing authorities are federally funded and are not owned or controlled by a tribe.

Only those tribal operations which are also provided by county governments are subject to classification 1501. The following activities, such as but not limited to, visiting nurses and home health care, grounds keepers, building maintenance, park maintenance, road maintenance, and garbage and sewer works, are considered to be normal operations to be included in this classification. All other tribal council operations which are not normally performed by a county government shall be assigned the appropriate classification for the activities being performed. The following operations, such as but not limited to, meals on wheels, bingo parlors, casinos, liquor stores, tobacco stores, grocery stores, food banks, gift shops, restaurants, motels/hotels, Head Start programs, fish/shellfish hatcheries, logging, and tree planting/reforestation are outside the scope of classification 1501 and are to be reported separately in the applicable classifications.

**1501-09 Military base maintenance, N.O.C.**

Applies to establishments, not covered by another classification (N.O.C.), engaged in providing all support operations and services on a military base on a contract basis. Such services include, but are not limited to, data processing, photography, mail delivery (on post and to other military facilities), hotel/motel services, mess halls, recreational facilities, grounds and building maintenance, vehicle maintenance, and may also include the maintenance of such facilities as water works, sewer treatment plants and roads.

This classification excludes new construction or construction repair projects which are to be reported separately in the applicable construction classification for the work being performed; contracts for specific activities on a military base such as, but not limited to, building maintenance, club or mess hall operations, or vehicle maintenance, which are to be reported separately in the applicable classification for the work being performed; firefighters who are to be reported separately in classification 6904; law enforcement officers who are to be reported separately in classification 6905; and clerical office and administrative employees who are to be reported separately in classification 5306.

**Special note:** Classification 1501-09 is to be assigned to an establishment only when *all* support services on a military base are being provided by the contractor. Care should be taken when assigning classification 1501-09 to firms whose military support services include loading, unloading, repair or construction of vessels, or the repair of buildings or structures used for such activities as that firm may be subject to federal maritime law.



**1501-20 Community action organizations - all other employees N.O.C.**

Applies to organizations performing an array of services to support the local community and citizens in need. The services provided by community action organizations may include, but are not limited to: Child care; after school care; alternative schools; in home chore services; employment or independence training, counseling and assistance; drug and alcohol recovery programs; decent, safe and sanitary living accommodations for low-income or needy citizens; transitional or emergency housing; weatherization; food and clothing banks; meals; or medical services.

This classification applies to employees of community action organizations N.O.C. (not otherwise classified) who perform manual-type labor, or who supervise a work crew performing manual labor. Work in this classification includes, but is not limited to: Cooks, food banks, drivers, chore workers/home service workers, janitorial or maintenance and repair work, or weatherization services.

Excluded from this risk classification is new construction or major alteration activities which are to be reported separately in the appropriate construction classifications; office employees who work exclusively in an administrative office environment who are to be reported in classification 4904-20; professional or administrative employees who may also have duties outside of the office who are to be reported in classification 5308-20; housing authorities which are to be reported in 1501-01 and 5306-26; welfare special works programs which are to be reported in 6505; work activity centers which are to be reported in 7309; and volunteers who are to be reported in classification 6901.

See classifications 5308-20 and 4904-20 for other community action operations.

AMENDATORY SECTION (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

**WAC 296-17A-3309 Classification 3309.****3309-02 Golf cart sales/rental agencies**

Applies to establishments engaged in the sale and/or rental of new, used golf carts and go carts, and related items such as, but not limited to, golf cart trailers, canopies, protective outerwear, helmets, and replacements parts for the above products. The sale of boats and canoes can be included in this classification if they are incidental to the sale of golf carts and go carts. This classification includes outside lots, and full product line parts and service departments. Regional service representatives who provide factory training to local dealer shop mechanics are included in this classification.

This classification excludes establishments primarily engaged in the sale of boats, boat trailers and motors, which are to be reported separately in classification 3414, and the repair of lawn and garden equipment and small engines which is to be reported separately in classification 3402.

**3309-03 Motorcycle, moped, motor scooter, snowmobile, jet ski, all-terrain vehicles sales/rental agencies**

Applies to establishments engaged in the sale of new and used motorcycles, mopeds, motor scooters, snowmobiles, jet skis, three wheel and four wheel all-terrain vehicles. These

establishments may also sell related items such as, but not limited to, portable generators, lawn and garden equipment, chain saws, water pumps, snow blowers, small gasoline engines, boat motors, protective outerwear, helmets, and replacement parts for the above products. The sale of boats and canoes can be included in this classification if they are incidental to the sale of motorcycles, mopeds, or other primary merchandise. This classification includes (~~outside lots, and full product line parts and service departments~~) service managers and service personnel, parts department personnel who have shop exposure, and lot personnel. Also included are motorcycle service and repair shops, motorcycle dismantlers (wrecking yards), regional service representatives who provide factory training to local dealer shop mechanics, and establishments engaged in the sale/rental *and service (repair)* of motorized mobility aids, such as motorized wheelchairs and 3-wheel scooters.

This classification excludes establishments primarily engaged in the sale of boats, boat trailers and motors, which are to be reported separately in classification 3414; establishments primarily engaged in the sale of lawn and garden equipment which is reported separately in classification 6309; and the repair of lawn and garden equipment and small engines which is to be reported separately in classification 3402.

**Special note:** While most businesses assigned to this classification have an inventory of parts which they use in the service and repair of customer vehicles, some employers have full line parts stores. Care should be taken when considering assignment of classification 6309 for part sales. Only those businesses that have a full line parts store which is physically separated from the repair shop and whose sales of parts are primarily for off-premises repair (do it yourself repair) should be considered for classification 6309.

AMENDATORY SECTION (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

**WAC 296-17A-3512 Classification 3512.****3512-02 Plastic goods: Manufacturing - cutting, milling or bending**

Applies to establishments engaged in the manufacture of a variety of plastic goods from premanufactured components such as sheets, rods, or tubes by cutting, milling, or bending. Products include, but are not limited to, display stands, racks, dispensers for snack food items, vinyl windows and sashes, fiberglass panels used for aircraft or recreational vehicle interiors, and signs. Essentially anything that can be done with wood can be done with plastic, so shops in this classification usually resemble a cabinet or woodworking shop. They use the same type of tools such as, but not limited to, saws, routers, planers, and grinders, to cut or mill the plastic goods. To bend plastic material, it is first heated in an oven or with a torch, then bent to shape. Buffers are used for polishing, or the pieces may be flame polished (heated with a gas torch). Products may be formed by joining pieces with glue, hardware or other fasteners.

This classification excludes establishments engaged in the manufacture of plastic items by blow molding, extrusion, vacuum forming, foam, rotary, or liquid molding, or injection

molding, and establishments engaged in the manufacture of artificial marble items or graphite composite goods, which are to be reported separately in classification 3510; establishments engaged in the manufacture of fiberglass goods which are to be reported separately in classification 3511; and sign manufacturers that purchase precut plastic backings from others, then paint lettering or designs or attach vinyl lettering to them in their own shops which are to be reported separately in classification 4109.

**Special note:** The cutting, milling, or bending of plastic goods incidental to the manufacturing process for products made from wood, metal or other materials is included in the classification applicable to those manufacturing processes.

AMENDATORY SECTION (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

**WAC 296-17A-4803 Classification 4803.**

**4803-02 Farms: Orchards - fruit tree crops**

Applies to establishments engaged in operating fruit orchards of all types. Work contemplated by this classification includes, but is not limited to, preparing soil for new trees, planting trees, fertilizing, spraying, fumigating, weeding, pruning, harvesting tree fruit, and maintaining or installing sprinkler or irrigation systems when performed by employees of an employer subject to this classification. This classification includes roadside stands operated at or near the farm and farm store operations where a small stock of products not produced by the operation subject to this classification may also be offered for sale. Farms operating multiple retail locations, such as those found in parking lots of shopping centers or at farmer's markets, may qualify to have those activities reported separately provided all the conditions of the general reporting rules covering the operation of a secondary business are met.

This classification excludes fresh fruit packing operations which are to be reported separately in classification 2104; fruit cannery or freezer operations which are to be reported separately in classification 3902; winery operations which are to be reported separately in classification 3702; and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

**Special note:** Prune harvesting is often accomplished by a person laying a canvas cover around the base and surrounding area of the tree. The tree is then shaken by hand causing the fruit to dislodge and fall to the canvas cover where it is picked by hand. Harvesting done by this method is subject to classification 4806 provided that the conditions set forth in classification 4806 have been met. The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in oper-

ating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

**4803-04 Farms: Orchards - nut tree crops**

Applies to establishments engaged in operating nut producing orchards of all types. Work contemplated by this classification includes, but is not limited to, preparing soil for new trees, planting trees, fertilizing, spraying, fumigating, weeding, pruning, machine harvesting of nuts, and maintaining or installing sprinkler or irrigation systems when performed by employees of an employer subject to this classification. This classification includes the incidental sale of bulk or packaged nuts at roadside stands operated at or near the farm and farm store operations where a small stock of products not produced by the operation subject to this classification may also be offered for sale. Farms operating multiple retail locations, such as those found in parking lots of shopping centers or at farmer's markets, may qualify to have those activities reported separately provided all the conditions of the general reporting rules covering the operation of a secondary business are met.

This classification excludes nut shelling and packaging operations which are to be reported separately in classification 3902; ground hand picking of nuts which is to be reported separately in classification 4806; and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

**Special note:** Nut harvesting is often accomplished by a person laying a canvas cover around the base and surrounding area of the tree. The tree is then shaken by hand causing the nuts to dislodge and fall to the canvas cover where they are picked by hand. Harvesting done by this method is subject to classification 4806 provided that the conditions set forth in classification 4806 have been met. The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

**4803-16 Farms, N.O.C.**

Applies to establishments engaged in operating farms not covered by another classification (N.O.C.). Establishments in this classification include holly farms and the raising of sheep, goats, alpacas and llamas. Work contemplated by this classification is of a custodial nature that includes, but is not limited to, pruning and otherwise maintaining trees, tending and feeding animals, raising crops for feed, erecting or mending fences, breeding animals, transporting animals to market, and maintaining or installing sprinkler or irrigation systems when performed by employees of an employer subject to this classification. This classification includes the manufacturing of products made on the farm from animals on the farm such as, but not limited to bottled milk, cheese,

yogurt, butter, and soap; spinning wool, woven fabrics, and craft items made from wool or fleeces. This classification also covers artificial insemination and veterinary care when performed by employees of an employer subject to this classification.

This classification excludes businesses primarily engaged in holly packing or wreath making who are to be reported separately in classification 6404 (florists), and contractors hired by a farm operator to install, repair or build any farm equipment or structures who are to be reported separately in the classification applicable to the work being performed.

**Special note:** The term "farm labor contractor" applies to specialty contractors who supply laborers to a farm operation for specified services such as weeding, planting, irrigating and fertilizing. Generally the work involves manual labor tasks as opposed to machine operations. These farm labor contractors are to be reported in the classification that applies to the farm they are contracting with. Contractors who provide both equipment or machinery and the machine operators are to be reported in classification 4808 "custom farm services" as the process involved in operating machinery is the same irrespective of the type of farm they are providing service to or the type of crop involved.

**AMENDATORY SECTION** (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

**WAC 296-17A-6301 Classification 6301.**

**6301-00 Sales personnel: Vehicles and marine pleasure craft**

Applies to sales employees of establishments engaged in selling and/or leasing new and/or used automobiles, trucks, campers, recreational vehicles, mobile homes, motorcycles or other all-terrain vehicles, or boats and other marine pleasure craft and who are not covered by another classification assigned to the employer's account. Duties contemplated by this classification are limited to sales training, test driving, showing and demonstrating vehicles, completing paper work, and arranging for delivery of purchased vehicles.

**Special note:** This is a restrictive classification; the qualifying factor is that all the conditions of the general reporting rules covering standard exception employees have been met.

**6301-06 Instructors of driving schools**

Applies to instructors of driving schools. Instructors duties include, but are not limited to, demonstrating driving techniques, and observing student drivers.

This classification excludes administrative staff and classroom instructors of driving schools who are to be reported separately in classification 6103; vehicle repair or maintenance staff who are to be reported separately in classification 3411; and high school driving instructors who are to be reported separately in classification 6104.

**Special note:** This is a restrictive classification; the qualifying factor is that all the conditions of the general reporting rules covering standard exception employees have been met.

**6301-07 Limousine drivers**

Applies to drivers of establishments engaged in providing limousine services to others. Limousine services provide luxury transportation for special occasions such as, but not limited to, birthday parties, weddings, dances, sporting events, concerts, and corporate business functions. Clients usually travel in groups from two to ten. Drivers are professionally trained chauffeurs; they generally provide services by appointment from specific locations to set destinations, and often wait with the vehicle while clients attend events. Depending on the occasion, the limousine service may also provide beverages, snacks, balloons, or flowers. Since the service is intended for luxury as opposed to meeting deadlines, the hazards of driving differ from most other professional drivers.

This classification excludes employees who repair and/or service the company's limousines who are to be reported separately in classification 3411.

**Special note:** This is a restrictive classification; the qualifying factor is that all the conditions of the general reporting rules covering standard exception employees have been met.

**Special note:** Clerical office employees may be reported separately in classification 4904 provided all the conditions of the general reporting rule covering standard exception employees have been met.

**AMENDATORY SECTION** (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

**WAC 296-17A-6614 Classification 6614.**

**6614-00 Parimutuel horse racing: All ~~((other))~~ employees, except grooms and exercise riders N.O.C. - major tracks**

*(to be assigned only by the horse racing underwriter)*

Applies to licensed employees of licensed horse trainers ~~((and/or horse owners who conduct business))~~ at a major parimutuel horse racing track such as Emerald Downs in Auburn. This classification applies to on and off track employees such as assistant trainers and pony riders. ~~((The dates of a race meet are set for each track by the Washington horse racing commission.))~~ Coverage provided in this classification is funded by premiums collected at the time of licensing and is valid from the time of licensing through the end of the calendar year. Trainers premiums are collected on a per license basis.

This classification excludes the following employees:

(1) Licensed grooms working at major tracks ~~((who))~~ are ~~((to be))~~ reported separately in classification 6615; ~~((unlicensed employees who work only on a farm or ranch who are to be reported separately in classification 7302;))~~

(2) Licensed assistant trainers and pony riders working at a ~~((fair or bush))~~ nonprofit track ~~((who))~~ are ~~((to be))~~ reported separately in classification 6616;

(3) Licensed exercise riders working at a major track ~~((who))~~ are ~~((to be))~~ reported separately in classification 6622 ~~((and));~~

(4) Licensed exercise riders at a ~~((fair or bush))~~ nonprofit track ~~((who))~~ are ~~((to be))~~ reported separately in classification 6623; and

(5) Unlicensed employees who work on a farm or ranch are reported in classification 7302.

**Special note:** All employees whether working at a major track or employed off track must be licensed by the Washington state horse racing commission to be covered under this section.

AMENDATORY SECTION (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

**WAC 296-17A-6615 Classification 6615.**

**6615-00 Parimutuel horse racing: Grooms - major tracks (to be assigned only by the horse racing underwriter)**

Applies to licensed grooms performing services for licensed horse trainers (~~who conduct business~~) at a major parimutuel horse racing track (~~The major tracks are currently Yakima Meadows in Yakima, Playfair in Spokane and~~) such as Emerald Downs in Auburn. This classification includes all on or off track duties of a licensed groom such as, but not limited to, cleaning or mucking horses stalls, feeding, and bathing the horses. For workers' compensation purposes, a groom is considered to be an employee of the trainer (~~who provided the required signature on the grooms application for a license~~) when the groom is hired by the trainer or when the trainer notifies the commission of the trainer's intent to hire the groom. Coverage provided in this classification is funded by the premiums collected from the trainer at the time of licensing and is valid from the time of licensing through the end of the calendar year.

This classification excludes the following:

(1) Licensed grooms working at a (~~fair or bush track who~~) nonprofit track are (~~to be~~) reported separately in classification 6617;

(2) Licensed assistant trainers and pony riders working at major tracks are to be reported separately in classification 6614;

(3) Licensed assistant trainers and pony riders working at nonprofit tracks are reported separately in classification 6616;

(4) Licensed exercise riders working at a major track are reported separately in classification 6622;

(5) Licensed exercise riders working at a nonprofit track are reported separately in classification 6623;

(6) Unlicensed employees who work on a farm or ranch are reported separately in classification 7302.

**Special note:** All (~~employees~~) grooms whether working at a major track or employed off track must be licensed by the Washington state horse racing commission to be covered under this section.

AMENDATORY SECTION (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

**WAC 296-17A-6617 Classification 6617.**

**6617-00 Parimutuel horse racing: Grooms - (~~fair meets or bush~~) nonprofit tracks**

**(to be assigned only by the horse racing underwriter)**

Applies to licensed grooms performing services for licensed horse trainers (~~who conduct business~~) at a (~~fair~~

~~meet or bush~~) nonprofit track. This classification includes all on or off track duties of a licensed groom such as, but not limited to, cleaning or mucking horse stalls, feeding, and bathing the horses. For workers' compensation purposes, a groom is considered to be an employee of the trainer (~~who provided the required signature on the grooms application for a license~~) when the groom is hired by the trainer or when the trainer notifies the commission of the trainer's intent to hire the groom. Coverage provided in this classification is funded by the premiums collected from the trainer at the time of licensing and is valid from the time of licensing through the end of the calendar year.

This classification excludes the following:

(1) Licensed grooms working at a major track (~~who~~) are (~~to be~~) reported separately in classification 6615;

(2) Licensed assistant trainers (~~:~~) and pony riders (~~and exercise riders~~) working at major tracks (~~who~~) are (~~to be~~) reported separately in classification 6614; (~~and~~)

(3) Licensed assistant trainers (~~:~~) and pony riders (~~and exercise riders~~) working at (~~fair meets or bush~~) nonprofit tracks (~~who~~) are (~~to be~~) reported separately in classification 6616;

(4) Licensed exercise riders working at a major track are reported separately in classification 6622;

(5) Licensed exercise riders working at a nonprofit track are reported separately in classification 6623; and

(6) Unlicensed employees who work on a farm or ranch are reported separately in classification 7302.

**Special note:** All (~~employees~~) grooms whether working at a (~~fair meet or bush~~) nonprofit track or employed off track must be licensed by the Washington state horse racing commission to be covered by this section.

AMENDATORY SECTION (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

**WAC 296-17A-6618 Classification 6618.**

**6618-00 (~~Parimutuel~~) Parimutuel horse racing: Special horse racing account (used only by horse racing underwriter)**

This classification (~~is~~) may not (~~to~~) be assigned to any account (~~:~~) and no claims (~~are to~~) may be charged to it. This classification is *solely* for the collection of fees assessed on horse owner licenses. The horse racing commission collects the fees from horse owners and deposits the money into the special horse racing account to help fund workers' compensation coverage for injured workers. (Payment of this fee is mandatory, but does not extend coverage to owners. Owners may apply for individual coverage.) The owners' fees are based on the percentage of a horse or horses they own, up to a maximum of \$150.00.

AMENDATORY SECTION (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

**WAC 296-17A-6622 Classification 6622.**

**6622-00 Parimutuel horse racing: Exercise riders - major tracks**

**(to be assigned only by the horse racing underwriter)**

Applies to licensed ~~((employees))~~ exercise riders of licensed horse trainers ~~((and/or horse owners who conduct business))~~ at a major parimutuel horse racing track such as Emerald Downs. This classification applies to on and off track employment of licensed exercise riders. Jockeys are considered exercise riders when validly licensed as exercise riders and performing exercise rider duties while employed by a licensed trainer ~~((and/or owner at a time other than during a scheduled race meet. The dates of a race meet are set for each track by the Washington state horse racing commission))~~. Coverage provided in this classification is funded by premiums collected at the time of licensing and is valid from the time of licensing through the end of the calendar year. Trainers' premiums are collected on a per license basis.

This classification excludes the following:

(1) Licensed grooms ~~((working))~~ at major tracks ~~((who))~~ are ~~((to be))~~ reported separately in classification 6615;

(2) Licensed grooms working at ~~((fair or bush))~~ nonprofit tracks ~~((who))~~ are ~~((to be))~~ reported separately in 6617; ~~((unlicensed employees who work only on a farm or ranch who are to be reported separately in classification 7302; assistant trainers))~~

(3) Licensed assistant trainers and pony riders working at a major track ~~((who))~~ are ~~((to be))~~ reported separately in classification 6614;

(4) Licensed assistant trainers and pony riders working at a ~~((fair or bush))~~ nonprofit track ~~((who))~~ are ~~((to be))~~ reported separately in 6616; ~~((and))~~

(5) Licensed exercise riders at a ~~((fair or bush))~~ nonprofit track ~~((who))~~ are ~~((to be))~~ reported separately in 6623; and

(6) Unlicensed employees who work on a farm or ranch are reported separately in classification 7302.

**Special note:** All ~~((employees))~~ exercise riders whether working at a major track or employed off track must be licensed by the Washington state horse racing commission to be covered by this section.

AMENDATORY SECTION (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

#### **WAC 296-17A-6623 Classification 6623.**

**6623-00 Parimutuel horse racing: Exercise riders -** ~~((fair meets or bush))~~ nonprofit tracks

*(to be assigned only by the horse racing underwriter)*

Applies to licensed ~~((employees))~~ exercise riders of licensed horse trainers ~~((and/or horse owners who conduct business at a fair meet or bush))~~ at a nonprofit track. This classification applies to on or off track employment of exercise riders. Jockeys will be considered exercise riders when validly licensed as exercise riders and performing exercise rider duties while employed by a licensed trainer ~~((and/or owner at a time other than during a scheduled race meet. The dates of a race meet are set for each track by the Washington state horse racing commission))~~. Coverage provided in this classification is funded by premiums collected at the time of licensing and is valid from the time of licensing through the end of the calendar year. Trainer premiums are collected on a per license basis.

This classification excludes the following:

(1) Licensed assistant trainers and pony riders working at a major track ~~((who))~~ are ~~((to be))~~ reported separately in classification 6614;

(2) Licensed assistant trainers and pony riders working at a ~~((fair or bush))~~ nonprofit track ~~((who))~~ are ~~((to be))~~ reported separately in 6616;

(3) Licensed grooms working at a major track ~~((who))~~ are ~~((to be))~~ reported separately in classification 6615;

(4) Licensed grooms working at a ~~((fair or bush))~~ nonprofit track ~~((who))~~ are ~~((to be))~~ reported separately in classification 6617; ~~((and))~~

(5) Licensed exercise riders working at a major track ~~((who))~~ are ~~((to be))~~ reported separately in 6622; and

(6) Unlicensed employees who work on a farm or ranch are reported separately in classification 7302.

**Special note:** All ~~((employees))~~ exercise riders whether working at a ~~((fair or bush))~~ nonprofit track or employed off track must be licensed by the Washington state horse racing commission to be covered by this section.

AMENDATORY SECTION (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

#### **WAC 296-17A-1109 Classification 1109.**

**1109-00 Automobile or truck towing services, N.O.C.**

Applies to establishments engaged in providing towing services to others which are not covered by another classification (N.O.C.). Operations contemplated by this classification are limited to tow truck drivers and their assistants who are engaged in towing services for hire. For purposes of this classification "towing services for hire" means, but is not limited to, the towing of disabled vehicles to a shop (that is unrelated to the towing service) for repair; the recovery of repossessed vehicles for others by tow truck; roadside assistance during snow, ice or flooding to recover or free stuck vehicles; and the towing in of disabled vehicles to a secured yard for insurance or law enforcement agencies. It is common for towing companies to also operate a vehicle repair garage or service center in conjunction with the towing service. Auto service centers and repair garages, auto body shops and wrecking yard operations are to be reported separately in the applicable service or repair classification provided that the conditions of the general reporting rules covering the operation of a secondary business and the division of worker hours have been met. Tow truck dispatchers who have no other duties may be reported separately in classification 4904 provided that the conditions of the standard exception general reporting rules have been met.

**Special note:** Towing is common to many classifications. Employers offering towing services should be contacted to verify whether the towing service they provide is only in connection with their auto repair, auto body or wrecking yard (*towing service not for hire*), or provided as a general service unrelated to their repair garage (*towing services for hire*). Only towing services for hire are to be assigned to classification 1109. If a business provides both towing services for hire and not for hire, worker hours for drivers and their assistants ~~((maybe))~~ may be divided between this classification and the applicable repair garage classification pro-

vided that the conditions of the general reporting rule covering the division of worker hours has been met. Otherwise, all driver and assistant hours are to be assigned to the highest rated classification applicable to the business.

AMENDATORY SECTION (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

**WAC 296-17A-4904 Classification 4904.**

**4904-00 Clerical office, N.O.C.**

Applies to those employees whose job duties and work environment meet *all* the conditions of the general reporting rules covering clerical office standard exception employees who are not covered by another classification (N.O.C.) assigned to their employer's account. Duties of clerical office personnel contemplated by this classification are limited to answering telephones, handling correspondence, creating or maintaining financial, employment, personnel or payroll records, composing informational material on a computer, creating or maintaining computer software, and technical drafting.

**Special note:** When considering this classification, care must be taken to look beyond titles of employees. Employees with occupational titles such as, but not limited to, cashiers, clerks, or ticket sellers, may or may not qualify for this classification. This is a restrictive classification; the qualifying factor is that all the conditions of the general reporting rules covering standard exception employees have been met.

**4904-13 Clerical office: Insurance companies, agents or brokers**

Applies to clerical office employees of insurance companies, including insurance agents or brokers who perform duties exclusively of clerical nature and without an interchange of labor between clerical and nonclerical duties. This classification is limited to duties defined as responding to telephone inquiries, assisting walk-in customers, handling correspondence such as the preparation of insurance policies and billing, receiving and processing payments and invoices, maintaining personnel and payroll records, and performing the necessary computer work.

**Special note:** Individuals performing duties as an agent, broker, or solicitor (and hold a license as issued by the office of the insurance commissioner) are exempt from coverage as specified in RCW 51.12.020(11) and 48.17.010, 48.17.020, and 48.17.030. To elect voluntary coverage these individuals must submit a completed optional coverage form to the department. In addition, care should be exercised to determine if the insurance company employs individuals such as receptionists, bookkeepers, or claims clerks who perform clerical duties which may include the incidental taking of insurance applications and receiving premiums in the office of an agent or broker. Such individuals may or may not hold a license as issued by the office of the insurance commissioner, and are not deemed to be a solicitor, agent or broker when compensation is not related to the volume of such applications, insurance, or premiums. In these instances, the clerical individuals fall under mandatory workers' compensation coverage, and do not meet the requirements to be exempt from coverage as specified in RCW 51.12.020(11).

**4904-17 Clerical office: Employee leasing companies**

Applies to clerical office employees of employee leasing companies. This classification requires that clerical office employees perform duties exclusively of a clerical nature, without an interchange of labor between clerical and nonclerical duties, and that these duties be performed in an area or areas separated from the operative hazards of the business. This classification is limited to duties defined as responding to telephone inquiries, receptionist and administrative duties, handling correspondence such as preparing and processing billing statements and forms, maintaining personnel and payroll records, and performing the necessary computer entry work.

**Special note:** This is a standard exception classification and is not to be assigned unless all the conditions of the general reporting rule covering clerical office standard exception employees have been met.

**4904-20 Community action organizations - Clerical office employees**

Applies to organizations performing an array of services to support the local community and citizens in need. The services provided by community action organizations include: Child care; after school care; alternative schools; in-home chore services; employment or independence training, counseling and assistance; drug and alcohol recovery programs; decent, safe and sanitary living accommodations for low-income or needy citizens; transitional or emergency housing; weatherization; food and clothing banks; meals; medical services.

This classification includes employees whose work duties include administrative office work such as answering phones, completing correspondence and forms, reception work, computer work, maintaining financial, personnel and payroll records, conducting meetings, providing counseling services within the offices of the organization. All work is performed exclusively in an office environment where no other types of work are conducted, and the office is separated from any other work activity by walls, partitions, or other physical barriers. Work performed outside of the office is limited to banking or post office type duties performed by workers who qualify for this classification. A worker's reported hours may not be divided between this classification and any other risk classifications.

Excluded from this risk classification are all other employees including: Medical, dental or nursing professionals, and administrative employees whose duties are not performed exclusively in an administrative office, who are to be reported in risk classification 5308-20; employees who perform labor such as cooking, cleaning and chore services, food bank operations, driving, weatherization, janitorial, property management, maintenance and repair work which are to be reported in risk classification 1501-20; housing authorities which are to be reported in 1501-01 and 5306-26; welfare special works programs which are to be reported in 6505; work activity centers which are to be reported in 7309; and volunteers who are to be reported separately in classification 6901.

See classifications 1501-20 and 5308-20 for other community action operations.

NEW SECTION**WAC 296-17A-5308 Classification 5308.****5308-20 Community action organizations - Professional services and administrative employees**

Applies to organizations performing an array of services to support the local community and citizens in need. The services provided by community action organizations include: Child care; after school care; alternative schools; in-home chore services; employment or independence training, counseling and assistance; drug and alcohol recovery programs; decent, safe and sanitary living accommodations for low-income or needy citizens; transitional or emergency housing; weatherization; food and clothing banks; meals; medical services.

This classification applies to professional services and administrative employees. Work duties in this classification are not performed exclusively in an administrative office environment. Travel may be necessary to perform work at an alternate work site for appointments with clients, patients, meetings, presentations, agency promotions, or other required out-of-office administrative type work. Work performed in this classification may include, but is not limited to, counselors or educators for various programs, medical, dental and nursing services; child care professionals or teachers, program coordinators and directors. Also included are estimators and project managers who do not supervise a work crew or perform any type of labor.

Excluded from this risk classification is any manual labor or supervision of a work crew that performs manual labor, construction or maintenance work, work in a food bank, delivery, cooking, cleaning, chore services, or other similar work which is to be reported in risk classification 1501-20; office employees who work exclusively in an administrative office environment who are to be reported in risk classification 4904-20; housing authorities which are to be reported in 1501-01 and 5306-26; welfare special works programs which are to be reported in 6505; work activity centers which are to be reported in 7309; and volunteers who are to be reported in risk classification 6901.

See classifications 1501-20 and 4904-20 for other community action operations.

AMENDATORY SECTION (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

**WAC 296-17A-6616 Classification 6616.****6616-00 Parimutuel horse racing: All ~~((other))~~ employees except groomers and exercise riders, N.O.C. - ~~((fair-meets or-bush))~~ nonprofit tracks**

*(to be assigned only by the horse racing underwriter)*

Applies to licensed employees of licensed horse trainers ~~((and/or horse owners who conduct business))~~ at a ~~((fair-meets or-bush))~~ nonprofit track. This classification applies to on or off track employees such as assistant trainers and pony riders. ~~((The dates of a race meet are set for each track by the Washington state horse racing commission.))~~ Coverage provided in this classification is funded by premiums collected at the time of licensing and is valid from the time of licensing

through the end of the calendar year. Trainer's premiums are collected on a per license basis.

This classification excludes the following:

1. Licensed assistant trainers and pony riders working at a major track ~~((who))~~ are ~~((to-be))~~ reported separately in classification 6614;

2. Licensed groomers working at a major track ~~((who))~~ are ~~((to-be))~~ reported separately in classification 6615~~((:))~~;

3. Licensed groomers working at a ~~((fair-or-bush))~~ non-profit track ~~((who))~~ are ~~((to-be))~~ reported separately in classification 6617;

4. Licensed exercise riders working at a major track ~~((who))~~ are ~~((to-be))~~ reported in classification 6622 ~~((and))~~;

5. Licensed exercise riders at a ~~((fair-or-bush))~~ nonprofit track ~~((who))~~ are ~~((to-be))~~ reported in classification 6623;

6. Unlicensed employees who work on a farm or ranch are reported separately in classification 7302.

**Special note:** All employees whether working at a ~~((fair-or-bush))~~ nonprofit track or employed off track must be licensed by the Washington state horse racing commission to be covered under this section.

NEW SECTION**WAC 296-17A-4801 Classification 4801.****4801-00 Geoduck harvesting by divers**

*(to be assigned only by the maritime specialist)*

Applies to establishments engaged in diving operations to harvest wild geoduck clams from natural areas. Work contemplated by this classification includes subaqueous harvesting of geoduck clams, sea cucumbers or similar marine life. This classification includes workers tending to such divers. The employees of the divers and tenders shall be subject to this classification whether or not such work is performed from a vessel.

**Special note:** Many diving operations and activities occur on or adjacent to navigable waters (a harbor, river, canal, dam, lake) which is defined as those which form a continuous highway for interstate or international commerce. Workers who perform diving activities (to include divers, deck hands, or "diving tenders" who are support personnel such as line handlers and pump persons) from on board a vessel could be subject to the Jones Act or Admiralty Law which recognize such work crews and workers as masters or members of a vessel, and subject to federal law known as the Jones Act. Every person on board a vessel is deemed a seaman if connected with the operation while on navigable water. The term vessel has been interpreted by the courts to include any type of man-made floating object such as a floating derrick or dredge, a boat or ship, a barge, or type of pontoon (which is a flat bottom boat) or portable float. Workers who perform diving activities (to include divers, deck hands, or "diving tenders" or other support personnel such as line handlers and pump persons) from the shoreline or from adjacent areas such as an existing dock, pier or bridge may or may not be subject to federal law covered under the (U.S.) Longshore and Harbor Workers Compensation Act (LHWCA). Care should be exercised prior to assignment of this classification as the workers could be subject to either or both state fund or fed-

eral jurisdiction. The criteria used in determining federal law and coverage is based on the most current federal court decisions and case law.

AMENDATORY SECTION (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

**WAC 296-17A-4902 Classification 4902.**

**4902-00 State government clerical and administrative office personnel**

Applies to state employees who are assigned to work in an office environment in a clerical or administrative capacity, with no travel or field duties. The work performed in this classification normally includes working with telephones, correspondence, creating financial, employment, personnel or payroll records, research, composing informational material at a computer, creating or maintaining computer software, or library work, but may include other administrative work performed in an office location. For the purpose of this classification, employees reported in 4902 would have no required field work or (~~routine~~) travel outside of the office to perform the duties of their job, other than (~~occasional errands~~) a trip to the bank or post office, occasional errands or meetings, attendance at training (~~meetings~~) or a conference in support of their normal duties. This classification may include, but is not limited to, jobs such as office support, secretary, administrative assistant, customer service representative, accountant, fiscal analyst, information systems, when normal job duties do not require travel and are completed in an office environment.

This classification excludes: Employees whose duties include field exposure, employees who (~~may be called upon to~~) provide interaction to direct, control, manage, or restrain individuals or participate in recreational activities in state hospitals, schools, homes, detention or correctional facilities, who are to be reported separately in the appropriate classification (5307, 7103, or 7201); administrative field employees who are to be reported separately in risk classification 5300; law enforcement officers in any capacity who are to be reported separately in risk classification 7103; employees who provide patient or health care at state-operated mental health or acute care hospitals with a fully implemented safe patient handling program who are to be reported in classification 7200; employees who provide patient or health care at state-operated mental health or acute care hospitals that do not have a fully implemented safe patient handling program who are to be reported separately in classification 7400; employees who provide care and treatment for patients or (~~health care~~) residents and work in state hospitals, homes, schools, detention or correctional facilities who are not otherwise classified who are to be reported separately in risk classification 7201. Volunteers are to be reported in classification 6901, and law enforcement volunteers in classification 6906.

This classification may be assigned to all departments, agencies, boards, commissions and committees of either the executive, legislative or judicial branches of state government.

**Special notes:** A division of hours is not permitted between classification 4902 and any other classification. For purposes of this classification the term "clerical and adminis-

trative office personnel" shall have the same meaning as "clerical office employees" defined in the standard exception provision of the general reporting rule.

AMENDATORY SECTION (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

**WAC 296-17A-5300 Classification 5300.**

**5300-00 State government - administrative field personnel**

Applies to state employees whose duties may require them to travel to an alternative work location but their work assignment is administrative in nature. (~~Workers reported in this classification have duties which routinely~~) Travel is an expectation for these workers in order to perform their job duties which involves travel to meetings or appointments with clients, customers, or businesses. Travel to perform work at an alternate location may be required on a regular, sporadic or as needed basis. Typical work includes, but is not limited to, field auditor, collector, social worker, attorney, public relations or consulting staff with no hazardous exposures. Supervisors who occasionally travel to accompany field staff for purposes such as observation or information gathering, but who do not typically perform any work other than administrative, are also included in this classification. Employees in this classification may also have follow-up work that is completed in the office such as writing reports, correspondence, etc.

This classification excludes employees with duties outside of the office which are more than administrative in nature such as, but not limited to, engineers, inspectors, and biologists who may have some field exposure, and are to be reported in 5307. For purposes of this classification, field exposure is defined as any work period, other than the normal travel to or from a work environment, which involves "hands on" work.

This classification excludes: Employees whose duties include field or hazardous exposure, employees who (~~perform work with~~) provide interaction to direct, control or manage activities of inmates, residents, patients or potentially violent persons in state hospitals, schools, homes, detention or correctional facilities which may involve security, recreation, or staff (~~who may be called upon to restrain~~) whose duties include restraining individuals, who are to be reported separately in the appropriate classification (5307, 7103, 7201); clerical and administrative office personnel who are to be reported separately in classification 4902; law enforcement officers in any capacity who are to be reported separately in classification 7103; employees who provide patient or health care at state-operated mental health or acute care hospitals with a fully implemented safe patient handling program who are to be reported in classification 7200; employees who provide patient or health care at state-operated mental health or acute care hospitals that do not have a fully implemented safe patient handling program who are to be reported in classification 7400; and employees who provide (~~patient or health~~) care and treatment for patients or residents and work in state hospitals, homes, schools, detention or correctional facilities who are not otherwise classified who are to be reported separately in classification 7201. Volun-



teers are to be reported in classification 6901, and law enforcement volunteers in classification 6906.

This classification may be assigned to all departments, agencies, boards, commissions and committees of either the executive, legislative or judicial branches of state government.

**Special notes:** A division of hours is not permitted between classification 5300 and any other classification.

For purposes of this classification, the term "administrative field personnel" shall have the same meaning as "sales personnel" defined in the standard exception provision of the general reporting rule.

**AMENDATORY SECTION** (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

**WAC 296-17A-5307 Classification 5307.**

**5307-00 State government employees - N.O.C.**

Applies to state government employees not covered by another classification (N.O.C. - not otherwise classified). This is the basic state agency classification which covers employees who have duties that support the mission of the agency and have field or hazardous exposure. For purposes of this classification field or hazardous exposure is defined as any work which involves "hands on" work. Employees reported in this classification may have jobs that include, but are not limited to, performing manual labor or supervising a work crew performing manual labor, work in the trades, construction-type work or maintenance/repair work, operating machinery or equipment, stores/stock clerks, warehouse, supplies, deliveries, food services, facilities, recreational, or general security staff with no law enforcement duties. This classification also includes, but is not limited to, personnel such as engineers, inspectors, and biologists, who have field exposure. This classification includes supervisors who work at a field site and ( ~~routinely~~) perform supervision duties in the field. This classification includes nonpatient care employees in state operated homes, schools, detention or correctional facilities not described in another classification.

This classification excludes: Employees who have law enforcement power in any capacity, who are to be reported separately in classification 7103; employees who work in state hospitals, homes, schools, detention or correctional facilities who are not otherwise classified ( ~~who~~) and provide care and treatment for patients or ( ~~health care~~) residents who are to be reported separately in classification 7201; employees who provide patient or health care at state-operated mental health or acute care hospitals with a fully implemented safe patient handling program who are to be reported in classification 7200; employees who provide patient or health care at state-operated mental health or acute care hospitals that do not have a fully implemented safe patient handling program who are to be reported in classification 7400; administrative field employees, who are to be reported separately in classification 5300; and clerical and administrative office personnel, who are to be reported separately in classification 4902. Volunteers are to be reported in classification 6901, and law enforcement volunteers in classification 6906.

This classification may be assigned to all departments, agencies, boards, commissions and committees of either the

executive, legislative or judicial branches of state government.

**AMENDATORY SECTION** (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

**WAC 296-17A-7201 Classification 7201.**

**7201-00 State government - patient, resident, or health care personnel, N.O.C. (to be assigned only by the hospital underwriter)**

Applies to state employees who are not otherwise classified who provide ( ~~any type of~~) patient or health care at state-operated hospitals, schools, homes, camps, detention or correctional facilities, that are not operated as mental health or acute care hospitals as defined in WAC 296-17-35203(7) and that do not have routine patient lifting and moving exposure. All employees who have responsibility for physical or mental health care of patients or residents in these facilities are included in this classification. Types of employment contemplated by this classification include, but are not limited to, doctors, nurses, therapists, attendants, or training and counseling staff who ( ~~work with~~) provide care and treatment for patients or residents and ( ~~may be called upon~~) are required to restrain or attend to patients who are potentially aggressive or violent.

This classification excludes: Employees who provide patient or health care at state-operated mental health or acute care hospitals with a fully implemented safe patient handling program who are to be reported separately in classification 7200; employees who provide patient or health care at state-operated mental health or acute care hospitals that do not have a fully implemented safe patient handling program who are to be reported separately in classification 7400; law enforcement officers in any capacity who are to be separately reported in classification 7103; employees who work in state hospitals, schools or ( ~~prisons~~) correctional facilities, who do not work ( ~~directly~~) in patient or resident care such as food service, laundry, and janitorial, who are to be separately reported in classification 5307; administrative field employees who are to be separately reported in classification 5300; or clerical and administrative office personnel who are to be separately reported in classification 4902. Volunteers are to be reported in classification 6901, and law enforcement volunteers in classification 6906.

**WSR 07-19-098**

**PROPOSED RULES**

**DEPARTMENT OF  
FISH AND WILDLIFE**

[Filed September 18, 2007, 4:18 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-16-128.

Title of Rule and Other Identifying Information: WAC 232-28-285 2007-2008 Pilot cougar hunting seasons with the aid of dogs.

Hearing Location(s): Campbell's Resort on Lake Chelan, 104 West Woodin, Chelan, WA 98816, (509) 682-2561, on November 2-3, 2007, at 8:00 a.m.

Date of Intended Adoption: November 2-3, 2007.

Submit Written Comments to: Wildlife Program Commission Meeting Public Comments, 600 Capitol Way North, Olympia, WA 98501-1091, e-mail [Wildthing@dfw.wa.gov](mailto:Wildthing@dfw.wa.gov), fax (360) 902-2162, by Monday, October 15, 2007.

Assistance for Persons with Disabilities: Contact Susan Yeager by October 31, 2007, TTY (800) 833-6388 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Continues the pilot cougar [hunting seasons] with the aid of dogs in Chelan, Okanogan, Ferry, Stevens, and Pend Oreille counties for the 2007-08 [season]. Under the rule, an anticipated one hundred-two cougar will be harvested within four hunt zones. No notable changes; only calendar date adjustments and removing the reference to a "three-year" pilot program.

Reasons Supporting Proposal: Enhance public safety and provide a more effective cougar management program.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

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

Name of Proponent: Washington fish and wildlife commission, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Natural Resources Building, Olympia, (360) 902-2504; and Enforcement: Bruce Bjork, Natural Resources Building, Olympia, (360) 902-2373.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules regulate recreational hunters and do not directly regulate small business.

A cost-benefit analysis is not required under RCW 34.05.328. Not hydraulics rules.

September 18, 2007

Loreva M. Preuss

Rules Coordinator

AMENDATORY SECTION (Amending Order 06-196, filed 8/15/06, effective 9/15/06)

**WAC 232-28-285 ((2006-2007)) 2007-2008 Pilot cougar hunting seasons with the aid of dogs.** As used in this section and in the context of pilot cougar hunting seasons, the following definitions apply:

"Accompany" means the dog handler and permit hunter must be in the physical presence of each other at the time dogs are released from a leash or unrestrained or starting a cougar track.

"Pursue" or "pursuit" means dogs are:

- Not on a leash or restrained; or
- Starting a cougar track; or
- In the act of tracking a cougar; or
- At a treed cougar.

Transporting dogs in a motorized vehicle or walking a dog on a leash is not pursuit.

"Dog owner" means a person that owns and hunts with dogs that are capable of detecting, tracking and treeing a cougar.

"Quota" means the targeted harvest goal. The actual harvest level may exceed the quota.

"Kill permit" allows a hunter to pursue or kill cougar.

"Pursuit permit" allows a hunter to pursue cougar.

(1) The pilot cougar-hunting season will allow use of dogs to hunt cougar. The hunts will consist of pursuit-or-kill seasons and pursuit-only seasons, and are allowed only in Chelan, Okanogan, Ferry, Stevens, and Pend Oreille counties.

(2) Pursuit-or-kill seasons:

Cougar may be pursued or killed with the aid of dogs from December 1, ((2006)) 2007, until the female zone quota has been killed, the total zone quota has been killed, or March 31, ((2007)) 2008, whichever occurs first; EXCEPT GMUs 101 and 204 where cougar may be pursued or killed from January 1, ((2007)) 2008, until the female zone quota has been killed, the total zone quota has been killed, or March 31, ((2007)) 2008, whichever occurs first.

(3) Pursuit-only seasons:

(a) If a zone quota is killed prior to March 31, ((2007)) 2008, cougar may be pursued with dogs in all or portions of that zone until March 31, ((2007)) 2008. Hunters may only pursue cougars in designated pursuit only areas identified on their kill or pursuit-only permit. Hunters may not kill cougar during pursuit-only seasons.

(b) Hunters selected for the pursuit-or-kill season (accompanied by up to three of their identified handlers) may participate in a pursuit-only season. Permit hunters that harvest a cougar under a kill permit may continue to pursue cougars until March 31. If a zone quota is killed, the department will also issue pursuit-only permit to hunters drawn at random from the unselected pool of applicants. The director will identify the number of pursuit-only hunters selected.

(4) Hunt areas and kill quotas:

Cougar seasons will be based on a quota system, where permit hunters using dogs may hunt and kill cougar until the allotted numbers of cougar have been killed from each hunt zone or March 31, ((2007)) 2008, whichever occurs first.

(a) Kill quotas start September 1 and will include all cougar killed during seasons with and without the aid of dogs, including cougar seasons under this section, cougar seasons without the aid of dogs authorized under WAC 232-28-272, depredation permits, landowner kill permits, and WDFW depredation authority.

(b) Individual problem cougar will continue to be killed on an as-needed basis utilizing depredation permits, landowner kill permits, and WDFW depredation authority even if these kills result in exceeding a zone quota.

CMU	Hunt Choice	Hunt Zone	Area Description	QUOTA	
				Total	Female
East Cascades North	9001	Okanogan	Those portions of GMUs 203, 209, 215, 218, 233, 224, 231, 239, and 242 within Okanogan County	28	11
	9002	Chelan	Those portions of GMUs 243, 244, 245, 246, 247, 249, 250, and 251 within Chelan County	10	4
Northeastern	9003	Ferry-Okanogan	GMUs 101, 204	26	10
	9004	Stevens-Pend Oreille	Those portions of GMUs 105, 108, 111, 113, 117, 121 within Stevens and Pend Oreille counties	38	15

## (5) Quota hotline:

Permit hunters participating in a pursuit-or-kill season must call the toll free cougar quota hotline within twenty-four hours prior to each day hunting cougar to determine if the zone quota has been killed and the zone is closed. Hunters who hunt more than one consecutive day must call the quota hotline once daily to determine if the zone quota is killed. Hunters who harvest a cougar with the aid of dogs must notify the department within twenty-four hours of kill (excluding legal state holidays) and provide the hunter's name, date and location of kill, and sex of animal. The raw pelt of a cougar, with proof of sex naturally attached, must be sealed by an authorized department employee within five days of the notification of kill. Any person who takes a cougar must present the cougar skull in such a manner that teeth and biological samples can be extracted to an authorized department employee at the time of sealing.

## (6) Kill or pursuit-only permit eligibility:

(a) To apply for a kill or pursuit-only permit under this section, individuals must sign an affidavit provided by the department, certifying under penalty of false swearing under RCW 9A.72.040 that they are a dog owner. The affidavit must be mailed to WDFW by the date and time identified by the director. Individuals not registered as a dog owner will not be issued a permit.

(b) To apply for a kill or pursuit-only permit under this section, individuals must purchase a cougar permit application and submit the application in compliance with WAC 232-28-291 by a date and time identified by the director.

(c) To be eligible for a permit, the participant must be a Washington resident who at the time of application for a permit possesses a valid big game license with cougar as a species option. The permit holder must use dogs while participating in a cougar hunt under this section.

(d) A permit will not be issued to any person who has been convicted of unlawful use of dogs under RCW 77.15.-245 within the five-year period prior to December 1, 2004. Any person issued a permit and who is subsequently convicted of any wildlife offense while participating in a pursuit-or-kill or pursuit-only season, or who violates any condition of the permit, will have the permit revoked and will be ineligible to participate in the remainder of the ((three-year)) pilot program.

## (7) Permit issuance procedure:

(a) The number of kill permits for a pursuit-or-kill season with the aid of dogs may be established by the director, but will not exceed two times the total cougar quota for each hunt zone.

(b) The department will issue kill or pursuit-only permits to the persons whose applications are drawn at random. Individuals selected will be notified by telephone or mail. Individuals selected must return the signed affidavit to the department's wildlife program in Olympia within fifteen days of being notified. Failure to return the completed affidavit to the department will result in forfeit of the permit. Kill and pursuit-only permits may not be sold or reassigned.

(c) If a female zone quota or total zone quota is not killed in a hunt zone by January 15 (or sooner as identified by the director), then the department will issue kill permits to additional hunters. Hunters will be drawn at random from the unselected pool of applicants and must be a resident of one of the five counties.

## (8) Qualifications for participation and requirements:

In addition to the provisions applicable to all cougar hunters:

(a) Successful applicants must complete a training program prior to participating in a pursuit-or-kill season or pursuit-only season with the aid of dogs.

(b) Participants must have their permit issued by the department in their possession while hunting cougar.

(c) Individuals selected for a kill permit may kill and possess two cougar per permit and only the permittee may kill the cougar(s). However, a kill permit holder may not kill a second cougar in a hunt zone until January 15 (or sooner as identified by the director).

(d) Individuals selected for a cougar kill or pursuit-only permit may use dog handlers. However, no more than three handlers may accompany the permittee while hunting or pursuing cougar. Dog handlers may not pursue cougar when the permit hunter is not present at the time the dogs are released from a leash or unrestrained. Dog handlers must have a dog handler identification card, issued by the department, in their possession while participating in a pursuit-or-kill season or pursuit-only season.

(e) Dog handlers must be a Washington resident and possess a valid hunting license.

(f) It is unlawful to kill or possess spotted cougar kittens or adult cougars accompanied by spotted kittens.

(g) Participants must have a vehicle placard issued by the department. The vehicle placard must be placed in the permittee's and dog handler's vehicles and be visible from outside the vehicles at all times while hunting or pursuing cougar.

(h) Kill and pursuit-only permit hunters are required to maintain and return to the department a pilot cougar hunting season logbook. At the end of each day hunting cougar, the permit hunters must record their hunting activities, including that of their dog handlers, in their logbook. If requested by department staff, permit hunters must provide the logbook for inspection. Logbooks must be mailed to the department at WDFW-Pilot Cougar Hunt, 600 Capitol Way North, Olympia, WA 98501-1091 by April 10, ((2007)) 2008. A violation of this requirement under this subsection is punishable as an infraction under RCW 77.15.160.

(9) The permit belongs to the state of Washington. The permit holder may be required to return to or turn over to the department the permit when, in the judgment of the department, the permit holder violates any conditions of the permit, violates trespass laws while acting under this permit, or violates any other criminal law or hunting regulation of the state while acting under this permit. If the permit holder is required to return to or turn over to the department the permit, the permit holder may request an appeal of that action in accordance with chapter 34.05 RCW. Appeal request shall be filed in writing and returned within twenty days of the date of action and be addressed to WDFW Legal Services Office, 600 Capitol Way North, Olympia, Washington 98501-1091.

### WSR 07-19-099

#### PROPOSED RULES

#### DEPARTMENT OF FISH AND WILDLIFE

[Filed September 18, 2007, 4:21 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-16-128.

Title of Rule and Other Identifying Information: WAC 232-12-068 Nontoxic shot requirements, 232-28-282 Big game and wild turkey auction, raffle, and special incentive permits, 232-28-286 2007, 2008, and 2009 Spring black bear seasons and regulations, 232-28-294 Multiple season big game permits, 232-28-299 Mandatory report of hunting activity, and 232-28-337 Deer and elk area descriptions.

Hearing Location(s): Campbell's Resort on Lake Chelan, 104 West Woodin, Chelan, WA 98816, (509) 682-2561, on November 2-3, 2007, at 8:00 a.m.

Date of Intended Adoption: December 7-8, 2007.

Submit Written Comments to: Wildlife Program Commission Meeting Public Comments, 600 Capitol Way North, Olympia, WA 98501-1091, e-mail Wildthing@dfw.wa.gov, fax (360) 902-2162, by Monday, October 15, 2007.

Assistance for Persons with Disabilities: Contact Susan Yeager by October 31, 2007, TTY (800) 833-6388 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: WAC 232-12-068, Current rules require nontoxic shot to be used for upland bird hunting at a variety of locations in the state. Most Washington department of fish and wildlife (WDFW) wildlife areas where nontoxic shot is required are areas associated with pheasant release program. A new pheasant release site in Chinook, Washington (Pacific County) was added to the program. The Chinook release site is used by waterfowl that may access spent shot during times of high surface water. The proposed rule change adds the Chinook release site to the list of areas where hunters are required to use nontoxic shot.

WAC 232-28-282, the fish and wildlife commission has authorized several special raffles and auctions for a variety of game animals. The wild turkey raffle has historically had two winners; each receiving three raffle tags the authority to hunt from April 1 through May 31. Proposed changes include extending the turkey raffle permit season to include dates from September 1 through December 31, reducing the number of raffle winners from two to one and reducing the number of turkey raffle permits from six to three.

WAC 232-28-286, establish spring bear damage hunt for black bear in portions of GMUs 418 and 448 with 20 and 30 permits, respectively. The anticipated effect is a slight decline in local bear populations to reduce tree damage caused by bears.

WAC 232-28-294, this proposal would shorten the amount of time successful applicants for a multi-season permit would have to purchase their permit to allow for the sale of all permits prior to the first general seasons starting in September. It would also provide fifty multi-season deer and twenty-five multi-season elk permits to qualifying hunter education instructors.

WAC 232-28-299, to allow hunters adequate time to report their hunting activity for hunts that extend beyond the January 31 deadline.

WAC 232-28-337, the purpose of the proposal is to allow the department to continue to use deer and elk areas to direct hunters to specific locations in situations that require management and harvest strategies to operate at a finer scale than the game management unit level.

Reasons Supporting Proposal: WAC 232-12-068, in areas where wildlife have a high probability of being exposed to spent shot from shotguns, the current rule requires the use of nontoxic shot. The chinook release site has habitat conditions that can be conducive to waterfowl use.

WAC 232-28-282, in order to make the wild turkey raffle more desirable, changes to what the winner receives are warranted. In addition, reducing the number of raffle tags used for turkey hunting, the commission can authorize raffles [for] more desirable game animals. The result of these changes should be increased hunter approval and increased revenue to the department of fish and wildlife for management of game species.

WAC 232-28-286, spring black bear damage seasons are used to minimize damage to trees by reducing bear populations to a lower but sustainable level.

WAC 232-28-294, shortening the purchase time for successful applicants would make sure that more hunters would be able to purchase permits. Providing hunter education

instructors with multiple season permits would be an incentive to recruit and retain instructors.

WAC 232-28-299, several special permit hunts and a few general season hunts extend beyond the January 31 deadline. This proposal would allow hunters to report within ten days of the end of eligible hunts or January 31, whichever is later.

WAC 232-28-337, the proposed boundary amendments would help facilitate the department's addressing deer and elk damage, controlling deer and elk populations, and improving the quality of deer and elk hunting for hunters.

Statutory Authority for Adoption: RCW 77.12.047, 77.12.020.

Statute Being Implemented: RCW 77.12.047, 77.12.020.

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

Name of Proponent: Washington fish and wildlife commission, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Natural Resources Building, Olympia, (360) 902-2504; and Enforcement: Bruce Bjork, Natural Resources Building, Olympia, (360) 902-2373.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules regulate recreational hunters and do not directly regulate small business.

A cost-benefit analysis is not required under RCW 34.05.328. Not hydraulics rules.

September 18, 2007  
 Loreva M. Preuss  
 Rules Coordinator

**AMENDATORY SECTION** (Amending Order 06-181, filed 8/2/06, effective 9/2/06)

**WAC 232-12-068 Nontoxic shot requirements.** It is unlawful to possess shot (either in shotshells or as loose shot for muzzleloading) other than nontoxic shot when hunting for waterfowl, coot, or snipe. Nontoxic shot includes the following approved types:

Approved Nontoxic Shot Type*	Percent Composition by Weight
bismuth-tin	97 bismuth, 3 tin
iron (steel)	iron and carbon
iron-tungsten	any proportion of tungsten, $\geq 1$ iron
iron-tungsten-nickel	$\geq 1$ iron, any proportion of tungsten, up to 40 nickel
tungsten-bronze	51.1 tungsten, 44.4 copper, 3.9 tin, 0.6 iron; and 60 tungsten, 35.1 copper, 3.9 tin, 1 iron
tungsten-iron-copper-nickel	40-76 tungsten, 37 iron, 9-16 copper, 5-7 nickel
tungsten-matrix	95.9 tungsten, 4.1 polymer
tungsten-polymer	95.5 tungsten, 4.5 nylon 6 or 11

Approved Nontoxic Shot Type*	Percent Composition by Weight
tungsten-tin-iron	any proportions of tungsten and tin, $\geq 1$ iron
tungsten-tin-bismuth	any proportions of tungsten, tin, and bismuth
tungsten-tin-iron-nickel	65 tungsten, 21.8 tin, 10.4 iron, 2.8 nickel
*Coatings of copper, nickel, tin, zinc, zinc chloride, and zinc chrome on approved nontoxic shot types also are approved.	

The director may adopt additional nontoxic shot types consistent with federal regulations.

It is unlawful to possess shot (either in shotshells or as loose shot for muzzleloading) other than nontoxic shot in the following areas:

- Bridgeport Bar segment of the Well's Wildlife Area
- Cowlitz Wildlife Area
- Lake Terrell Wildlife Area (including Tennant Lake and other segments)
- Shillapoo Wildlife Area
- Skagit Wildlife Area (all segments)
- Snoqualmie Wildlife Area (all segments)
- Sunnyside Wildlife Area
- The Driscoll Island, Hegdahl, and Kline Parcel segments of the Sinlahekin Wildlife Area
- Vancouver Lake Wildlife Area

It is unlawful to possess shot (either in shotshells or as loose shot for muzzleloading) other than nontoxic shot when hunting for game birds or game animals in the following areas:

- Chehalis River pheasant release site
- Dungeness Recreation Area
- Hunter Farms pheasant release site
- Raymond Airport pheasant release site
- Two Rivers and Wallula Units of the U.S. Fish and Wildlife Service's McNary National Wildlife Refuge
- All Whidbey Island pheasant release sites
- Chinook pheasant release site

**AMENDATORY SECTION** (Amending Order 06-300, filed 12/14/06, effective 1/14/07)

**WAC 232-28-282 Big game and wild turkey auction, raffle, and special incentive permits.**

**BIG GAME AUCTION PERMITS**

The director will select a conservation organization(s) to conduct annual auction(s). Selection of the conservation organizations will be based on criteria adopted by the Washington department of fish and wildlife. Big game and wild turkey auctions shall be conducted consistent with WAC 232-28-292.

SPECIES - ONE WESTSIDE DEER PERMIT

Hunting season dates: September 1 - December 31

Hunt Area: Western Washington EXCEPT GMU 485 and those GMUs closed to deer hunting by the fish and wildlife commission.

Weapon: Any legal weapon.

Bag limit: One additional any buck deer

SPECIES - ONE EASTSIDE DEER PERMIT

Hunting season dates: September 1 - December 31, 2008

Hunt Area: Eastern Washington EXCEPT those GMUs closed to deer hunting by the fish and wildlife commission.

Weapon: Any legal weapon.

Bag limit: One additional any buck deer

SPECIES - ONE MULE DEER PERMIT

Hunting season dates: Starting in 2009 September 1 - December 31

Hunt Area: Eastern Washington EXCEPT those GMUs closed to mule deer hunting by the fish and wildlife commission.

Weapon: Any legal weapon.

Bag limit: One additional any buck mule deer

SPECIES - ONE WHITE-TAILED DEER PERMIT

Hunting season dates: Starting in 2009 September 1 - December 31

Hunt Area: Eastern Washington EXCEPT those GMUs closed to white-tailed deer hunting by the fish and wildlife commission.

Weapon: Any legal weapon.

Bag limit: One additional any buck white-tailed deer

SPECIES - ONE WESTSIDE ELK PERMIT

Hunting season dates: September 1 - December 31

Hunt Area: Western Washington EXCEPT GMU 485, those GMUs closed to elk hunting, and those GMUs not opened to branch antlered bull elk hunting by the fish and wildlife commission.

Weapon: Any legal weapon.

Bag limit: One additional any bull elk

SPECIES - ONE EASTSIDE ELK PERMIT

Hunting season dates: September 1 - December 31

Hunt Area: Eastern Washington EXCEPT GMU 157, those GMUs closed to elk hunting, and those GMUs not opened to branch antlered bull elk hunting by the fish and wildlife commission.

Weapon: Any legal weapon.

Bag limit: One additional any bull elk

SPECIES - ONE CALIFORNIA BIGHORN SHEEP PERMIT

Hunting season dates: September 1 - December 31

Hunt Area: Any open sheep unit with two (2) or more permits during the respective license year, except sheep units in Walla Walla, Columbia, Garfield, Asotin, or Pend Oreille counties are not open.

Weapon: Any legal weapon.

Bag limit: One bighorn ram

SPECIES - ONE MOOSE PERMIT

Hunting season dates: September 1 - December 31

Hunt Area: Any open moose unit.

Weapon: Any legal weapon.

Bag limit: One moose of either sex

SPECIES - ONE MOUNTAIN GOAT PERMIT

Hunting season dates: September 1 - December 31

Hunt Area: Any open goat unit with two (2) or more permits during the respective license year.

Weapon: Any legal weapon.

Bag limit: One mountain goat of either sex

**RAFFLE PERMITS**

Raffle permits will be issued to individuals selected through a Washington department of fish and wildlife drawing or the director may select a conservation organization(s) to conduct annual raffles. Selection of a conservation organization will be based on criteria adopted by the Washington department of fish and wildlife. Big game and wild turkey raffles shall be conducted consistent with WAC 232-28-290.

RAFFLE PERMIT HUNT(S)

WESTSIDE DEER RAFFLE PERMIT HUNT

Bag limit: One additional any buck deer

Open area: Western Washington EXCEPT GMU 485 and those GMUs closed to deer hunting by the fish and wildlife commission.

Open season: September 1 - December 31

Weapon: Any legal weapon.

Number of permits: 1

EASTSIDE DEER RAFFLE PERMIT HUNT

Bag limit: One additional any buck deer

Open area: Eastern Washington EXCEPT those GMUs closed to deer hunting by the fish and wildlife commission.

Open season: September 1 - December 31, 2008

Weapon: Any legal weapon.

Number of permits: 1

MULE DEER RAFFLE PERMIT HUNT

Bag limit: One additional any buck mule deer

Open area: Eastern Washington EXCEPT those GMUs closed to mule deer hunting by the fish and wildlife commission.

Open season: Starting in 2009 September 1 - December 31

Weapon: Any legal weapon.

Number of permits: 1

WHITE-TAILED DEER RAFFLE PERMIT HUNT

Bag limit: One additional any buck white-tailed deer

Open area: Eastern Washington EXCEPT those GMUs closed to white-tailed deer hunting by the fish and wildlife commission.

Open season: Starting in 2009 September 1 - December 31

Weapon: Any legal weapon.

Number of permits: 1

WESTSIDE ELK RAFFLE PERMIT HUNT

Bag limit: One additional any bull elk

Open area: Western Washington EXCEPT GMU 485, those GMUs closed to elk hunting, and those GMUs not open to

branch antlered bull elk hunting by the fish and wildlife commission.

Open season: September 1 - December 31

Weapon: Any legal weapon.

Number of permits: 1

#### EASTSIDE ELK RAFFLE PERMIT HUNT

Bag limit: One additional any bull elk

Open area: Eastern Washington EXCEPT GMU 157, those GMUs closed to elk hunting, and those GMUs not opened to branch antlered bull elk hunting by the fish and wildlife commission.

Open season: September 1 - December 31.

Weapon: Any legal weapon.

Number of permits: 1

#### CALIFORNIA BIGHORN SHEEP RAFFLE PERMIT HUNT

Bag limit: One bighorn ram

Open area: Any open bighorn sheep unit with two (2) or more permits during the respective license year, except sheep units in Walla Walla, Columbia, Garfield, Asotin, or Pend Oreille counties are not open.

Open season: September 1 - December 31.

Weapon: Any legal weapon.

Number of permits: 1

#### MOOSE RAFFLE PERMIT HUNT

Bag limit: One moose of either sex

Open area: Any open moose unit.

Open season: September 1 - December 31.

Weapon: Any legal weapon.

Number of permits: 2

#### MOUNTAIN GOAT RAFFLE PERMIT HUNT

Bag limit: One mountain goat of either sex

Open area: Any open goat unit with two (2) or more permits during the respective license year.

Open season: September 1 - December 31.

Weapon: Any legal weapon.

Number of permits: 2

#### TURKEY RAFFLE PERMIT HUNTS

Bag limit: Three (3) additional wild turkeys, but not to exceed more than one turkey in Western Washington or two turkeys in Eastern Washington.

Open area: Statewide.

Open season: April 1 - May 31 AND September 1 - December 31.

Weapon: Archery or shotgun only.

Number of permits: ((2)) 1

#### DIRECTOR AUTHORIZED BIG GAME AUCTION OR RAFFLE PERMITS

The director shall determine which method of permit opportunity, auction or raffle, taking into consideration impacts to the wildlife resource, opportunity to the hunting community, other resource management issues, and expected revenue. The director may select a conservation organization(s) to conduct annual auction(s) or raffle(s). Selection of the conservation organization will be based on criteria adopted by

the Washington department of fish and wildlife. Big game auctions and raffles shall be conducted consistent with WAC 232-28-292.

#### ROCKY MOUNTAIN BIGHORN SHEEP AUCTION OR RAFFLE PERMIT

Hunting season dates: September 1 - December 31

Hunt Area: GMUs 169, 172, 181, 186.

Weapon: Any legal weapon.

Bag limit: One bighorn ram

#### SPECIAL INCENTIVE PERMITS

Hunters will be entered into a drawing for special deer and elk incentive permits for prompt reporting of hunting activity in compliance with WAC 232-28-299.

(a) There will be two (2) any elk special incentive permits for Western Washington.

Open area: Western Washington EXCEPT GMUs 418, 485, 522, and those GMUs closed to elk hunting or closed to branch antlered bull elk hunting by the fish and wildlife commission.

Open season: September 1 - December 31.

Weapon: Any legal weapon, EXCEPT must use archery equipment during archery seasons and muzzleloader equipment during muzzleloader seasons.

Bag limit: One additional elk.

There will be two (2) any elk special incentive permits for Eastern Washington.

Open area: Eastern Washington EXCEPT GMU 157 and those GMUs closed to elk hunting or closed to branch antlered bull elk hunting by the fish and wildlife commission.

Open season: September 1 - December 31.

Weapon: Any legal weapon, EXCEPT must use archery equipment during archery seasons and muzzleloader equipment during muzzleloader seasons.

Bag limit: One additional elk.

(b) There will be five (5) statewide any deer special incentive permits, for use in any area open to general or permit hunting seasons EXCEPT GMUs 157, 418, 485, 522, and those GMUs closed to deer hunting by the fish and wildlife commission.

Open season: September 1 - December 31.

Weapon: Any legal weapon, EXCEPT must use archery equipment during archery seasons and muzzleloader equipment during muzzleloader seasons and any legal weapon at other times if there are no firearm restrictions.

Bag limit: One additional any deer.

#### Auction, raffle, and special incentive hunt permittee rules

(1) Permittee shall contact the appropriate regional office of the department of fish and wildlife when entering the designated hunt area or entering the region to hunt outside the general season.

(2) The permittee may be accompanied by others; however, only the permittee is allowed to carry a legal weapon or harvest an animal.

(3) Any attempt by members of the permittee's party to herd or drive wildlife is prohibited.

(4) If requested by the department, the permittee is required to direct department officials to the site of the kill.

(5) The permit is valid during the hunting season dates for the year issued.

(6) The permittee will present the head and carcass of the bighorn sheep killed to any department office within 72 hours of date of kill.

(7) The permittee must abide by all local, state, and federal regulations including firearm restriction areas and area closures.

(8) Hunters awarded the special incentive permit will be required to send the appropriate license fee to the department

of fish and wildlife headquarters in Olympia. The department will issue the license and transport tag and send it to the special incentive permit winner.

**AMENDATORY SECTION** (Amending Order 06-300, filed 12/14/06, effective 1/14/07)

**WAC 232-28-286 2007, 2008, and 2009 Spring black bear seasons and regulations.**

**Who may apply:** Anyone with a valid Washington big game license, which includes black bear as a species option.

**Hunt areas, permit levels, and season dates for each license year:**

Hunt name	Hunt area	Permits	Season dates <sup>b</sup>
Sherman	GMU 101	15	April 15 – May 31
Kelly Hill	GMU 105	10	April 15 – May 31
Douglas	GMU 108	5	April 15 – May 31
Aladdin	GMU 111	10	April 15 – May 31
49 Degrees North	GMU 117	15	April 15 – May 31
Huckleberry	GMU 121	15	April 15 – May 31
Blue Creek	GMU 154	30	April 15 – May 31
Dayton	GMU 162	22	April 15 – May 31
Tucannon	GMU 166	7	April 15 – May 31
Wenaha	GMU 169	45	April 15 – May 31
Mt. View	GMU 172	22	April 15 – May 31
Lick Creek	GMU 175	22	April 15 – May 31
Grande Ronde	GMU 186	7	April 15 – May 31
<u>North Skagit</u>	<u>That portion of GMU 418 that is designated as the hunt area by DNR, Sierra Pacific, Longview Fiber, and Blodel Timber companies.</u>	<u>20</u>	<u>April 15 – May 31</u>
<u>Monroe</u>	<u>That portion of GMU 448 that is designated as the hunt area by DNR, Green Crow, and Longview Fiber.</u>	<u>30</u>	<u>April 15 – May 31</u>
Copalis <sup>a</sup>	That portion of GMU 642 that is designated as the hunt area by Rainier Timber Company.	100	April 15 – June 15
Kapowsin <sup>a</sup>	That portion of GMUs 653 and/or 654 that is designated as the hunt area by Hancock Forest Management	100	April 15 – June 15
Capitol Forest <sup>a</sup>	That portion of Capitol Forest within GMU 663	50	April 15 – June 15
<sup>a</sup> Spring black bear hunting seasons under this area constitute a pilot program to reduce black bear damage to trees.			
<sup>b</sup> Permits are valid for the license year they are issued.			

**Bag limit:** One black bear per black bear special permit season.

**License required:** A valid big game hunting license, which includes black bear as a species option, is required to hunt black bear. One black bear transport tag is included with a big game hunting license that has black bear as a species option.

**Hunting method:** Hunters may use any lawful big game modern firearm, archery, or muzzleloader equipment for hunting black bear. The use of dogs or bait to hunt black bear is prohibited statewide.

**Submitting bear teeth:** Successful bear hunters must submit the black bear premolar located behind the canine tooth of the upper jaw.

**AMENDATORY SECTION** (Amending Order 06-09, filed 1/30/06, effective 3/2/06)

**WAC 232-28-294 Multiple season big game permits.**

The commission may, by rule, offer permits for hunters to hunt deer or elk during more than one general season.

An annual drawing will be conducted by the department for multiple season permits.

(1) Multiple season big game hunting permit applications:

(a) To apply for multiple season big game hunting season permits for deer or elk, applicants must purchase ~~(and submit)~~ a permit application.

(b) No refunds or exchanges for applications will be made for persons applying for multiple season big game hunting season permits after the drawing has been held.



- (c) An applicant may purchase only one application for a multiple season big game hunting season permit for each species.
- (d) Permits will be randomly drawn by computer selection.
- (e) Incomplete applications will not be accepted.
- (f) The department will establish application and drawing dates.
- (2) The bag limit for this permit is one deer or elk.
- (3) Multiple season permits:

- (a) Hunters who are drawn will be required to purchase their original deer or elk license, corresponding to their permit, and the multiple season big game permit.
- (b) Successful applicants must purchase their multiple season permit within ~~((thirty))~~ fifteen days of the drawing notification date. If they have not purchased the multiple season permit by the deadline, the next person drawn will be offered the permit.
- (c) The permits are not transferable.
- (4) Permit holders are required to follow all rules and restrictions for general season hunters within the game management unit or area hunted.

Number of Permits	Dates	Game Management Units (GMUs)	Legal Animal	Eligible Hunters
<b>Multiple Season Deer Permits</b>				
1500	Sept. 1 - December 31 within established general seasons and regulations for deer by the commission	Statewide in those GMUs with general seasons for archery, muzzleloader, or modern firearm hunters	Any legal buck consistent with the game management unit or area restrictions	<u>Any licensed deer hunter</u>
<u>50</u>	<u>Sept. 1 - December 31 within established general seasons and regulations for deer by the commission</u>	<u>Statewide in those GMUs with general seasons for archery, muzzleloader, or modern firearm hunters</u>	<u>Any legal buck consistent with the game management unit or area restrictions</u>	<u>Hunter education instructors, meeting qualifications and selection criteria established by the department</u>
<b>Multiple Season Elk Permits</b>				
500	Sept. 1 - December 31 within established general seasons and regulations for elk by the commission	Statewide in those GMUs with general seasons for archery, muzzleloader, or modern firearm hunters	Any legal bull consistent with the game management unit or area restrictions	<u>Any licensed elk hunter</u>
<u>25</u>	<u>Sept. 1 - December 31 within established general seasons and regulations for elk by the commission</u>	<u>Statewide in those GMUs with general seasons for archery, muzzleloader, or modern firearm hunters</u>	<u>Any legal bull consistent with the game management unit or area restrictions</u>	<u>Hunter education instructors, meeting qualifications and selection criteria established by the department</u>

AMENDATORY SECTION (Amending Order 05-174, filed 8/15/05, effective 9/15/05)

**WAC 232-28-299 Mandatory report of hunting activity.** (1) All hunters purchasing a hunting license must report their hunting activity for deer, elk, bear, or turkey.

(a) Hunters must report hunting activity, for each tag acquired, by January 31 or within 10 days after the close of an eligible hunt, whichever date is later.

(b) Reports must be made using the department's designated automated telephone hunter reporting system (toll free) or internet hunter reporting system.

(c) Any hunter not reporting, for each tag acquired, by ~~((January 31))~~ the reporting deadline will be in noncompliance of reporting requirements.

(d) Compliance will be credited for each species for which a transport tag is acquired.

(2) As an incentive for prompt reporting, all successful hunters who report harvest within 10 days of killing an animal and unsuccessful hunters who report by midnight January 10 or within 10 days after the last day of their permit hunt will be entered into a drawing for special deer and elk incentive permits. To be eligible for the drawing, hunters must report their hunting activity for each transport tag acquired.

(3) Hunters who have not reported hunting activity by January 31 for deer, elk, bear, or turkey tags acquired the previous year will be required to pay a \$10 penalty before a new license that includes deer, elk, bear, or turkey tags will be issued. A hunter may only be penalized a maximum of \$10 during a license year.

AMENDATORY SECTION (Amending Order 06-300, filed 12/14/06, effective 1/14/07)

**WAC 232-28-337 Deer and elk area descriptions.**

**ELK AREAS**

**Elk Area No. 1008 West Wenaha (Columbia County):** That part of GMU 169 west of USFS trail 3112 (East Butte Creek Trail) and Butte Creek.

**Elk Area No. 1009 East Wenaha (Columbia, Garfield, Asotin counties):** That part of GMU 169 east of USFS trail 3112 (East Butte Creek Trail) and Butte Creek.

**Elk Area No. 1010 (Columbia County):** GMU 162 excluding National Forest land and the Rainwater Wildlife Area.

**Elk Area No. 1011 (Columbia County):** That part of GMU 162 east of the North Touchet Road, excluding National Forest land.

**Elk Area No. 1012 (Columbia County):** That part of GMU 162 west of the North Touchet Road, excluding National Forest land and the Rainwater Wildlife Area.

**Elk Area No. 1013 (Asotin County):** GMU 172, excluding National Forest lands.

**Elk Area No. 1014 (Columbia-Garfield counties):** That part of GMU 166 Tucannon west of the Tucannon River and USFS Trail No. 3110 (Jelly Spr.-Diamond Pk. Trail).

**Elk Area No. 1015 Turnbull (Spokane County):** Located in GMU 130, designated areas within the boundaries of Turnbull National Wildlife Refuge.

**Elk Area No. 2032 Malaga (Kittitas and Chelan counties):** Beginning at the mouth of Davies Canyon on the Columbia River; west along Davies Canyon to the cliffs above (north of) the North Fork Tarpiscan Creek; west and north along the cliffs to the Bonneville Power Line; southwest along the power line to the North Fork Tarpiscan Road in Section 9, Township 20N, Range 21E; north and west along North Fork Tarpiscan Road to Colockum Pass Road (Section 9, Township 20N, Range 21E); south and west on Colockum Pass Road to section line between Sections 8 & 9; north along the section line between Sections 8 and 9 as well as Sections 4 & 5 (T20N, R21E) & Sections 32 & 33 (T21N, R21E) to Moses Carr Road; west and north on Moses Carr Road to Jump Off Road; south and west on Jump Off Road to Shaller Road; north and west on Shaller Road to Upper Basin Loop Road; north and west on Upper Basin Loop Road to Wheeler Ridge Road; north on Wheeler Ridge Road to the Basin Loop Road (pavement) in Section 10 (T21N, R20E); north on Basin Loop Road to Wenatchee Heights Road; west on Wenatchee Heights Road to Squilchuck Road; south on Squilchuck Road to Beehive Road (USFS Rd 9712); northwest on Beehive Road to USFS Rd 7100 near Beehive Reservoir; north and west on USFS Rd 7100 to Peavine Canyon Road (USFS Rd 7101); north and east on Peavine Canyon Road to Number Two Canyon Road; north on Number Two Canyon Road to Crawford Street in Wenatchee; east on Crawford Street to the Columbia River; south and east along the Columbia River to

Davies Canyon and point of beginning. (Naneum Green Dot, Washington Gazetteer, Wenatchee National Forest)

**Elk Area No. 2033 Peshastin (Chelan County):** Beginning at Crawford Street and the Columbia River in Wenatchee; west on Crawford Street and Number Two Canyon Road to USFS 7101 Road (Peavine Canyon); west on USFS 7101 Road to Mission Creek Road; north on Mission Creek Road to USFS 7104 Road (Sand Creek Road); west on USFS 7104 Road (Sand Creek Road) to Camas Creek; west up Camas Creek to where Camas Creek crosses USFS 7200 Road, T22N, R18E, Section 4; north along USFS 7200 Road to U.S. Highway 97; north on U.S. Highway 97 to USFS 7300 Road (Mountain Home Road); north on the USFS 7300 Road to the Wenatchee River at Leavenworth; down the Wenatchee River and Columbia River to the point of beginning.

**Elk Area No. 2051 Tronsen (Chelan County):** All of GMU 251 except that portion described as follows: Beginning at the junction of Naneum Ridge Road (WDFW Rd 9) and Ingersol Road (WDFW Rd 1); north and east on Ingersol Road to Colockum Road (WDFW Rd 10); east on Colockum Road and Colockum Creek to the intersection of Colockum Creek and the Columbia River; south on the Columbia River to mouth of Tarpiscan Creek; west up Tarpiscan Creek and Tarpiscan Road (WDFW Rd 14) and North Fork Road (WDFW Rd 10.10) to the intersection of North Fork Road and Colockum Road; southwest on Colockum Road to Naneum Ridge Road; west on Naneum Ridge Road to Ingersol Road and the point of beginning.

**Elk Area No. 3068 Klickitat Meadows (Yakima County):** Beginning at Darland Mountain, southeast along the main divide between the Diamond Fork drainage and the Ahtanum Creek drainage to the point due west of the headwaters of Reservation Creek (Section 18, T12N, R14E); then along a line due west to Spencer Point (as represented in the DNR 100k map); northeast from Spencer Point to US Forest Service (USFS) Trail 1136; north along USFS Trail 1136 to USFS Trail 615; east on USFS Trail 615 to Darland Mountain and the point of beginning.

**Elk Area No. 3721 Corral Canyon (Benton and Yakima counties):** That part of GMU 372 beginning at the Yakima River Bridge on SR 241 just north of Mabton; north along SR 241 to the Rattlesnake Ridge Road (mile post #19); east on Rattlesnake Ridge Road to the Hanford Reach National Monument's (HRNM) southwest corner boundary; east and south along the HRNM boundary to SR 225; south on SR 225 to the Yakima River Bridge in Benton City; west (upstream) along Yakima River to point of beginning (SR 241 Bridge).

**Elk Area No. 3722 Blackrock (Benton and Yakima counties):** That part of GMU 372 beginning at southern corner of the Yakima Training Center border on Columbia River, northwest of Priest Rapids Dam; southeast on southern shore of Columbia River (Priest Rapids Lake) to Priest Rapids Dam; east along Columbia River to the Hanford Reach National Monument's (HRNM) western boundary; south along the HRNM boundary to the Rattlesnake Ridge Road; west on Rattlesnake Ridge Road to SR 241; south on SR 241 to the Yakima River Bridge just north of Mabton; west along

Yakima River to SR 823 (Harrison Road) south of town of Pomona; east along SR 823 (Harrison Road) to SR 821; southeast on SR 821 to Firing Center Road at I-82; east on Firing Center Road to main gate of Yakima Training Center; south and east along Yakima Training Center boundary to southern corner of Yakima Training Center boundary on Columbia River and point of beginning.

**Elk Area No. 3911 Fairview (Kittitas County):** Beginning at the intersection of the BPA Power Lines in T20N, R14E, Section 36 and Interstate 90; east along the power lines to Highway 903 (Salmon La Sac Road); northwest along Highway 903 to ~~((USFS Road 4305 (Bear Creek Road); east on USFS Road 4305 to Corral Creek, east along Corral Creek))~~ Pennsylvania Avenue; northeast along Pennsylvania Avenue to No. 6 Canyon Road; northeast along No. 6 Canyon Road to Cle Elum Ridge Road. North along Cle Elum Ridge Road to Carlson Canyon Road; northeast along Carlson Canyon Road to West Fork Teanaway River; east along West Fork Teanaway River to North Fork Teanaway River; north along North Fork Teanaway River to Teanaway Road; southeast on Teanaway Road to Ballard Hill Road; east on Ballard Hill Rd and Swauk Prairie Road to Hwy 970; northeast on Hwy 970 to Hwy 97; south on Hwy 97 to the power lines in T20N, R17E, Section 34; east on the power lines to Naneum Creek; south on Naneum Creek approximately 1/2 mile to power lines in T19N, R19E, Section 20; east along BPA power lines to Colockum Pass Road in T19N, R20E, Section 16; south on Colockum Pass Road to BPA power lines in T18N, R20E, Section 6; east and south along power lines to Parke Creek; north on Parke Creek to Whiskey Jim Creek; east on Whiskey Jim Creek to Beacon Ridge Road; south on Beacon Ridge Road to the Vantage Highway; east along the Vantage Highway to I-90; west along I-90 to the Yakima Training Center boundary; south and west along the Yakima Training Center boundary to I-82; north on I-82 to Thrall Road; west on Thrall Road to Wilson Creek; south on Wilson Creek to Yakima River; north on Yakima River to gas pipeline crossing in T17N, R18E, Section 25; south and west on the gas pipeline to Umtanum Creek; west on Umtanum Creek to the Durr Road; north on the Durr Road to Umtanum Road; north on Umtanum Road to South Branch Canal; west on South Branch Canal to Bradshaw Road; west on Bradshaw Road to the elk fence; north and west along the elk fence to power line crossing in T19N, R16E, Section 10; west along the power line (south branch) to the Cabin Creek Road; east and north on Cabin Creek Road to Easton and I-90; east on I-90 to point of beginning.

**Elk Area No. 3912 Old Naches (Yakima County):** Starting at the elk fence and Roza Canal along the south boundary T14N, R19E, Section 8; following the elk fence to the big-horn sheep feeding site in T15N, R16E, Section 36; south on the feeding site access road to the Old Naches Highway; west and south on the Old Naches Highway to State Route 12 and the Naches River; down the Naches River to the Tieton River; up the Tieton River approximately 2 miles to the intersection of the metal footbridge and the elk fence in T14N, R16E, Section 3; due south from the start of the elk fence to the top of the cliff; southwest along the cliff/rimrock to the irrigation canal in T14N, R16E, Section 9; southwest along

the irrigation canal to the elk fence in T14N, R16E, Section 8; the elk fence to the township line between T12N, R15E and T12N, R16E; south along the township line to the South Fork Ahtanum Creek; downstream along the South Fork Ahtanum Creek ~~((to))~~ and Ahtanum Creek to the Yakima River; ~~((up))~~ upstream along the Yakima River to Roza Canal and point of beginning.

**Elk Area No. 3944 Clemen (Yakima County):** That portion of GMU 342 beginning at the junction of Highway 410 and USFS Road 1701 (Big Bald Mountain Road); north to USFS Road 1712; east on USFS Road 1712 (Clemen Ridge Road) to the east edge of Waterworks Canyon; south along the east edge of Waterworks Canyon to the elk fence ~~((gate (T15N; R17E; Section 23 NE 1/4) at the top of Austin Spur Road))~~; ~~((south and))~~ west along the elk fence to Highway 410 to the point of beginning.

**Elk Area No. 4041 Grandy Creek (Skagit County):** Begin at the intersection of CP 190 Road and CP 132 Road (Section 28, T36N, R5E); east along the CP 132 Road to the CP 130 Road; east and south along CP 130 Road to CP 110 Road; west, south and east along CP 110 Road to Childs Creek; south down Childs Creek to State Route 20; east on State Route 20 to Grandy Creek; south down Grandy Creek to the Skagit River; south on a line to South Skagit Hwy; west on South Skagit Hwy to State Route 9; north on State Route 9 to State Route 20; east on State Route 20 to Helmick Road; north on Helmick Road to CP 190 Road to CP 132 Road and the point of beginning. (WA Atlas & Gazetteer & Mt. Baker-Snoqualmie National Forest Map)

**Elk Area No. 4941 Skagit River (Skagit County):** That portion of GMU 437 beginning at the intersection of State Route 9 and State Route 20; east on State Route 20 to ((Grandy Creek; south down Grandy Creek to the Skagit River; south on a line to)) Cape Horn Road NE; south down Cape Horn Road NE to the power line crossing which passes over the Skagit River; east on the power line to the Skagit River; south and west down the Skagit River to Pressentine Creek; south up Pressentine Creek to the South Skagit Highway; west on South Skagit Highway to State Route 9; north on State Route 9 to point of beginning.

**Elk Area No. 5029 Toledo (Lewis and Cowlitz counties):** Beginning at the Cowlitz River and State Highway 505 junction; east along the Cowlitz River to the Weyerhaeuser 1800 Road; south along Weyerhaeuser 1800 Road to Cedar Creek Road; east along Cedar Creek Road to Due Road; south on Due Road to Weyerhaeuser 1823 Road; south along Weyerhaeuser 1823 Road to the Weyerhaeuser 1945 Road; south along the Weyerhaeuser 1945 Road to the Weyerhaeuser 1900 Road; south along the Weyerhaeuser 1900 Road to the North Fork Toutle River; west along the North Fork Toutle River to the Toutle River; west on the Toutle River to the Cowlitz River; North along the Cowlitz River to the junction of State Highway 505 and the point of beginning.

**Elk Area No. 5049 Ethel (Lewis County):** That part of GMU 505 beginning at the intersection of Jackson Highway and Highway 12; south along Jackson Highway to Buckley Road; south on Buckley Road to Spencer Road; east on Spen-

cer Road to Fuller Road; north on Fuller Road to Highway 12; east on Highway 12 to Stowell Road; north on Stowell Road to Gore Road; west on Gore Road to Larmon Road; west on Larmon Road to Highway 12; west on Highway 12 to Jackson Highway and point of beginning.

**Elk Area No. 5050 Newaukum (Lewis County):** That part of GMU 505 beginning at the intersection of Interstate 5 and Highway 12; east on Highway 12 to Larmon Road; east on Larmon Road to Leonard Road; north on Leonard Road through the town of Onalaska to Degler Road; north on Degler Road to Middle Fork Road; east on Middle Fork Road to Beck Road; north on Beck Road to Centralia-Alpha Road; west on Centralia-Alpha Road to Logan Hill Road; south then west on Logan Hill Road to Jackson Highway; south on Jackson Highway to the Newaukum River; west along the Newaukum River to Interstate 5; south on Interstate 5 to Highway 12 and point of beginning.

**Elk Area No. 5051 Green Mountain (Cowlitz County):** Beginning at the junction of the Cowlitz River and the Toutle River; east along the Toutle River to the North Fork Toutle River; east along the North Fork Toutle River to the Weyerhaeuser 1900 Road; south along the Weyerhaeuser 1900 Road to the Weyerhaeuser 1910 Road; south along the Weyerhaeuser 1910 Road to the Weyerhaeuser 2410 Road; south along the Weyerhaeuser 2410 Road to the Weyerhaeuser 4553 Road; south along the Weyerhaeuser 4553 Road to the Weyerhaeuser 4500 Road; south along the Weyerhaeuser 4500 Road to the Weyerhaeuser 4400 Road; south along the Weyerhaeuser 4400 Road to the Weyerhaeuser 4100 Road; east along the Weyerhaeuser 4100 Road to the Weyerhaeuser 4700 Road; south along the Weyerhaeuser 4700 Road to the Weyerhaeuser 4720 Road; west along the Weyerhaeuser 4720 Road to the Weyerhaeuser 4730 Road; west along the Weyerhaeuser 4730 Road to the Weyerhaeuser 4732 Road; west along the Weyerhaeuser 4732 Road to the Weyerhaeuser 4790 Road; west along the Weyerhaeuser 4790 Road to the Weyerhaeuser 1390 Road; south along the Weyerhaeuser 1390 Road to the Weyerhaeuser 1600 Road; west along the Weyerhaeuser 1600 Road to the Weyerhaeuser Logging Railroad Tracks at Headquarters; west along the Weyerhaeuser Logging Railroad Track to Ostrander Creek; west along Ostrander Creek to the Cowlitz River; north along the Cowlitz River to the Toutle River and point of beginning.

**Elk Area No. 5052 Mossyrock (Lewis County):** Beginning at the intersection of Winston Creek Road and State Highway 12; east on State Highway 12 to the Cowlitz River; east on the Cowlitz River to Riffe Lake; southeast along the south shore of Riffe Lake to Swofford Pond outlet creek; south on Swofford Pond outlet creek to Green Mountain Road; west on Green Mountain Road to Perkins Road; west on Perkins Road to Longbell Road; south on Longbell Road to Winston Creek Road; north on Winston Creek Road to State Highway 12 and the point of beginning. (All lands owned and managed by the Cowlitz Wildlife Area are excluded from this Elk Area.)

**Elk Area No. 5053 Randle (Lewis County):** Beginning at the town of Randle and the intersection of U.S. Highway 12 and State Route 131 (Forest Service 23 and 25 roads); south

on State Route 131 to Forest Service 25 Road; south on Forest Service 25 Road to the Cispus River; west along the Cispus River to the Champion 300 line bridge; south and west on the Champion 300 line to the Champion Haul Road; north along the Champion Haul Road to Kosmos Road; north on Kosmos Road to U.S. Highway 12; east on U.S. Highway 12 to Randle and point of beginning. (All lands owned and managed by the Cowlitz Wildlife Area are excluded from this Elk Area.)

**Elk Area No. 5054 Boistfort (Lewis County):** Beginning at the town of Vader; west along State Highway 506 to the Wildwood Road; north along the Wildwood Road to the Abernathy 500 line gate (Section 20, T11N, R3W, Wilamette Meridian); northwest along the 500, 540, and 560 lines to the Weyerhaeuser 813 line; northwest along the 813, 812, 5000J, 5000 and 4000 lines to the Pe Ell/McDonald Road (Section 15, T12N, R4W); west along the Pe Ell/McDonald Road to the Lost Valley Road; northeast along the Lost Valley Road to the Boistfort Road; north along the Boistfort Road to the King Road; east along the King Road to the town of Winlock and State Highway 603; south along Highway 505 to Interstate 5; south along Interstate 5 to State Hwy 506; west along State Hwy 506 to the town of Vader and the point of beginning.

**Elk Area No. 5056 Grays River Valley (Wahkiakum County):** On or within 3/4 mile of agricultural land in the Grays River Valley within the following sections: T10N, R7W, Sections 8, 9, 17, 18 and T10N, R8W, Sections 13, 23, 24, 26.

**Elk Area No. 5057 Carlton (Lewis County):** That part of 513 (South Rainier) lying east of Highway 123 and north of Highway 12.

**Elk Area No. 5058 West Goat Rocks (Lewis County):** Goat Rocks Wilderness west of the Pacific Crest Trail.

**Elk Area No. 5059 Mt. Adams Wilderness (Skamania and Yakima counties):** The Mt. Adams Wilderness.

**Elk Area No. 5060 Merwin (Cowlitz County):** Begin at the State Route 503 and the Longview Fibre Road WS-8000 junction; north and west on the Longview Fibre Road WS-8000 to Day Place Road; west on Day Place Road to Dubois Road; south on Dubois Road to State Route 503; east on State Route 503 to the State Route 503 and the Longview Fibre Road WS-8000 junction and point of beginning.

**Elk Area No. 5061 Wildwood (Lewis County):** Beginning at the junction of the Pacific West Timber (PWT) 600 Road and the Wildwood Road (SE1/4 S29 T11N R3W); southwest on the 600 Road to the 800 Road (NW1/4 S36 T11N R4W); southwest on the 800 Road to the 850 Road (SW1/4 S3 T10N R4W); northwest on the 850 Road to the Weyerhaeuser 4720 Road (S20 T11N R4W); north on the Weyerhaeuser 4720 Road to the Weyerhaeuser 4700 Road (S17 T11N R4W); east on the Weyerhaeuser 4700 Road to the Weyerhaeuser 5822 Road (NW1/4 S16 T11N R4W); east on the Weyerhaeuser 5822 Road to the Weyerhaeuser 5820 Road (NW1/4 S10 T11N R4W); southeast on the Weyerhaeuser 5820 Road to the PWT 574 Road (SE1/4 S10 T11N R4W); south on the

PWT 574 Road to the 570 Road (NW1/4 S14 T11N R4W); south on the 570 Road to the 500 Road (NW1/4 S14 T11N R4W); northeast on the 500 Road to the 560 Road (SW1/4 S12 T11N R4W); east on the 560 Road to the 540 Road (SE1/4 S12 T11N R4W); east and south on the 540 Road to the 500 Road (SE1/4 S18 T11N R3W); east on the PWT 500 Road to the Wildwood Road (N1/2 S20 T11N R3W); south on the Wildwood Road to the point of beginning, the PWT 600 Road junction (SE1/4 S29 T11N R3W).

**Elk Area No. 5062 Trout Lake (Klickitat County):** Those portions of GMUs 560 (Lewis River) and 578 (West Klickitat) beginning at the intersection of SR 141 and Sunnyside Road; north on Sunnyside Road to Mount Adams Recreational Area Road; north on Mount Adams Recreational Area Road to USFS Road 23; north on USFS Road 23 to DNR T-4300 Road; west on DNR T-4300 Road to Trout Lake Creek Road; south on Trout Lake Creek Road to SR 141; east and south on SR 141 to the intersection of SR 141 and Sunnyside Road to the point of beginning.

**Elk Area No. 5063 Pumice Plain (Cowlitz and Skamania counties):** That part of GMU 522 beginning at the confluence of the N. Fork Toutle River and Castle Creek; East along the N. Fork Toutle River to USFS trail 207; south along USFS trail 207 to USFS trail 216E; southwest along USFS trail 216E to USFS trail 216; west along USGS trail 216 to USGS 216G; northwest along USFS trail 216G to USGS trail 221; north along USFS 221 to Castle Creek; northwest along Castle Creek to N. Fork Toutle River and point of beginning.

**Elk Area No. 5064 Upper Smith Creek (Skamania County):** That part of GMU 522 beginning at the U.S. Forest Service Rd. 99 and U.S. Forest Service Trail 225 (Smith Creek Trail) junction; south on Trail 225 to Ape Canyon Creek; south and west up Ape Canyon Creek to U.S. Forest Service Trail 216 (Loowit Trail); north on Trail 216 to U.S. Forest Service Trail 216D (Abraham Trail); north on Trail 216D to U.S. Forest Service Trail 207 (Truman Trail); north and east on Trail 207 to U.S. Forest Service Rd. 99; north and east on U.S. Forest Service Rd. 99 to the junction of U.S. Forest Service Rd. 99 and U.S. Forest Service Trail 225 and the point of beginning.

**Elk Area No. 5065 Mount Whittier (Skamania County):** That part of GMU 522 beginning at the U.S. Forest Service Trail 1 (Boundary Trail) and U.S. Forest Service Trail 214 (Whittier Ridge Trail) junction; west on the U.S. Forest Service Trail 1 to U.S. Forest Service Trail 230 (Coldwater Trail); north on U.S. Forest Service Trail 230 to U.S. Forest Service Trail 211 (Lakes Trail); east on Trail 211 to U.S. Forest Service Trail 214; south on U.S. Forest Service Trail 214 to the junction of U.S. Forest Service Trail 214 and U.S. Forest Service Trail 1 and the point of beginning.

**Elk Area No. 5090 JBH (Wahkiakum County):** The mainland portion of the Julia Butler Hansen National Wildlife Refuge, as administered by the U.S. Fish and Wildlife Service as described: Beginning at the junction of State Route 4 and Steamboat Island Slough Road, northwest on Steamboat Island Slough Road to Brooks Slough Road, east on Brooks

Slough Road to State Route 4, south on State Route 4 to Steamboat Slough Road and point of beginning.

**Elk Area No. 5099 Mudflow (Cowlitz County):** That part of GMU 522 (Loo-wit) that is within the boundary of the St. Helens Wildlife Area.

**Elk Area No. 6010 Mallis (Pacific County):** That part of GMUs 506, 672, and 673 within one mile either side of State Road 6 between the east end of Elk Prairie Road and the Mallis Landing Road.

**Elk Area No. 6011 Centralia Mine (Lewis County):** That portion of GMU 667 within Centralia Mine property boundary.

**Elk Area No. 6012 Tri Valley (Grays Harbor and Mason counties):** Those portions of GMUs 648 (Wynoochee) and 651 (Satsop) within one mile of Brady-Matlock Road from State Highway 12 north to the junction with Schaefer State Park Road (east Satsop Road) and all lands within one mile of Wynoochee Valley Road from State Highway 12 north to the junction with Cougar Smith Road, and all lands within one mile of Wishkah Valley Road from north Aberdeen city limit to the junction with Wishkah-East Hoquiam Road and all lands within 2 miles north of SR 12 between the Satsop River and Schouweiler and Hurd roads and then a line north from the end of Hurd Road to a point 2 miles north of SR 12.

**Elk Area No. 6054 Puyallup River (Pierce County):** Beginning at the intersection of the Mount Rainier National Park western boundary and the Nisqually River, west down Nisqually River to mouth of Mashel River; north up Mashel River to SR 161 bridge (Eatonville-LaGrande Rd); north on SR 161 through Eatonville to Orville Rd E (Kapowsin-Eatonville Rd); north on Orville Rd E to Hancock's Kapowsin Tree Farm ownership boundary at the north end of Ohop Lake (Kapowsin and Buckley Tree Farms map); east along Kapowsin Tree Farm boundary to Mount Rainier National Park boundary; south long Mount Rainier National Park boundary to Nisqually River and point of beginning.

**Elk Area No. 6061 Twin Satsop Farms (Mason County):** That portion of GMU 651 starting at the junction of the Deckerville Road and the Brady-Matlock Road; southwest to the junction with the West Boundary Road; north on West Boundary Road to the Deckerville Road; east on the Deckerville Road to the junction of Brady-Matlock Road and point of beginning. In addition, the area within a circle with a radius of two miles centered on the junction of State Route 108 and the Eich Road.

**Elk Area No. 6062 South Bank (Grays Harbor County):** That portion of GMU 660 (Minot Peak) described as follows: Beginning at Highway 12 and Wakefield Road Junction (South Elma); south on Wakefield Road, across the Chehalis River to the South Bank Road; southeast on the South Bank Road to Delezene Road; south on the Delezene Road to a point one mile from the South Bank Road; southeast along a line one mile southwest of the South Bank Road to the Oakville-Brooklyn Road; east on the Oakville-Brooklyn Road to Oakville and Highway 12; northwest on Highway 12 to Wakefield Road to Elma and the point of beginning.

**Elk Area No. 6063 (Grays Harbor and Jefferson counties):** Private lands within Elk Area 6064 east of Highway 101.

**Elk Area No. 6064 Quinault Valley (Grays Harbor and Jefferson counties):** That portion of GMU 638 (Quinault) within the Quinault River watershed.

**Elk Area No. 6066 Chehalis Valley (Grays Harbor County):** That portion of GMU 660 (Minot Peak) beginning at Highway 12 and Highway 107 junction near Montesano; east and south on Highway 12 to Oakville; south on Oakville-Brooklyn Road to a point one mile west of South Bank Road; northwest along a line one mile southwest of South Bank Road to Delezene Road; north along Delezene Road to South Bank Road; northwest along South Bank Road to Wakefield Road; north on Wakefield Road to Chehalis River; west on Chehalis River to Highway 107 bridge; north on Highway 107 to Highway 12 and the point of beginning.

**Elk Area No. 6067 North Minot (Grays Harbor County):** The portion of GMU 660 (Minot Peak) beginning at the junction on State Route 107 and the Melbourne A-line, on the Melbourne A-line to the Vesta F-line; south on Vesta F-line to Vesta H-line (Vesta Creek Road); south on Vesta Creek Road to the North River Road; south and east on North River Road to the Brooklyn Road; east on Brooklyn Road to the Garrard Creek Road; east and north on Garrard Creek Road to the South Bank Road; east on South Bank to South State Street (Oakville); north on South State Street to U.S. 12; northwest and west on U.S. 12 to State Route 107; south and southwest on SR 107 to the Melbourne A-line and the point of beginning.

**Elk Area No. 6068 Willapa (Grays Harbor County):** That part of GMU 658 south of SR 105 between the intersection of SR 105 and Hammond Road and the SR 105 bridge over Smith Creek; and within one mile north of SR 105 west from Hammond Road and east of the SR 105 bridge over Smith Creek.

**Elk Area No. 6069 Hanaford (Lewis and Thurston counties):** That part of GMU 667 (Skookumchuck) beginning at the intersection of Salzer Valley Road and Centralia-Alpha Road; east and north on Salzer Valley Road to Little Hanaford Road; west on Little Hanaford Road to Teitzel Road; north on Teitzel Road to Big Hanaford Road; west on Big Hanaford Road to State Route 507; north on State Route 507 to Skookumchuck Road; east on Skookumchuck Road to the first bridge over the Skookumchuck River; east along the Skookumchuck River to the Skookumchuck Road bridge; east on Skookumchuck Road to the steel tower power line; southwest along the power line to Big Hanaford Road; east and south along Big Hanaford Road to Weyerhaeuser Road E150; east on Weyerhaeuser Road E150 to Weyerhaeuser Road E247; south and west on Weyerhaeuser Road E247 to Weyerhaeuser Road E240; south on Weyerhaeuser Road E240 to North Fork Road; south on North Fork Road to Centralia-Alpha Road; west on Centralia-Alpha Road to Salzer Valley Road and the point of beginning.

**Elk Area No. 6071 Dungeness (Clallam County):** Portions of GMUs 621 (Olympic) and 624 (Coyle) beginning at the

mouth of the Dungeness River; east and south along the coast of the Strait of Juan De Fuca to the mouth of Jimmycome-lately Creek on Sequim Bay; south and west up Jimmycome-lately Creek to Don Schmith Road; north on Don Schmith Road to Palo Alto Road; west and southwest on Palo Alto Road to US Forest Service Road 2880; southwest on US Forest Service Road 2880 to the Dungeness River; north down the Dungeness River to its mouth and the point of beginning.

**Elk Area No. 6072 Sol Duc Valley (Clallam County):** That portion of GMU 607 (Sol Duc) between the Sol Duc River and Hwy 101 from a point at the Sol Duc River bridge over Hwy 101 approximately 2 miles north of Forks to the westernmost Sol Duc River bridge over Hwy 101 at a point approximately 1 mile east of Lake Pleasant.

**Elk Area No. 6073 Clearwater Valley (Jefferson County):** That portion of GMU 615 (Clearwater) within one mile of the Clearwater Road from the Quinault Indian Reservation boundary to a point 4 miles to the north.

#### DEER AREAS

**Deer Area No. 1010 (Columbia County):** GMU 162 excluding National Forest land and the Rainwater Wildlife Area.

**Deer Area No. 1020 Prescott (Columbia and Garfield counties):** That portion of GMU 149 between Hwy 261 and Hwy 127.

**Deer Area No. 1021 Clarkston (Asotin County):** That portion of GMU 178 beginning at the junction of the Highway 12 bridge and Alpowa Creek; east on Highway 12 to Silcott Road; south and east on Silcott Road to Highway 128; southwest on Highway 128 to McGuire Gulch Road; southeast along the bottom of McGuire Gulch to Asotin Creek; east on Asotin Creek to the Snake River; north and west on the Snake River to Alpowa Creek; southwest of Alpowa Creek to the Highway 12 bridge and the point of beginning.

**Deer Area No. 1030 Flat Creek (Stevens County):** That portion of GMU 105, beginning at the junction of Northport-Flat Creek Rd (Co. 4005) and Bull Hill Rd; north on Bull Hill Rd to USFS Rd 240; north on USFS Rd 240 to USFS Rd 230 (Belshazzar Mtn Rd); east and north on USFS Rd 230 to East Boundary of Colville National Forest at Section 24; north on Forest Boundary to Sheep Creek Rd (USFS 15, Co. 4220); west on Sheep Creek Rd to USFS Rd 170 at Kiel Springs; south on USFS Rd 170 to Lael-Flat Creek Rd (USFS 1520); south on Lael-Flat Creek Rd (USFS 1520, Co. 4181) to Northport-Flat Creek Rd; north on Northport-Flat Creek Rd to Bull Hill Rd junction and point of beginning.

**Deer Area No. 1040 Summit Lake (Stevens County):** That portion of GMU 105, beginning at the intersection of Sand Creek Rd (Co. 4017) and the Kettle River at the Rock Cut Bridge; north and east on Sand Cr Rd to Lael-Flat Cr Rd (Co. 4181, USFS Churchill Mine Rd, 1520); east on Lael-Flat Cr Rd (Churchill Mine Rd) to intersection with USFS Rd 15 near Fisher Cr; north and east on USFS Rd 15 to USFS Rd 180; north and west on USFS Rd 180 and continue west on Box Canyon-Deep Creek Rd (USFS Rd 030, Co. 4212) to the intersection of Box Canyon-Deep Creek Rd and the Kettle

River; south on the Kettle River to the intersection of Sand Creek Rd and the Kettle River at the Rock Cut Bridge and the point of beginning.

**Deer Area No. 2010 Benge (Adams County):** That part of GMU 284 beginning at the town of Washtucna; north on SR 261 to Weber Road; east on Weber Road to Bengel Road; north on Bengel Road to Wellsandt Road; east on Wellsandt Road to McCall Road; east on McCall Road to Gering Road; east on Gering Road to Lakin Road; east on Lakin Road to Revere Road; south on Revere Road to Rock Creek; south along Rock Creek to the Palouse River; south and west along the Palouse River to SR 26; west on SR 26 to Washtucna and the point of beginning.

**Deer Area No. 2011 Lakeview (Grant County):** That part of GMU 272 beginning at the junction of SR 28 and First Avenue in Ephrata; west on First Avenue to Sagebrush Flats Road; west on Sagebrush Flats Road to Davis Canyon Road; north on Davis Canyon Road to E Road NW; north on E Road NW to the Grant-Douglas county line; east along the county line to the point where the county line turns north; from this point continue due east to SR 17; south on SR 17 to SR 28 at Soap Lake; south on SR 28 to the junction with First Avenue in Ephrata and the point of beginning.

**Deer Area No. 2012 Methow Valley (Okanogan County):** All private land in the Methow Watershed located outside the external boundary of the Okanogan National Forest and north of the following boundary: starting where the Libby Creek Road (County road 1049) intersects the Okanogan National Forest boundary; ((west)) east on road 1049 to State Hwy 153; north on Hwy 153 to the Old Carlton Road; east on the Old Carlton Road to the Texas Creek Road (County road 1543); east on the Texas Creek Road to the Vintin Road (County road 1552); northeast on the Vintin Road to the Okanogan National Forest boundary.

**Deer Area No. 3071 Whitcomb (Benton County):** That part of GMU 373 made up by the Whitcomb Unit of the Umatilla National Wildlife Refuge.

**Deer Area No. 3072 Paterson (Benton County):** That part of GMU 373 made up by the Paterson Unit of the Umatilla National Wildlife Refuge.

**Deer Area No. 4004 (San Juan County):** That part of GMU 410 made up of Shaw Island.

**Deer Area No. 4005 (San Juan County):** That part of GMU 410 made up of Lopez Island.

**Deer Area No. 4006 (San Juan County):** That part of GMU 410 made up of Orcas Island.

**Deer Area No. 4007 (San Juan County):** That part of GMU 410 made up of Decatur Island.

**Deer Area No. 4008 (San Juan County):** That part of GMU 410 made up of Blakely Island.

**Deer Area No. 4009 (Skagit County):** That part of GMU 410 made up of Cypress Island.

**Deer Area No. 4010 (San Juan County):** That part of GMU 410 made up of San Juan Island.

**Deer Area No. 4011 (Island County):** That part of GMU 410 made up of Camano Island.

**Deer Area No. 4012 (Island County):** That part of GMU 410 made up of Whidbey Island.

**Deer Area No. 4013 (King County):** That part of GMU 454 made up of Vashon and Maury islands.

**Deer Area No. 6014 (Pierce County):** That part of GMU 652 made up of Anderson Island.

**Deer Area No. 4926 Guemes (Skagit County):** That part of GMU 407 (North Sound) on Guemes Island.

**Deer Area No. 3088 High Prairie (Klickitat County):** That portion of GMU 388 (Grayback) that is south of SR 142.

**WSR 07-19-104**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

(Children's Administration)

[Filed September 19, 2007, 8:42 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-05-026.

Title of Rule and Other Identifying Information: The department is amending chapter 388-25 WAC, State supplementary payment (SSP) program.

Hearing Location(s): Blake Office Park East, Rose Room, 4500 10th Avenue S.E., Lacey, WA 98503 (one block north of the intersection of Pacific Avenue S.E. and Alhadeff Lane. A map or directions are available at <http://www1.dshs.wa.gov/msa/rpau/docket.html> or by calling (360) 664-6094, on October 23, 2007, at 10:00 a.m.

Date of Intended Adoption: Not earlier than October 24, 2007.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504, delivery 4500 10th Avenue S.E., Lacey, WA 98503, e-mail DSHSRULE-SCORDINATOR@dshs.wa.gov, fax (360) 664-6185, by 5:00 p.m. on October 23, 2007.

Assistance for Persons with Disabilities: Contact Jenisha Johnson, DSHS Rules Consultant, by October 16, 2007, TTY (360) 664-6178 or (360) 664-6094 or by e-mail at [johnsjl4@dshs.wa.gov](mailto:johnsjl4@dshs.wa.gov).

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The 2002 Washington state legislature directed DSHS to begin paying an income supplement, called the state supplementary payment (SSP). The specific administrations directed to participate (DSHS economic services administration, division of developmental disabilities, health and recovery services administration, and aging and disability services administration) were not able to meet the federal requirement for maintenance of effort, so children's administration began participation January 1, 2004. Children's administration's implementation required the adoption of new rules within a new subchapter of chapter 388-25 WAC, the children's administra-

tion state supplementary payment program, and rule development was coordinated with the DSHS economic services administration, division of developmental disabilities, medical assistance administration, and aging and disability services administration.

Children's administration is amending WAC 388-25-1000 through WAC 388-25-1050 that discusses eligibility criteria for the children's administration state supplementary payment program (SSP).

Reasons Supporting Proposal: To comply with legislative directives, to respond to concerns from the federal Social Security Administration, and to make the SSP payment process more efficient and accurate.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.600, 74.04.620, 74.13.031.

Statute Being Implemented: 2001-03 Supplemental budget - ESSB 6387 (chapter 371, Laws of 2002).

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

Name of Proponent: Department of social and health services, children's administration, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Cindy Beckman, Children's Administration, P.O. Box 45710, Olympia, WA 98504-5710, (360) 902-7977.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required because these rules do not impact small businesses as described in RCW 19.85.020.

A cost-benefit analysis is not required under RCW 34.05.328. These rules are exempt from this requirement under RCW 34.05.328. These DSHS rules relate solely to financial eligibility for services from the DSHS children's administration.

September 4, 2007  
Stephanie E. Schiller  
Rules Coordinator

AMENDATORY SECTION (Amending WSR 05-11-016, filed 5/9/05, effective 6/9/05)

**WAC 388-25-1000 What is the state supplementary payment (SSP) that is administered by the children's administration (CA)?** The children's administration state supplementary payment (CA/SSP) is a state-paid cash assistance program for specific eligible foster children with the children's administration. The CA/SSP program may be discontinued at any time and for any reason, and is limited to the funds available to children's administration for such payments. Receipt of a CA/SSP payment in any month does not guarantee payment for subsequent months even if all eligibility criteria remain met.

AMENDATORY SECTION (Amending WSR 05-11-016, filed 5/9/05, effective 6/9/05)

**WAC 388-25-1010 What are the eligibility requirements for the CA/SSP program?** To be eligible to receive CA/SSP, you must ~~((be a child who has entered foster care (Title 45 CFR 1355.20) and is eligible for and receiving Sup-~~

~~plemental Security Income (SSI), receiving behavior rehabilitation services (BRS) for out-of-home placement services for all or part of a month, and not be eligible for foster care reimbursement under Title IV E of the Social Security Act (42 U.S.C. 670))~~ meet all of the following eligibility requirements:

(1) Be a child who has entered foster care (Title 45 CFR 1355.20);

(2) Already receive Supplemental Security Income (SSI) benefits or have recently received notice of an award for such benefits; and

(3) Receive behavior rehabilitation services (BRS) for out-of-home placement services for all or part of a month; and

(4) Not receive foster care maintenance payments under Title IV-E of the Social Security Act (42 U.S.C. 670).

AMENDATORY SECTION (Amending WSR 05-11-016, filed 5/9/05, effective 6/9/05)

**WAC 388-25-1020 When will my eligibility for CA/SSP be determined?** The SSP eligibility verification and payment process is usually ~~((done))~~ completed two months following the month of your potential eligibility for an SSP payment. You will receive an SSP payment when all of the eligibility criteria (WAC 388-25-1010) have been verified. Children who have recently received notice of an award for SSI will receive a CA/SSP payment beginning the month the Social Security Administration places them into pay status, if all other eligibility criteria are met for that month.

AMENDATORY SECTION (Amending WSR 05-11-016, filed 5/9/05, effective 6/9/05)

**WAC 388-25-1030 How will I know if I am eligible to receive a CA/SSP payment?** Once you have been identified as eligible for a CA/SSP payment, CA will send out written notification to the current SSI representative payee ~~((s, legal guardians, and children age eighteen and above))~~.

AMENDATORY SECTION (Amending WSR 05-11-016, filed 5/9/05, effective 6/9/05)

**WAC 388-25-1050 What are my appeal rights if CA determines that I am not eligible for CA/SSP?** In the event that your eligibility for CA/SSP payments is denied or terminated, or the amount of such payments is reduced, you have the right to ((appeal children's administration's denial, termination, or reduction of eligibility for the CA/SSP under RCW 74.13.045 and chapter 34.05 RCW and chapter 388-02 WAC)) file an informal complaint pursuant to RCW 74.13.045 and chapter 388-39A WAC and to request a hearing under chapter 34.05 RCW and chapter 388-02 WAC, except that there is no right to a hearing if the reason for the change is lack of funding.



**WSR 07-19-133**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
 [Filed September 19, 2007, 11:45 a.m.]

Supplemental Notice to WSR 07-19-015.

Preproposal statement of inquiry was filed as WSR 07-15-071.

Title of Rule and Other Identifying Information: 2008 industrial insurance premium rates, chapter 296-17 WAC, General reporting rules, audit and recordkeeping, rates and rating system for Washington workers' compensation insurance.

This supplemental proposal revises WAC 296-17-885, Table III, 296-17-895 and 296-17-90492, Table I as they appear in the proposal filed September 7, 2007, in WSR 07-19-015. These originally published rate tables contained some minor errors that have been corrected. While the overall average 3.2% did not change, some composite base rates did change slightly.

A new WAC 296-17-89505 is being added to outline the process that the department intends to use to issue dividends associated with the 2007 "rate holiday."

This supplemental filing also proposes adding a location at Vancouver, Washington for the 2008 rate hearings.

Hearing Location(s): WestCoast Ridpath Hotel, 515 West Sprague Avenue, Spokane, WA 99201, on October 25, 2007, at 10:00 a.m.; at the Red Lion Hotel at the Quay, 100 Columbia Street, Vancouver, WA 98660, on October 26, 2007, at 10:00 a.m.; at the Best Western CottonTree Inn, 2300 Market Street, Mt. Vernon, WA 98273, on October 31, 2007, at 9 a.m.; at the Department of Labor and Industries, 12806 Gateway Drive, Tukwila, WA 98168-3311, on October 31, 2007, at 2 p.m.; at the GuestHouse Inn, 1600 74th Avenue S.W., Tumwater, WA 98501, on November 1, 2007, at 9 a.m.; and at the Yakima Service Office, Department of Labor and Industries, 15 West Yakima Avenue, Yakima, WA 98902, on November 2, 2007, at 1:30 p.m.

Date of Intended Adoption: November 20, 2007.

Submit Written Comments to: Ronald Moore, Program Manager, Employer Services, P.O. Box 44140, Olympia, WA 98504-4140, e-mail moaa235@lni.wa.gov, fax (360) 902-4748, by November 6, 2007, 5 p.m.

Assistance for Persons with Disabilities: Contact Office of Information and Assistance by October 10, 2007, TTY (360) 902-5797.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This rule proposal will amend the tables of classification base premium rates, experience rating plan rates calculations and factors, and retrospective rating plan size groupings for the workers' compensation insurance program for calendar year 2008. New classification base rates were calculated based on updated loss and payroll experience resulting in a proposed overall average 3.2% increase in the premium rates. The increase is a result of medical cost inflation and increases in the average state wages. Changes to the experience rating calculations that were deferred for employers that had lower rates under the plan prior to 2007 have now been fully implemented.

**Amended Sections:** Proposal establishes premium rates for workers' compensation insurance classifications for calendar year 2008 and modifications to the related experience rating and retrospective rating plans, amending WAC 296-17-855 Experience modification, 296-17-87305 Initial recalculation of experience factor, 296-17-875 Table I primary losses for selected claim values, 296-17-880 Table II primary and excess credibility values, 296-17-885 Table III expected loss rates and primary ratios, 296-17-890 Table IV maximum experience modifications, 296-17-895 Base rate table by class of industry, 296-17-89502 Industrial insurance rates for nonhourly rated classifications, 296-17-89504 Horse racing industry industrial insurance, medical aid and supplemental pension by class, 296-17-90492 Table I Retrospective Rating Plans A, A1, A2, A3 and B, standard premium size ranges, and 296-17-920 Assessment for supplemental pension fund.

**Repealed Sections:** WAC 296-17-891 Table IV-A and 296-17-86505 2007 Alternative claim free experience modification calculation.

**New Section:** WAC 296-17-89505 2007 Rate holiday dividend.

Reasons Supporting Proposal: Insurance base rates and experience rating tables are being modified to reflect changes in loss data associated with the classification and rating plan from the previous 2007 rating period. Washington law provides that rates should be adjusted annually to reflect the hazards of each industry and in accordance with the rating plan. Similarly the rating plan is revised to recognize changes within the industry groups.

Statutory Authority for Adoption: RCW 51.16.035 Base rates, 51.32.073 Supplemental pension, 51.08.010 [51.18.-010] Retrospective rating and 51.04.020(1) General authority.

Statute Being Implemented: RCW 51.16.035, 51.32.-073, 51.18.010, and 51.04.020(1).

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

Name of Proponent: Department of labor and industries, governmental.

Name of Agency Personnel Responsible for Drafting: Bill Moomau, Tumwater, Washington, (360) 902-4774; Implementation: Ronald Moore, Tumwater, Washington, (360) 902-4748; and Enforcement: Robert Malooly, Tumwater, Washington, (360) 902-4209.

No small business economic impact statement has been prepared under chapter 19.85 RCW. In this rule making, the agency is exempt from preparing a small business economic impact statement when the proposed rules set or adjust fees or rates pursuant to legislative standards. This exemption is described in RCW 34.05.310 (4)(f).

A cost-benefit analysis is not required under RCW 34.05.328. In this rule making, the agency is exempt from conducting a cost-benefit analysis since the proposed rules set or adjust fees or rates pursuant to legislative standards described in RCW 34.05.328 (5)(b)(vi).

September 19, 2007

Judy Schurke

Director

AMENDATORY SECTION (Amending WSR 06-24-054, filed 12/1/06, effective 1/1/07)

**WAC 296-17-855 Experience modification.** ~~((+))~~

The basis of the experience modification shall be a comparison of the actual losses charged to an employer during the experience period with the expected losses for an average employer reporting the same exposures in each classification. The comparison shall contain actuarial refinements designed to weigh the extent to which the actual experience is credible, due consideration being given to the volume of the employer's experience. Except for those employers who qualify for an adjusted experience modification as specified in WAC 296-17-860 or 296-17-865, the experience modification factor shall be calculated from the formula:

$$\text{EXPERIENCE MODIFICATION FACTOR} = \frac{\text{Credible Actual Primary Loss} + \text{Credible Actual Excess Loss}}{\text{Expected Loss}}$$

Where

$$\text{Credible Actual Primary Loss} = \text{Actual Primary Loss} \times \text{Primary Credibility}$$

$$+ \text{Expected Primary Loss} \times (100\% - \text{Primary Credibility})$$

$$\text{Credible Actual Excess Loss} = \text{Actual Excess Loss} \times \text{Excess Credibility}$$

$$+ \text{Expected Excess Loss} \times (100\% - \text{Excess Credibility})$$

The meaning and function of each term in the formula is specified below.

For each claim, the actual primary loss is the first dollar portion of the claim costs, which has been shown in actuarial studies, to have the greater credibility in predicting future experience. These amounts are summed over all claims. For each claim in excess of ~~\$(19,560))~~ 20,112 the actual primary loss shall be determined from the formula:

$$\text{ACTUAL PRIMARY LOSS} = \frac{\text{((48,900)) } \underline{50,280}}{\text{(Total loss + ((29,340)) } \underline{30,168})} \times \text{total loss}$$

For each claim, less than ~~\$(19,560))~~ 20,112 the full value of the claim shall be considered a primary loss.

For each claim, the excess actual loss is the remaining portion of the claim costs, which have been shown in actuarial studies to have less credibility in predicting future experience. The excess actual loss for each claim shall be determined by subtracting the primary loss from the total loss. These amounts are summed over all claims.

For any claim without disability benefits (time loss, partial permanent disability, total permanent disability or death) either actually paid or estimated to be paid, the total actual losses for calculating the primary loss and excess loss shall first be reduced by the lesser of ~~\$(1,510))~~ 1,640 or the total cost of the claim. Here are some examples for these claims:

Total Loss	Total Loss (after deduction)	Primary Loss	Excess Loss
200	-	-	-
2,000	((490))	((490))	-
	<u>360</u>	<u>360</u>	

Total Loss	Total Loss (after deduction)	Primary Loss	Excess Loss
20,000	((18,490))	((18,490))	-
	<u>18,360</u>	<u>18,360</u>	
200,000	((198,490))	((42,603))	((155,887))
	<u>198,360</u>	<u>43,643</u>	<u>154,717</u>
2,000,000	((487,490))	((46,124))	((441,366))
	<u>502,800</u>	<u>47,434</u>	<u>455,366</u>

**Note:** The deduction, ~~\$(1,510))~~ 1,640, is twice the average case incurred cost of these types of claims occurring during the three-year period used for experience rating. On average this results in reducing the average actual loss about seventy percent for these types of claims adjusted. This is done to help make the transition between the two different experience rating methods better by helping make the change in experience factor reasonable for small changes to the actual losses. The \$2,000,000 loss is limited by the Maximum Claim Value before the reduction of ~~\$(1,510))~~ 1,640 is applied.

For each employer, the primary credibility and the excess credibility determines the percentage weight given to the corresponding actual primary losses and the actual excess losses, included in the calculation of the experience modification, based on the volume of expected losses. Primary credibility and excess credibility values are set forth in Table II.

An employer's expected losses shall be determined by summing the expected loss for each of the three years of the experience period, which are calculated by multiplying the reported exposure in each classification during the year by the corresponding classification expected loss rate and rounding the result to the nearest cent. Classification expected loss rates by year are set forth in Table III.

Expected losses in each classification shall be multiplied by the classification "Primary-Ratio" to obtain "expected primary losses" which shall be rounded to the nearest cent. Expected excess losses shall then be calculated by subtracting expected primary losses from expected total losses rounded to the nearest cent. Primary-Ratios are also set forth in Table III.

~~((2) Alternative experience modification calculation. The following experience modification factor calculation provides results similar to the experience rating calculation used in 2006. The experience modification factor shall be calculated in the manner identified in subsection (1) of this section with the following exceptions:~~

(a) The Expected Loss Rate and Primary Ratio Table IIIA shall be used instead of Table III.

(b) No medical only deduction (of \$1,510) shall be applied to claims without disability benefits during the three year experience period for purposes of calculating the primary and excess losses.

(c) The Primary and Excess Credibility Table II shall be used instead of Table II.

(3) Experience modification calculation for 2007. For calendar year 2007, if the calculated experience modification factor using the manner identified in subsection (1) of this section is greater than the experience modification factor calculated using subsection (2) of this section then the experi-

ence modification factor shall be the lower of the two calculations:))

AMENDATORY SECTION (Amending WSR 90-20-092, filed 10/1/90, effective 11/1/90)

**WAC 296-17-87305 Initial recalculation of experience factor.** When an entity acquires the past experience of an existing firm (business) or portion thereof, the following treatment shall apply until the next date for the general calculation of all employers' experience factors. ((WAC 296-17-865, "Experience modification limitations" shall not apply in these situations:)) The purpose of this subsection is to produce the same premium level that would have been generated had no change in the ownership of a firm (business) occurred.

(1) Acquiring entity retains all rating experience associated with the firm (business), or portion thereof, being acquired. The selling entity shall revert to an experience factor of unity (1.0000) until such time as it may requalify for experience rating or unless another treatment is specified in these rules.

(2) If the acquiring entity already has an experience factor, it shall be assigned a weighted average of its existing experience factor and the acquired experience factor. Weights will be based on expected losses. In the event the acquiring entity does not have an existing experience factor, it shall be assigned an experience factor developed from the past experience of the firm (business) or portion thereof being acquired.

(3) If the past experience of the firm (business) cannot be segregated between the operations remaining with the selling entity and the operations being taken over by the acquiring entity, then the entire experience of the firm (business) shall remain with the selling entity. In the event that the past experience can be segregated, the following shall apply:

(a) Separate experience factors shall be calculated for each portion of the firm (business) being sold using the experience rating procedures in WAC 296-17-855 through 296-17-870.

(b) Both experience factors shall be increased or decreased in the same proportion, if necessary, so that their weighted average is the same as the selling entity's experience factor prior to the sale or change.

(c) The selling entity shall be assigned the experience factor for the experience it is retaining.

(d) The experience factor developed in (a) and (b) of this subsection shall be used in accordance with subsection (2) of this section.

AMENDATORY SECTION (Amending WSR 06-24-054, filed 12/1/06, effective 1/1/07)

**WAC 296-17-875 Table I.**

**Primary Losses for Selected Claim Values  
Effective January 1, ((2007)) 2008**

CLAIM VALUE	PRIMARY LOSS
((19,560	19,560
20,304	20,000
23,996	22,000

**Primary Losses for Selected Claim Values  
Effective January 1, ((2007)) 2008**

CLAIM VALUE	PRIMARY LOSS
28,280	24,000
33,312	26,000
39,307	28,000
46,571	30,000
55,555	32,000
73,878	35,000
100,000	37,807
125,000	39,604
150,000	40,900
191,760*	42,411
300,000	44,544
489,000**	46,132))
5,000	5,000
10,000	10,000
15,000	15,000
20,112	20,112
29,834	25,000
44,627	30,000
69,102	35,000
100,000	38,627
200,000	43,690
222,141*	44,268
300,000	45,686
400,000	46,754
502,800**	47,434
1,000,000	47,434

\* Average death value  
\*\* Maximum claim value

AMENDATORY SECTION (Amending WSR 06-24-054, filed 12/1/06, effective 1/1/07)

**WAC 296-17-880 Table II.**

**PRIMARY AND EXCESS CREDIBILITY VALUES  
Effective January 1, ((2007)) 2008**

Maximum Claim Value = \$ ((489,000)) 502,800  
Average Death Value = \$ ((191,760)) 222,141

((Expected Losses	Primary Credibility	Excess Credibility
+	-	7,127 12% 7%
7,128	-	7,607 13% 7%
7,608	-	8,094 14% 7%
8,095	-	8,586 15% 7%
8,587	-	9,083 16% 7%
9,084	-	9,588 17% 7%
9,589	-	10,098 18% 7%

((Expected Losses		Primary Credibility	Excess Credibility	((Expected Losses		Primary Credibility	Excess Credibility		
10,099	-	10,615	19%	7%	180,733	-	189,799	60%	12%
10,616	-	11,139	20%	7%	189,800	-	219,946	60%	13%
11,140	-	11,670	21%	7%	219,947	-	220,331	61%	13%
11,671	-	12,209	22%	7%	220,332	-	251,053	61%	14%
12,210	-	12,755	23%	7%	251,054	-	259,160	61%	15%
12,756	-	13,310	24%	7%	259,161	-	281,968	62%	15%
13,311	-	13,874	25%	7%	281,969	-	298,373	62%	16%
13,875	-	14,446	26%	7%	298,374	-	313,077	63%	16%
14,447	-	15,027	27%	7%	313,078	-	337,587	63%	17%
15,028	-	15,619	28%	7%	337,588	-	344,381	64%	17%
15,620	-	16,221	29%	7%	344,382	-	375,882	64%	18%
16,222	-	16,834	30%	7%	375,883	-	376,800	64%	19%
16,835	-	17,459	31%	7%	376,801	-	407,584	65%	19%
17,460	-	18,096	32%	7%	407,585	-	416,013	65%	20%
18,097	-	18,746	33%	7%	416,014	-	439,487	66%	20%
18,747	-	19,410	34%	7%	439,488	-	455,227	66%	21%
19,411	-	20,088	35%	7%	455,228	-	471,593	67%	21%
20,089	-	20,783	36%	7%	471,594	-	494,441	67%	22%
20,784	-	21,495	37%	7%	494,442	-	503,904	68%	22%
21,496	-	22,226	38%	7%	503,905	-	533,654	68%	23%
22,227	-	22,976	39%	7%	533,655	-	536,422	69%	23%
22,977	-	23,748	40%	7%	536,423	-	569,150	69%	24%
23,749	-	24,543	41%	7%	569,151	-	572,867	69%	25%
24,544	-	25,365	42%	7%	572,868	-	602,089	70%	25%
25,366	-	26,215	43%	7%	602,090	-	612,081	70%	26%
26,216	-	27,097	44%	7%	612,082	-	635,241	71%	26%
27,098	-	28,015	45%	7%	635,242	-	651,295	71%	27%
28,016	-	28,973	46%	7%	651,296	-	668,609	72%	27%
28,974	-	29,978	47%	7%	668,610	-	690,508	72%	28%
29,979	-	31,036	48%	7%	690,509	-	702,194	73%	28%
31,037	-	32,158	49%	7%	702,195	-	729,722	73%	29%
32,159	-	33,357	50%	7%	729,723	-	735,998	74%	29%
33,358	-	34,650	51%	7%	735,999	-	768,935	74%	30%
34,651	-	36,066	52%	7%	768,936	-	770,025	75%	30%
36,067	-	37,646	53%	7%	770,026	-	804,276	75%	31%
37,647	-	37,807	54%	7%	804,277	-	808,148	75%	32%
37,808	-	39,466	54%	8%	808,149	-	838,753	76%	32%
39,467	-	41,687	55%	8%	838,754	-	847,362	76%	33%
41,688	-	63,092	56%	8%	847,363	-	873,458	77%	33%
63,093	-	69,540	57%	8%	873,459	-	886,576	77%	34%
69,541	-	99,328	57%	9%	886,577	-	908,394	78%	34%
99,329	-	102,306	57%	10%	908,395	-	925,789	78%	35%
102,307	-	129,299	58%	10%	925,790	-	943,563	79%	35%
129,300	-	141,520	58%	11%	943,564	-	965,002	79%	36%
141,521	-	159,457	59%	11%	965,003	-	978,967	80%	36%
159,458	-	180,732	59%	12%	978,968	-	1,004,216	80%	37%

((Expected Losses		Primary Credibility	Excess Credibility	((Expected Losses		Primary Credibility	Excess Credibility		
1,004,217	-	1,014,609	81%	37%	2,033,352	-	2,076,439	100%	64%
1,014,610	-	1,043,429	81%	38%	2,076,440	-	2,119,847	100%	65%
1,043,430	-	1,050,491	82%	38%	2,119,848	-	2,163,579	100%	66%
1,050,492	-	1,082,643	82%	39%	2,163,580	-	2,207,637	100%	67%
1,082,644	-	1,086,617	83%	39%	2,207,638	-	2,252,024	100%	68%
1,086,618	-	1,121,857	83%	40%	2,252,025	-	2,296,746	100%	69%
1,121,858	-	1,122,987	84%	40%	2,296,747	-	2,341,805	100%	70%
1,122,988	-	1,159,604	84%	41%	2,341,806	-	2,387,206	100%	71%
1,159,605	-	1,161,069	84%	42%	2,387,207	-	2,432,953	100%	72%
1,161,070	-	1,196,471	85%	42%	2,432,954	-	2,479,048	100%	73%
1,196,472	-	1,200,283	85%	43%	2,479,049	-	2,525,498	100%	74%
1,200,284	-	1,233,592	86%	43%	2,525,499	-	2,572,305	100%	75%
1,233,593	-	1,239,497	86%	44%	2,572,306	-	2,619,473	100%	76%
1,239,498	-	1,270,967	87%	44%	2,619,474	-	2,667,008	100%	77%
1,270,968	-	1,278,711	87%	45%	2,667,009	-	2,714,913	100%	78%
1,278,712	-	1,308,601	88%	45%	2,714,914	-	2,763,192	100%	79%
1,308,602	-	1,317,923	88%	46%	2,763,193	-	2,811,850	100%	80%
1,317,924	-	1,346,495	89%	46%	2,811,851	-	2,860,892	100%	81%
1,346,496	-	1,357,137	89%	47%	2,860,893	-	2,910,321	100%	82%
1,357,138	-	1,384,652	90%	47%	2,910,322	-	2,960,143	100%	83%
1,384,653	-	1,396,351	90%	48%	2,960,144	-	3,010,362	100%	84%
1,396,352	-	1,423,076	91%	48%	3,010,363	-	3,060,983	100%	85%
1,423,077	-	1,435,564	91%	49%	3,060,984	-	99,999,999	100%	86%))
1,435,565	-	1,461,768	92%	49%					
1,461,769	-	1,474,778	92%	50%					
1,474,779	-	1,500,732	93%	50%	<u>Expected Losses</u>	<u>Primary</u>	<u>Excess</u>		
1,500,733	-	1,513,991	93%	51%	1	=	7,329	12%	7%
1,513,992	-	1,539,971	94%	51%	7,330	=	7,822	13%	7%
1,539,972	-	1,553,204	94%	52%	7,823	=	8,323	14%	7%
1,553,205	-	1,579,487	95%	52%	8,324	=	8,829	15%	7%
1,579,488	-	1,592,418	95%	53%	8,830	=	9,340	16%	7%
1,592,419	-	1,619,283	96%	53%	9,341	=	9,859	17%	7%
1,619,284	-	1,631,632	96%	54%	9,860	=	10,384	18%	7%
1,631,633	-	1,659,362	97%	54%	10,385	=	10,915	19%	7%
1,659,363	-	1,670,845	97%	55%	10,916	=	11,454	20%	7%
1,670,846	-	1,699,729	98%	55%	11,455	=	12,000	21%	7%
1,699,730	-	1,710,058	98%	56%	12,001	=	12,555	22%	7%
1,710,059	-	1,740,385	99%	56%	12,556	=	13,116	23%	7%
1,740,386	-	1,749,272	99%	57%	13,117	=	13,687	24%	7%
1,749,273	-	1,781,334	100%	57%	13,688	=	14,267	25%	7%
1,781,335	-	1,822,578	100%	58%	14,268	=	14,855	26%	7%
1,822,579	-	1,864,121	100%	59%	14,856	=	15,452	27%	7%
1,864,122	-	1,905,967	100%	60%	15,453	=	16,061	28%	7%
1,905,968	-	1,948,118	100%	61%	16,062	=	16,680	29%	7%
1,948,119	-	1,990,579	100%	62%	16,681	=	17,310	30%	7%
1,990,580	-	2,033,351	100%	63%	17,311	=	17,953	31%	7%
					17,954	=	18,608	32%	7%

<u>Expected Losses</u>	<u>Primary</u> <u>Credibility</u>	<u>Excess</u> <u>Credibility</u>	<u>Expected Losses</u>	<u>Primary</u> <u>Credibility</u>	<u>Excess</u> <u>Credibility</u>		
18,609 =	19,277	33%	7%	427,787 =	451,925	66%	20%
19,278 =	19,959	34%	7%	451,926 =	468,110	66%	21%
19,960 =	20,657	35%	7%	468,111 =	484,939	67%	21%
20,658 =	21,371	36%	7%	484,940 =	508,434	67%	22%
21,372 =	22,103	37%	7%	508,435 =	518,165	68%	22%
22,104 =	22,855	38%	7%	518,166 =	548,756	68%	23%
22,856 =	23,626	39%	7%	548,757 =	551,603	69%	23%
23,627 =	24,420	40%	7%	551,604 =	585,257	69%	24%
24,421 =	25,238	41%	7%	585,258 =	589,079	69%	25%
25,239 =	26,083	42%	7%	589,080 =	619,128	70%	25%
26,084 =	26,957	43%	7%	619,129 =	629,403	70%	26%
26,958 =	27,864	44%	7%	629,404 =	653,218	71%	26%
27,865 =	28,808	45%	7%	653,219 =	669,727	71%	27%
28,809 =	29,793	46%	7%	669,728 =	687,531	72%	27%
29,794 =	30,826	47%	7%	687,532 =	710,049	72%	28%
30,827 =	31,914	48%	7%	710,050 =	722,066	73%	28%
31,915 =	33,068	49%	7%	722,067 =	750,373	73%	29%
33,069 =	34,301	50%	7%	750,374 =	756,827	74%	29%
34,302 =	35,631	51%	7%	756,828 =	790,696	74%	30%
35,632 =	37,087	52%	7%	790,697 =	791,817	75%	30%
37,088 =	38,711	53%	7%	791,818 =	827,037	75%	31%
38,712 =	38,877	54%	7%	827,038 =	831,019	75%	32%
38,878 =	40,583	54%	8%	831,020 =	862,490	76%	32%
40,584 =	42,867	55%	8%	862,491 =	871,342	76%	33%
42,868 =	64,878	56%	8%	871,343 =	898,177	77%	33%
64,879 =	71,508	57%	8%	898,178 =	911,666	77%	34%
71,509 =	102,139	57%	9%	911,667 =	934,102	78%	34%
102,140 =	105,201	57%	10%	934,103 =	951,989	78%	35%
105,202 =	132,958	58%	10%	951,990 =	970,266	79%	35%
132,959 =	145,525	58%	11%	970,267 =	992,312	79%	36%
145,526 =	163,970	59%	11%	992,313 =	1,006,672	80%	36%
163,971 =	185,847	59%	12%	1,006,673 =	1,032,635	80%	37%
185,848 =	195,170	60%	12%	1,032,636 =	1,043,322	81%	37%
195,171 =	226,171	60%	13%	1,043,323 =	1,072,958	81%	38%
226,172 =	226,566	61%	13%	1,072,959 =	1,080,220	82%	38%
226,567 =	258,158	61%	14%	1,080,221 =	1,113,282	82%	39%
258,159 =	266,494	61%	15%	1,113,283 =	1,117,368	83%	39%
266,495 =	289,948	62%	15%	1,117,369 =	1,153,606	83%	40%
289,949 =	306,817	62%	16%	1,153,607 =	1,154,768	84%	40%
306,818 =	321,937	63%	16%	1,154,769 =	1,192,421	84%	41%
321,938 =	347,141	63%	17%	1,192,422 =	1,193,927	84%	42%
347,142 =	354,127	64%	17%	1,193,928 =	1,230,331	85%	42%
354,128 =	386,519	64%	18%	1,230,332 =	1,234,251	85%	43%
386,520 =	387,463	64%	19%	1,234,252 =	1,268,503	86%	43%
387,464 =	419,119	65%	19%	1,268,504 =	1,274,575	86%	44%
419,120 =	427,786	65%	20%	1,274,576 =	1,306,935	87%	44%

Expected Losses		Primary Credibility	Excess Credibility	Expected Losses		Primary Credibility	Excess Credibility		
1,306,936	=	1,314,899	87%	45%	2,742,485	=	2,791,745	100%	78%
1,314,900	=	1,345,634	88%	45%	2,791,746	=	2,841,390	100%	79%
1,345,635	=	1,355,220	88%	46%	2,841,391	=	2,891,425	100%	80%
1,355,221	=	1,384,601	89%	46%	2,891,426	=	2,941,855	100%	81%
1,384,602	=	1,395,544	89%	47%	2,941,856	=	2,992,683	100%	82%
1,395,545	=	1,423,838	90%	47%	2,992,684	=	3,043,915	100%	83%
1,423,839	=	1,435,868	90%	48%	3,043,916	=	3,095,555	100%	84%
1,435,869	=	1,463,349	91%	48%	3,095,556	=	3,147,609	100%	85%
1,463,350	=	1,476,190	91%	49%	3,147,610	=	& Over	100%	86%
1,476,191	=	1,503,136	92%	49%					
1,503,137	=	1,516,514	92%	50%					
1,516,515	=	1,543,203	93%	50%					
1,543,204	=	1,556,837	93%	51%					
1,556,838	=	1,583,552	94%	51%					
1,583,553	=	1,597,160	94%	52%					
1,597,161	=	1,624,187	95%	52%					
1,624,188	=	1,637,483	95%	53%					
1,637,484	=	1,665,109	96%	53%					
1,665,110	=	1,677,807	96%	54%					
1,677,808	=	1,706,322	97%	54%					
1,706,323	=	1,718,130	97%	55%					
1,718,131	=	1,747,831	98%	55%					
1,747,832	=	1,758,453	98%	56%					
1,758,454	=	1,789,638	99%	56%					
1,789,639	=	1,798,776	99%	57%					
1,798,777	=	1,831,746	100%	57%					
1,831,747	=	1,874,157	100%	58%					
1,874,158	=	1,916,876	100%	59%					
1,916,877	=	1,959,906	100%	60%					
1,959,907	=	2,003,250	100%	61%					
2,003,251	=	2,046,912	100%	62%					
2,046,913	=	2,090,895	100%	63%					
2,090,896	=	2,135,202	100%	64%					
2,135,203	=	2,179,839	100%	65%					
2,179,840	=	2,224,808	100%	66%					
2,224,809	=	2,270,113	100%	67%					
2,270,114	=	2,315,756	100%	68%					
2,315,757	=	2,361,744	100%	69%					
2,361,745	=	2,408,078	100%	70%					
2,408,079	=	2,454,764	100%	71%					
2,454,765	=	2,501,806	100%	72%					
2,501,807	=	2,549,205	100%	73%					
2,549,206	=	2,596,970	100%	74%					
2,596,971	=	2,645,101	100%	75%					
2,645,102	=	2,693,604	100%	76%					
2,693,605	=	2,742,484	100%	77%					

((TABLE HA

PRIMARY AND EXCESS CREDIBILITY VALUES  
Effective January 1, 2007, to December 31, 2007

Maximum Claim Value = \$ 489,000

Average Death Value = \$ 191,760

Expected Losses	Primary Credibility	Excess Credibility	
±	90	0.10%	0.00%
91	179	0.20%	0.00%
180	269	0.30%	0.00%
270	360	0.40%	0.00%
361	450	0.50%	0.00%
451	540	0.60%	0.00%
541	631	0.70%	0.00%
632	722	0.80%	0.00%
723	813	0.90%	0.00%
814	950	1.00%	0.00%
951	1,133	1.20%	0.00%
1,134	1,317	1.40%	0.00%
1,318	1,502	1.60%	0.00%
1,503	1,687	1.80%	0.00%
1,688	1,873	2.00%	0.00%
1,874	2,060	2.20%	0.00%
2,061	2,248	2.40%	0.00%
2,249	2,437	2.60%	0.00%
2,438	2,626	2.80%	0.00%
2,627	2,816	3.00%	0.00%
2,817	3,007	3.20%	0.00%
3,008	3,198	3.40%	0.00%
3,199	3,391	3.60%	0.00%
3,392	3,584	3.80%	0.00%
3,585	3,778	4.00%	0.00%
3,779	3,973	4.20%	0.00%
3,974	4,168	4.40%	0.00%
4,169	4,365	4.60%	0.00%
4,366	4,562	4.80%	0.00%

Expected Losses	Primary Credibility	Excess Credibility	Expected Losses	Primary Credibility	Excess Credibility
4,563 -	4,760	5.00%	14,484 -	14,723	14.20%
4,761 -	4,959	5.20%	14,724 -	14,965	14.40%
4,960 -	5,159	5.40%	14,966 -	15,208	14.60%
5,160 -	5,360	5.60%	15,209 -	15,451	14.80%
5,361 -	5,561	5.80%	15,452 -	15,696	15.00%
5,562 -	5,763	6.00%	15,697 -	15,942	15.20%
5,764 -	5,966	6.20%	15,943 -	16,189	15.40%
5,967 -	6,170	6.40%	16,190 -	16,438	15.60%
6,171 -	6,375	6.60%	16,439 -	16,687	15.80%
6,376 -	6,581	6.80%	16,688 -	16,938	16.00%
6,582 -	6,788	7.00%	16,939 -	17,191	16.20%
6,789 -	6,995	7.20%	17,192 -	17,444	16.40%
6,996 -	7,204	7.40%	17,445 -	17,698	16.60%
7,205 -	7,413	7.60%	17,699 -	17,954	16.80%
7,414 -	7,624	7.80%	17,955 -	18,211	17.00%
7,625 -	7,835	8.00%	18,212 -	18,469	17.20%
7,836 -	8,047	8.20%	18,470 -	18,728	17.40%
8,048 -	8,260	8.40%	18,729 -	18,989	17.60%
8,261 -	8,474	8.60%	18,990 -	19,251	17.80%
8,475 -	8,689	8.80%	19,252 -	19,514	18.00%
8,690 -	8,905	9.00%	19,515 -	19,779	18.20%
8,906 -	9,122	9.20%	19,780 -	20,044	18.40%
9,123 -	9,340	9.40%	20,045 -	20,311	18.60%
9,341 -	9,559	9.60%	20,312 -	20,580	18.80%
9,560 -	9,778	9.80%	20,581 -	20,849	19.00%
9,779 -	9,999	10.00%	20,850 -	21,120	19.20%
10,000 -	10,221	10.20%	21,121 -	21,284	19.40%
10,222 -	10,444	10.40%	21,285 -	21,448	19.60%
10,445 -	10,613	10.60%	21,449 -	21,720	19.80%
10,614 -	10,783	10.80%	21,721 -	21,994	20.00%
10,784 -	11,006	11.00%	21,995 -	22,269	20.20%
11,007 -	11,231	11.20%	22,270 -	22,546	20.40%
11,232 -	11,456	11.40%	22,547 -	22,823	20.60%
11,457 -	11,683	11.60%	22,824 -	23,102	20.80%
11,684 -	11,910	11.80%	23,103 -	23,383	21.00%
11,911 -	12,139	12.00%	23,384 -	23,666	21.20%
12,140 -	12,368	12.20%	23,667 -	23,949	21.40%
12,369 -	12,599	12.40%	23,950 -	24,234	21.60%
12,600 -	12,831	12.60%	24,235 -	24,521	21.80%
12,832 -	13,064	12.80%	24,522 -	24,809	22.00%
13,065 -	13,297	13.00%	24,810 -	25,098	22.20%
13,298 -	13,532	13.20%	25,099 -	25,389	22.40%
13,533 -	13,768	13.40%	25,390 -	25,681	22.60%
13,769 -	14,005	13.60%	25,682 -	25,975	22.80%
14,006 -	14,244	13.80%	25,976 -	26,270	23.00%
14,245 -	14,483	14.00%	26,271 -	26,567	23.20%



Expected Losses	Primary Credibility	Excess Credibility	Expected Losses	Primary Credibility	Excess Credibility
26,568 -	26,866	23.40%	41,701 -	42,082	32.60%
26,867 -	27,166	23.60%	42,083 -	42,466	32.80%
27,167 -	27,468	23.80%	42,467 -	42,852	33.00%
27,469 -	27,771	24.00%	42,853 -	43,016	33.20%
27,772 -	28,076	24.20%	43,017 -	43,181	33.40%
28,077 -	28,383	24.40%	43,182 -	43,570	33.60%
28,384 -	28,691	24.60%	43,571 -	43,962	33.80%
28,692 -	29,000	24.80%	43,963 -	44,356	34.00%
29,001 -	29,312	25.00%	44,357 -	44,752	34.20%
29,313 -	29,625	25.20%	44,753 -	45,151	34.40%
29,626 -	29,940	25.40%	45,152 -	45,552	34.60%
29,941 -	30,256	25.60%	45,553 -	45,956	34.80%
30,257 -	30,574	25.80%	45,957 -	46,362	35.00%
30,575 -	30,894	26.00%	46,363 -	46,770	35.20%
30,895 -	31,216	26.20%	46,771 -	47,181	35.40%
31,217 -	31,539	26.40%	47,182 -	47,595	35.60%
31,540 -	31,864	26.60%	47,596 -	48,011	35.80%
31,865 -	32,026	26.80%	48,012 -	48,430	36.00%
32,027 -	32,188	27.00%	48,431 -	48,852	36.20%
32,189 -	32,515	27.20%	48,853 -	49,276	36.40%
32,516 -	32,844	27.40%	49,277 -	49,702	36.60%
32,845 -	33,175	27.60%	49,703 -	50,132	36.80%
33,176 -	33,507	27.80%	50,133 -	50,564	37.00%
33,508 -	33,842	28.00%	50,565 -	50,999	37.20%
33,843 -	34,178	28.20%	51,000 -	51,437	37.40%
34,179 -	34,516	28.40%	51,438 -	51,877	37.60%
34,517 -	34,857	28.60%	51,878 -	52,321	37.80%
34,858 -	35,199	28.80%	52,322 -	52,767	38.00%
35,200 -	35,542	29.00%	52,768 -	53,216	38.20%
35,543 -	35,888	29.20%	53,217 -	53,668	38.40%
35,889 -	36,236	29.40%	53,669 -	54,123	38.60%
36,237 -	36,586	29.60%	54,124 -	54,296	38.80%
36,587 -	36,938	29.80%	54,297 -	54,469	39.00%
36,939 -	37,291	30.00%	54,470 -	54,929	39.20%
37,292 -	37,647	30.20%	54,930 -	55,391	39.40%
37,648 -	38,005	30.40%	55,392 -	55,856	39.60%
38,006 -	38,365	30.60%	55,857 -	56,324	39.80%
38,366 -	38,727	30.80%	56,325 -	56,796	40.00%
38,728 -	39,091	31.00%	56,797 -	57,271	40.20%
39,092 -	39,457	31.20%	57,272 -	57,749	40.40%
39,458 -	39,826	31.40%	57,750 -	58,230	40.60%
39,827 -	40,196	31.60%	58,231 -	58,714	40.80%
40,197 -	40,569	31.80%	58,715 -	59,202	41.00%
40,570 -	40,944	32.00%	59,203 -	59,693	41.20%
40,945 -	41,321	32.20%	59,694 -	60,187	41.40%
41,322 -	41,700	32.40%	60,188 -	60,685	41.60%

Expected Losses	Primary Credibility	Excess Credibility	Expected Losses	Primary Credibility	Excess Credibility
60,686 -	61,186	41.80%	86,107 -	86,798	51.00%
61,187 -	61,690	42.00%	86,799 -	87,495	51.20%
61,691 -	62,198	42.20%	87,496 -	88,198	51.40%
62,199 -	62,710	42.40%	88,199 -	88,907	51.60%
62,711 -	63,226	42.60%	88,908 -	89,138	51.80%
63,227 -	63,744	42.80%	89,139 -	89,372	52.00%
63,745 -	64,266	43.00%	89,373 -	90,091	52.20%
64,267 -	64,792	43.20%	90,092 -	90,816	52.40%
64,793 -	65,322	43.40%	90,817 -	91,548	52.60%
65,323 -	65,508	43.60%	91,549 -	92,285	52.80%
65,509 -	65,694	43.80%	92,286 -	93,029	53.00%
65,695 -	66,230	44.00%	93,030 -	93,779	53.20%
66,231 -	66,770	44.20%	93,780 -	94,536	53.40%
66,771 -	67,313	44.40%	94,537 -	95,299	53.60%
67,314 -	67,860	44.60%	95,300 -	96,069	53.80%
67,861 -	68,411	44.80%	96,070 -	96,845	54.00%
68,412 -	68,966	45.00%	96,846 -	97,629	54.20%
68,967 -	69,526	45.20%	97,630 -	98,419	54.40%
69,527 -	70,089	45.40%	98,420 -	99,216	54.60%
70,090 -	70,656	45.60%	99,217 -	100,020	54.80%
70,657 -	71,228	45.80%	100,021 -	100,832	55.00%
71,229 -	71,804	46.00%	100,833 -	101,095	55.20%
71,805 -	72,384	46.20%	101,096 -	101,362	55.40%
72,385 -	72,969	46.40%	101,363 -	102,186	55.60%
72,970 -	73,558	46.60%	102,187 -	103,018	55.80%
73,559 -	74,151	46.80%	103,019 -	103,858	56.00%
74,152 -	74,748	47.00%	103,859 -	104,705	56.20%
74,749 -	75,351	47.20%	104,706 -	105,560	56.40%
75,352 -	75,958	47.40%	105,561 -	106,422	56.60%
75,959 -	76,569	47.60%	106,423 -	107,293	56.80%
76,570 -	77,186	47.80%	107,294 -	108,172	57.00%
77,187 -	77,391	48.00%	108,173 -	109,059	57.20%
77,392 -	77,598	48.20%	109,060 -	109,954	57.40%
77,599 -	78,222	48.40%	109,955 -	110,858	57.60%
78,223 -	78,851	48.60%	110,859 -	111,771	57.80%
78,852 -	79,484	48.80%	111,772 -	112,692	58.00%
79,485 -	80,123	49.00%	112,693 -	112,995	58.20%
80,124 -	80,767	49.20%	112,996 -	113,302	58.40%
80,768 -	81,416	49.40%	113,303 -	114,239	58.60%
81,417 -	82,070	49.60%	114,240 -	115,186	58.80%
82,071 -	82,729	49.80%	115,187 -	116,142	59.00%
82,730 -	83,394	50.00%	116,143 -	117,107	59.20%
83,395 -	84,063	50.20%	117,108 -	118,082	59.40%
84,064 -	84,738	50.40%	118,083 -	119,066	59.60%
84,739 -	85,419	50.60%	119,067 -	120,061	59.80%
85,420 -	86,106	50.80%	120,062 -	121,065	60.00%

Expected Losses	Primary Credibility	Excess Credibility	Expected Losses	Primary Credibility	Excess Credibility
121,066 -	122,079	60.20%	173,322 -	174,960	69.40%
122,080 -	123,104	60.40%	174,961 -	176,620	69.60%
123,105 -	124,139	60.60%	176,621 -	177,262	69.80%
124,140 -	125,185	60.80%	177,263 -	177,916	70.00%
125,186 -	125,537	61.00%	177,917 -	179,624	70.20%
125,538 -	125,894	61.20%	179,625 -	181,354	70.40%
125,895 -	126,960	61.40%	181,355 -	183,108	70.60%
126,961 -	128,038	61.60%	183,109 -	184,887	70.80%
128,039 -	129,126	61.80%	184,888 -	186,690	71.00%
129,127 -	130,226	62.00%	186,691 -	188,517	71.20%
130,227 -	131,338	62.20%	188,518 -	189,245	71.40%
131,339 -	132,462	62.40%	189,246 -	189,989	71.60%
132,463 -	133,598	62.60%	189,990 -	191,873	71.80%
133,599 -	134,746	62.80%	191,874 -	193,783	72.00%
134,747 -	135,907	63.00%	193,784 -	195,722	72.20%
135,908 -	137,080	63.20%	195,723 -	197,689	72.40%
137,081 -	137,485	63.40%	197,690 -	199,684	72.60%
137,486 -	137,897	63.60%	199,685 -	201,709	72.80%
137,898 -	139,096	63.80%	201,710 -	203,763	73.00%
139,097 -	140,308	64.00%	203,764 -	204,617	73.20%
140,309 -	141,533	64.20%	204,618 -	205,490	73.40%
141,534 -	142,773	64.40%	205,491 -	207,613	73.60%
142,774 -	144,026	64.60%	207,614 -	209,769	73.80%
144,027 -	145,294	64.80%	209,770 -	211,958	74.00%
145,295 -	146,576	65.00%	211,959 -	214,182	74.20%
146,577 -	147,873	65.20%	214,183 -	216,440	74.40%
147,874 -	149,185	65.40%	216,441 -	217,409	74.60%
149,186 -	150,512	65.60%	217,410 -	218,400	74.80%
150,513 -	150,988	65.80%	218,401 -	220,739	75.00%
150,989 -	151,472	66.00%	220,740 -	223,116	75.20%
151,473 -	152,831	66.20%	223,117 -	225,532	75.40%
152,832 -	154,206	66.40%	225,533 -	227,987	75.60%
154,207 -	155,597	66.60%	227,988 -	230,483	75.80%
155,598 -	157,006	66.80%	230,484 -	231,592	76.00%
157,007 -	158,432	67.00%	231,593 -	232,727	76.20%
158,433 -	159,875	67.20%	232,728 -	235,319	76.40%
159,876 -	161,335	67.40%	235,320 -	237,956	76.60%
161,336 -	162,814	67.60%	237,957 -	240,638	76.80%
162,815 -	163,363	67.80%	240,639 -	243,367	77.00%
163,364 -	163,921	68.00%	243,368 -	244,615	77.20%
163,922 -	165,439	68.20%	244,616 -	245,895	77.40%
165,440 -	166,975	68.40%	245,896 -	248,737	77.60%
166,976 -	168,531	68.60%	248,738 -	251,629	77.80%
168,532 -	170,108	68.80%	251,630 -	254,574	78.00%
170,109 -	171,704	69.00%	254,575 -	257,574	78.20%
171,705 -	173,321	69.20%	257,575 -	258,990	78.40%

Expected Losses	Primary Credibility	Excess Credibility	Expected Losses	Primary Credibility	Excess Credibility
258,991 - 260,444	78.60%	16.50%	438,270 - 443,234	87.80%	27.20%
260,445 - 263,576	78.80%	16.50%	443,235 - 448,413	88.00%	28.10%
263,577 - 266,767	79.00%	16.60%	448,414 - 457,082	88.20%	28.20%
266,768 - 270,019	79.20%	16.60%	457,083 - 462,592	88.40%	28.30%
270,020 - 273,336	79.40%	16.70%	462,593 - 468,348	88.60%	29.20%
273,337 - 274,955	79.60%	16.70%	468,349 - 474,223	88.80%	29.30%
274,956 - 276,619	79.80%	17.50%	474,224 - 480,370	89.00%	30.20%
276,620 - 280,092	80.00%	17.60%	480,371 - 490,408	89.20%	30.30%
280,093 - 283,635	80.20%	17.60%	490,409 - 496,996	89.40%	30.40%
283,636 - 287,251	80.40%	17.70%	496,997 - 503,903	89.60%	31.30%
287,252 - 289,064	80.60%	17.70%	503,904 - 514,980	89.80%	31.40%
289,065 - 290,931	80.80%	18.60%	514,981 - 522,408	90.00%	31.50%
290,932 - 294,729	81.00%	18.60%	522,409 - 530,214	90.20%	32.50%
294,730 - 298,608	81.20%	18.70%	530,215 - 538,232	90.40%	32.50%
298,609 - 302,571	81.40%	18.70%	538,233 - 546,674	90.60%	33.50%
302,572 - 304,615	81.60%	18.80%	546,675 - 555,362	90.80%	33.60%
304,616 - 306,721	81.80%	19.60%	555,363 - 564,527	91.00%	34.60%
306,722 - 310,897	82.00%	19.70%	564,528 - 573,976	91.20%	34.60%
310,898 - 315,167	82.20%	19.70%	573,977 - 583,967	91.40%	35.60%
315,168 - 319,534	82.40%	19.80%	583,968 - 594,289	91.60%	35.70%
319,535 - 321,857	82.60%	19.80%	594,290 - 605,227	91.80%	36.70%
321,858 - 324,254	82.80%	20.70%	605,228 - 616,556	92.00%	36.80%
324,255 - 328,872	83.00%	20.70%	616,557 - 628,592	92.20%	37.80%
328,873 - 333,601	83.20%	20.80%	628,593 - 641,089	92.40%	37.90%
333,602 - 336,171	83.40%	20.80%	641,090 - 654,404	92.60%	38.90%
336,172 - 338,826	83.60%	21.70%	654,405 - 668,268	92.80%	39.00%
338,827 - 343,842	83.80%	21.80%	668,269 - 690,829	93.00%	40.00%
343,843 - 348,985	84.00%	21.80%	690,830 - 713,390	93.30%	41.10%
348,986 - 351,846	84.20%	21.90%	713,391 - 737,953	93.60%	42.10%
351,847 - 354,805	84.40%	22.80%	737,954 - 763,123	94.00%	43.20%
354,806 - 360,280	84.60%	22.80%	763,124 - 788,924	94.20%	44.30%
360,281 - 365,899	84.80%	22.90%	788,925 - 815,380	94.50%	45.40%
365,900 - 369,102	85.00%	22.90%	815,381 - 842,517	94.80%	46.40%
369,103 - 372,421	85.20%	23.80%	842,518 - 870,364	95.00%	47.50%
372,422 - 378,427	85.40%	23.90%	870,365 - 898,949	95.30%	48.60%
378,428 - 384,599	85.60%	24.00%	898,950 - 928,304	95.50%	49.70%
384,600 - 388,209	85.80%	24.00%	928,305 - 958,460	95.70%	50.70%
388,210 - 391,955	86.00%	24.90%	958,461 - 989,451	95.90%	51.80%
391,956 - 398,581	86.20%	25.00%	989,452 - 1,021,315	96.10%	52.90%
398,582 - 402,523	86.40%	25.00%	1,021,316 - 1,054,091	96.30%	54.00%
402,524 - 406,619	86.60%	26.00%	1,054,092 - 1,087,818	96.50%	55.00%
406,620 - 413,757	86.80%	26.00%	1,087,819 - 1,122,540	96.70%	56.10%
413,758 - 421,116	87.00%	26.10%	1,122,541 - 1,158,302	96.90%	57.20%
421,117 - 425,615	87.20%	26.10%	1,158,303 - 1,195,155	97.00%	58.20%
425,616 - 430,299	87.40%	27.10%	1,195,156 - 1,233,148	97.20%	59.30%
430,300 - 438,269	87.60%	27.10%	1,233,149 - 1,272,339	97.40%	60.40%

Expected Losses	Primary Credibility	Excess Credibility	Maximum experience modifications for firms with no compensable accidents: Effective (( <del>1/1/2007</del> )) <u>1/1/2008</u>	Maximum Experience Modification
1,272,340 - 1,312,785	97.50%	61.40%	((Expected Loss Range	
1,312,786 - 1,354,549	97.60%	62.50%	± - 6,468	0.90
1,354,550 - 1,397,699	97.80%	63.60%	6,469 - 7,900	0.89
1,397,700 - 1,442,306	97.90%	64.60%	7,901 - 8,752	0.88
1,442,307 - 1,488,446	98.00%	65.70%	8,753 - 9,539	0.87
1,488,447 - 1,536,203	98.10%	66.70%	9,540 - 10,369	0.86
1,536,204 - 1,585,664	98.30%	67.80%	10,370 - 11,240	0.85
1,585,665 - 1,636,923	98.40%	68.90%	11,241 - 12,006	0.84
1,636,924 - 1,690,083	98.50%	69.90%	12,007 - 12,783	0.83
1,690,084 - 1,745,254	98.60%	71.00%	12,784 - 13,593	0.82
1,745,255 - 1,802,552	98.70%	72.00%	13,594 - 14,435	0.81
1,802,553 - 1,862,106	98.70%	73.10%	14,436 - 15,312	0.80
1,862,107 - 1,924,055	98.80%	74.10%	15,313 - 16,220	0.79
1,924,056 - 1,988,548	98.90%	75.20%	16,221 - 17,163	0.78
1,988,549 - 2,055,747	99.00%	76.20%	17,164 - 18,140	0.77
2,055,748 - 2,125,829	99.10%	77.30%	18,141 - 19,151	0.76
2,125,830 - 2,198,987	99.10%	78.30%	19,152 - 20,198	0.75
2,198,988 - 2,275,428	99.20%	79.40%	20,199 - 21,279	0.74
2,275,429 - 2,355,384	99.30%	80.40%	21,280 - 22,395	0.73
2,355,385 - 2,439,104	99.30%	81.50%	22,396 - 23,548	0.72
2,439,105 - 2,526,865	99.40%	82.50%	23,549 - 24,736	0.71
2,526,866 - 2,618,968	99.40%	83.50%	24,737 - 25,961	0.70
2,618,969 - 2,715,749	99.50%	84.60%	25,962 - 27,221	0.69
2,715,750 - 2,817,577	99.50%	85.60%	27,222 - 28,518	0.68
2,817,578 - 2,924,860	99.60%	86.60%	28,519 - 29,852	0.67
2,924,861 - 3,038,054	99.60%	87.70%	29,853 - 31,222	0.66
3,038,055 - 3,157,666	99.70%	88.70%	31,223 - 32,629	0.65
3,157,667 - 3,284,260	99.70%	89.80%	32,630 - 34,823	0.64
3,284,261 - 3,418,473	99.80%	90.80%	34,824 - 37,807	0.63
3,418,474 - 3,561,018	99.80%	91.80%	37,808 - 41,254	0.62
3,561,019 - 3,712,702	99.80%	92.80%	41,255 - 47,959	0.61
3,712,703 - 3,874,438	99.90%	93.90%	47,960 & Over	0.60))
3,874,439 - 4,047,266	99.90%	94.90%		
4,047,267 - 4,232,376	99.90%	95.90%		
4,232,377 - 4,431,133	99.90%	96.90%		
4,431,133 - 4,645,107	100.00%	98.00%		
4,645,108 - 4,876,129	100.00%	99.00%		
4,876,130 & Over	100.00%	100.00%))		

AMENDATORY SECTION (Amending WSR 06-24-054, filed 12/1/06, effective 1/1/07)

WAC 296-17-890 Table IV.

Expected Loss Range	Maximum Experience Modification
<u>1</u> = <u>6,636</u>	<u>0.90</u>
<u>6,637</u> = <u>8,104</u>	<u>0.89</u>
<u>8,105</u> = <u>8,977</u>	<u>0.88</u>
<u>8,978</u> = <u>9,785</u>	<u>0.87</u>
<u>9,786</u> = <u>10,637</u>	<u>0.86</u>
<u>10,638</u> = <u>11,530</u>	<u>0.85</u>
<u>11,531</u> = <u>12,316</u>	<u>0.84</u>
<u>12,317</u> = <u>13,113</u>	<u>0.83</u>

Expected Loss Range		Maximum Experience Modification	((Class	2003	2004	2005	Primary Ratio
13,114	=	13,944	0201	2.4024	2.1843	1.8073	0.416
13,945	=	14,808	0202	3.1360	2.8764	2.4111	0.396
14,809	=	15,706	0210	1.2040	1.0989	0.9127	0.425
15,707	=	16,638	0212	1.3292	1.2168	1.0124	0.442
16,639	=	17,606	0214	1.2908	1.1790	0.9755	0.468
17,607	=	18,608	0217	1.1079	1.0177	0.8466	0.481
18,609	=	19,646	0219	0.9444	0.8735	0.7350	0.456
19,647	=	20,719	0301	0.6030	0.5612	0.4713	0.540
20,720	=	21,828	0302	1.9333	1.7593	1.4542	0.435
21,829	=	22,973	0303	1.8529	1.6876	1.3978	0.426
22,974	=	24,156	0306	0.9909	0.9048	0.7488	0.462
24,157	=	25,374	0307	0.9332	0.8578	0.7136	0.489
25,375	=	26,631	0308	0.5434	0.5087	0.4288	0.570
26,632	=	27,924	0403	1.6833	1.5639	1.3084	0.555
27,925	=	29,254	0502	1.5220	1.3889	1.1496	0.453
29,255	=	30,623	0504	1.4965	1.3785	1.1547	0.450
30,624	=	32,027	0507	2.8587	2.6401	2.2154	0.463
32,028	=	33,471	0508	1.9404	1.7630	1.4602	0.400
33,472	=	35,721	0509	1.5837	1.4442	1.1972	0.433
35,722	=	38,782	0510	1.5221	1.4062	1.1761	0.496
38,783	=	42,319	0511	1.6148	1.4800	1.2292	0.472
42,320	=	49,197	0512	1.5271	1.3959	1.1594	0.442
49,198	& Over	0.60	0513	0.8476	0.7780	0.6469	0.478
			0514	1.8596	1.7086	1.4222	0.479
			0516	1.6310	1.4971	1.2481	0.455
			0517	1.7394	1.6035	1.3452	0.446
			0518	1.5740	1.4369	1.1931	0.431
			0519	2.2161	2.0261	1.6886	0.412
			0521	0.5535	0.5115	0.4291	0.476
			0601	0.6359	0.5849	0.4870	0.486
			0602	0.7730	0.7093	0.5871	0.514
			0603	1.0130	0.9215	0.7620	0.427
			0604	0.9723	0.9056	0.7635	0.515
			0606	0.5300	0.4935	0.4141	0.557
			0607	0.4977	0.4618	0.3861	0.544
			0608	0.3904	0.3608	0.3022	0.488
			0701	2.0358	1.8290	1.4994	0.365
			0803	0.4625	0.4301	0.3598	0.568
			0901	1.5740	1.4369	1.1931	0.431
			1002	0.9693	0.8996	0.7564	0.500
			1003	0.7891	0.7308	0.6138	0.487
			1004	0.5047	0.4656	0.3875	0.527
			1005	8.2420	7.5668	6.3058	0.459
			1007	0.3725	0.3431	0.2861	0.490
			1101	0.7051	0.6553	0.5495	0.538
			1102	1.3280	1.2212	1.0168	0.487
			1103	1.2321	1.1421	0.9637	0.454
			1104	0.5356	0.5016	0.4245	0.540
			1105	0.9143	0.8454	0.7097	0.472
			1106	0.3417	0.3212	0.2733	0.533
			1108	0.6391	0.5942	0.4981	0.548
			1109	1.4817	1.3789	1.1610	0.518
			1301	0.6502	0.6003	0.4950	0.612
			1303	0.2230	0.2077	0.1736	0.592
			1304	0.0276	0.0257	0.0215	0.564

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 296-17-86505 2007 Alternative claim-free experience modification calculation.

**AMENDATORY SECTION** (Amending WSR 06-24-054, filed 12/1/06, effective 1/1/07)

**WAC 296-17-885 Table III.**

**Expected Loss Rates and Primary Ratios for Indicated Fiscal Year**  
**Expected Loss Rates in Dollars Per Worker Hour Effective January 1, ((2007)) 2008**

((Class	2003	2004	2005	Primary Ratio
0101	1.3002	1.1927	0.9948	0.444
0103	1.6586	1.5221	1.2671	0.466
0104	0.9361	0.8592	0.7154	0.466
0105	1.3515	1.2515	1.0468	0.522
0107	1.2411	1.1353	0.9440	0.441
0108	0.9361	0.8592	0.7154	0.466
0112	0.7750	0.7136	0.5958	0.476

<b>((Class</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>Primary Ratio</b>	<b>((Class</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>Primary Ratio</b>
1305	0.4086	0.3807	0.3189	0.572	3415	0.8062	0.7447	0.6268	0.438
1401	0.4911	0.4576	0.3888	0.449	3501	1.0604	0.9859	0.8288	0.518
1404	0.7420	0.6923	0.5823	0.551	3503	0.3095	0.2932	0.2502	0.581
1405	0.5516	0.5146	0.4302	0.602	3506	1.1142	1.0148	0.8383	0.452
1407	0.6186	0.5785	0.4886	0.540	3509	0.4107	0.3866	0.3259	0.622
1501	0.5812	0.5390	0.4506	0.542	3510	0.3711	0.3466	0.2915	0.567
1507	0.5248	0.4864	0.4065	0.536	3511	0.7201	0.6702	0.5640	0.524
1701	0.9180	0.8472	0.7100	0.466	3512	0.3361	0.3158	0.2672	0.576
1702	2.1109	1.9174	1.5913	0.379	3513	0.4723	0.4416	0.3771	0.437
1703	0.8700	0.7875	0.6474	0.426	3602	0.1257	0.1177	0.0990	0.593
1704	0.9180	0.8472	0.7100	0.466	3603	0.4703	0.4386	0.3695	0.534
1801	0.5376	0.4969	0.4187	0.438	3604	0.8148	0.7606	0.6452	0.479
1802	0.7070	0.6531	0.5445	0.522	3605	0.5243	0.4859	0.4060	0.543
2002	0.7175	0.6699	0.5645	0.542	3701	0.2745	0.2561	0.2150	0.565
2004	0.9662	0.9004	0.7562	0.553	3702	0.4558	0.4253	0.3568	0.578
2007	0.4589	0.4271	0.3590	0.531	3708	0.6488	0.6008	0.5025	0.522
2008	0.3223	0.2991	0.2519	0.484	3802	0.1904	0.1784	0.1499	0.598
2009	0.3982	0.3737	0.3164	0.559	3808	0.4286	0.3959	0.3310	0.498
2101	0.6768	0.6307	0.5320	0.511	3901	0.1687	0.1596	0.1356	0.612
2102	0.5574	0.5215	0.4393	0.568	3902	0.5038	0.4713	0.3984	0.535
2104	0.3557	0.3354	0.2851	0.570	3903	1.1085	1.0421	0.8867	0.529
2105	0.5783	0.5390	0.4506	0.594	3905	0.1567	0.1482	0.1261	0.593
2106	0.4267	0.3992	0.3371	0.550	3906	0.4808	0.4501	0.3802	0.548
2201	0.2479	0.2314	0.1951	0.530	3909	0.2595	0.2448	0.2069	0.620
2202	0.7180	0.6670	0.5586	0.546	4002	1.3863	1.2755	1.0570	0.534
2203	0.4763	0.4465	0.3764	0.579	4101	0.2967	0.2757	0.2314	0.528
2204	0.2479	0.2314	0.1951	0.530	4103	0.4320	0.4083	0.3462	0.617
2401	0.4900	0.4551	0.3808	0.553	4107	0.1636	0.1528	0.1289	0.539
2903	0.6526	0.6101	0.5146	0.552	4108	0.1471	0.1375	0.1160	0.538
2904	0.7452	0.6937	0.5855	0.499	4109	0.2118	0.1972	0.1661	0.521
2905	0.5552	0.5215	0.4414	0.569	4201	0.6866	0.6307	0.5212	0.539
2906	0.3270	0.3047	0.2559	0.550	4301	0.6683	0.6264	0.5276	0.589
2907	0.5307	0.4969	0.4183	0.583	4302	0.6574	0.6127	0.5141	0.560
2908	1.0383	0.9586	0.8018	0.488	4304	1.0079	0.9422	0.7968	0.525
2909	0.3883	0.3633	0.3067	0.556	4305	1.2164	1.1179	0.9247	0.537
3101	0.9538	0.8780	0.7343	0.458	4401	0.4022	0.3751	0.3179	0.481
3102	0.2745	0.2561	0.2150	0.565	4402	0.8363	0.7840	0.6604	0.591
3103	0.5689	0.5288	0.4450	0.507	4404	0.5546	0.5196	0.4373	0.590
3104	0.5997	0.5536	0.4628	0.490	4501	0.1872	0.1765	0.1490	0.625
3105	0.7432	0.6924	0.5820	0.544	4502	0.0405	0.0380	0.0323	0.541
3303	0.4418	0.4120	0.3455	0.573	4504	0.1082	0.1025	0.0871	0.635
3304	0.4754	0.4476	0.3787	0.595	4601	0.7410	0.6907	0.5817	0.532
3309	0.4372	0.4069	0.3421	0.531	4802	0.3017	0.2821	0.2394	0.501
3402	0.5376	0.4989	0.4188	0.514	4803	0.2766	0.2618	0.2233	0.576
3403	0.2027	0.1883	0.1584	0.508	4804	0.5277	0.4939	0.4154	0.586
3404	0.4801	0.4481	0.3769	0.553	4805	0.2981	0.2808	0.2381	0.578
3405	0.3202	0.2977	0.2499	0.530	4806	0.0581	0.0545	0.0462	0.539
3406	0.1983	0.1865	0.1579	0.592	4808	0.4851	0.4523	0.3820	0.508
3407	0.7076	0.6552	0.5495	0.493	4809	0.3925	0.3689	0.3120	0.580
3408	0.1731	0.1617	0.1351	0.617	4810	0.1444	0.1365	0.1160	0.586
3409	0.1714	0.1617	0.1361	0.662	4811	0.2657	0.2504	0.2128	0.568
3410	0.2914	0.2738	0.2316	0.584	4812	0.3940	0.3693	0.3112	0.586
3411	0.4780	0.4424	0.3703	0.510	4813	0.1595	0.1501	0.1277	0.542
3412	0.5850	0.5374	0.4476	0.472	4900	0.3343	0.3062	0.2554	0.430
3414	0.5649	0.5232	0.4368	0.540	4901	0.0787	0.0728	0.0610	0.499

<b>((Class</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>Primary Ratio</b>	<b>((Class</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>Primary Ratio</b>
4902	0.1035	0.0966	0.0808	0.597	6309	0.1818	0.1710	0.1446	0.585
4903	0.1516	0.1413	0.1176	0.637	6402	0.2935	0.2765	0.2333	0.634
4904	0.0298	0.0281	0.0236	0.573	6403	0.1683	0.1587	0.1347	0.585
4905	0.3538	0.3343	0.2844	0.581	6404	0.2219	0.2083	0.1760	0.583
4906	0.0942	0.0880	0.0738	0.583	6405	0.5863	0.5437	0.4558	0.518
4907	0.0512	0.0479	0.0406	0.548	6406	0.1168	0.1101	0.0932	0.610
4908	0.0815	0.0781	0.0678	0.565	6407	0.2772	0.2596	0.2189	0.576
4909	0.0407	0.0392	0.0344	0.532	6408	0.3908	0.3642	0.3052	0.575
4910	0.4629	0.4310	0.3631	0.511	6409	0.8714	0.8032	0.6700	0.495
4911	0.0674	0.0628	0.0531	0.525	6410	0.2841	0.2651	0.2233	0.539
5001	5.0574	4.6226	3.8427	0.433	6501	0.1710	0.1605	0.1349	0.616
5002	0.5958	0.5533	0.4620	0.568	6502	0.0399	0.0373	0.0315	0.570
5003	1.9974	1.8258	1.5207	0.417	6503	0.0760	0.0699	0.0579	0.531
5004	0.9321	0.8667	0.7316	0.484	6504	0.3983	0.3770	0.3204	0.608
5005	0.5785	0.5323	0.4453	0.452	6505	0.1051	0.0997	0.0849	0.602
5006	1.6200	1.4803	1.2356	0.393	6506	0.1061	0.1000	0.0847	0.613
5101	0.9020	0.8400	0.7033	0.573	6509	0.3705	0.3493	0.2964	0.582
5103	0.7352	0.6899	0.5825	0.581	6510	0.4791	0.4408	0.3687	0.450
5106	0.7352	0.6899	0.5825	0.581	6511	0.3464	0.3264	0.2764	0.594
5108	0.8982	0.8409	0.7063	0.600	6512	0.2818	0.2647	0.2238	0.574
5109	0.5941	0.5509	0.4610	0.531	6601	0.1900	0.1785	0.1511	0.561
5201	0.4322	0.4013	0.3360	0.548	6602	0.4752	0.4452	0.3761	0.556
5204	0.9313	0.8623	0.7259	0.463	6603	0.3338	0.3106	0.2603	0.556
5206	0.4139	0.3820	0.3188	0.508	6604	0.0832	0.0781	0.0658	0.599
5207	0.1731	0.1641	0.1395	0.622	6605	0.3004	0.2844	0.2422	0.598
5208	0.8347	0.7759	0.6536	0.498	6607	0.1723	0.1611	0.1359	0.546
5209	0.7538	0.6986	0.5870	0.489	6608	0.5550	0.5046	0.4169	0.429
5301	0.0327	0.0307	0.0259	0.604	6620	4.3471	4.0529	3.3620	0.665
5302	0.0205	0.0191	0.0161	0.544	6704	0.1687	0.1577	0.1321	0.603
5305	0.0524	0.0496	0.0419	0.637	6705	0.8304	0.7903	0.6775	0.593
5306	0.0608	0.0571	0.0482	0.602	6706	0.3245	0.3053	0.2599	0.534
5307	0.5369	0.4984	0.4160	0.564	6707	3.3484	3.1625	2.6539	0.699
6103	0.0818	0.0775	0.0658	0.633	6708	8.5624	8.1221	7.0557	0.434
6104	0.3640	0.3421	0.2894	0.578	6709	0.2900	0.2742	0.2326	0.611
6105	0.3478	0.3233	0.2715	0.530	6801	0.5907	0.5484	0.4563	0.597
6107	0.1321	0.1252	0.1067	0.590	6802	0.4463	0.4181	0.3515	0.601
6108	0.4412	0.4162	0.3527	0.602	6803	0.8728	0.7962	0.6652	0.367
6109	0.0925	0.0864	0.0725	0.561	6804	0.2742	0.2549	0.2139	0.538
6110	0.6150	0.5740	0.4826	0.560	6809	4.8700	4.5804	3.8879	0.557
6201	0.3215	0.2966	0.2486	0.464	6901	0.0181	0.0191	0.0181	0.699
6202	0.6584	0.6155	0.5212	0.514	6902	1.0364	0.9424	0.7793	0.421
6203	0.0985	0.0942	0.0806	0.674	6903	7.5675	6.9051	5.8009	0.317
6204	0.1257	0.1184	0.1003	0.583	6904	0.4097	0.3793	0.3129	0.639
6205	0.2497	0.2341	0.1979	0.565	6905	0.3807	0.3536	0.2939	0.607
6206	0.2331	0.2183	0.1839	0.578	6906	0.1463	0.1482	0.1345	0.696
6207	1.0628	1.0063	0.8652	0.511	6907	1.2537	1.1688	0.9813	0.561
6208	0.2425	0.2293	0.1955	0.576	6908	0.4654	0.4342	0.3644	0.576
6209	0.3114	0.2929	0.2483	0.571	6909	0.1179	0.1109	0.0937	0.601
6301	0.1330	0.1220	0.1018	0.456	7100	0.0329	0.0306	0.0259	0.482
6302	0.1818	0.1710	0.1446	0.585	7101	0.0246	0.0228	0.0193	0.447
6303	0.0694	0.0647	0.0545	0.532	7102	4.1468	3.9788	3.4480	0.578
6304	0.4120	0.3894	0.3313	0.584	7103	0.6039	0.5583	0.4653	0.537
6305	0.1004	0.0950	0.0809	0.597	7104	0.0302	0.0283	0.0238	0.622
6306	0.3306	0.3090	0.2600	0.571	7105	0.0317	0.0300	0.0251	0.648
6308	0.0654	0.0611	0.0514	0.581	7106	0.1985	0.1871	0.1584	0.603



<u>Class</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>Primary Ratio</u>	<u>Class</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>Primary Ratio</u>
7107	0.2231	0.2109	0.1802	0.553	0512	1.5573	1.3180	1.1252	0.442
7108	0.1947	0.1845	0.1578	0.574	0513	0.8054	0.6888	0.5876	0.497
7109	0.1317	0.1241	0.1049	0.613	0514	1.8923	1.6142	1.3768	0.483
7110	0.3469	0.3203	0.2678	0.495	0516	1.6543	1.4050	1.2041	0.448
7111	0.3820	0.3530	0.2952	0.498	0517	1.8543	1.5812	1.3628	0.452
7112	0.6431	0.6014	0.5073	0.553	0518	1.5719	1.3289	1.1346	0.436
7113	0.3676	0.3466	0.2949	0.563	0519	2.2276	1.8804	1.6129	0.413
7114	0.5580	0.5265	0.4454	0.619	0521	0.5845	0.4999	0.4293	0.477
7115	0.5750	0.5419	0.4594	0.591	0601	0.6563	0.5607	0.4794	0.487
7116	0.7040	0.6601	0.5573	0.570	0602	0.8052	0.6874	0.5826	0.507
7117	1.5934	1.4945	1.2581	0.601	0603	1.0259	0.8643	0.7365	0.425
7118	1.3430	1.2596	1.0627	0.581	0604	1.0123	0.8754	0.7570	0.518
7119	1.3218	1.2328	1.0345	0.569	0606	0.5511	0.4790	0.4114	0.563
7120	6.1185	5.6949	4.7930	0.521	0607	0.5412	0.4684	0.4011	0.548
7121	5.6948	5.3007	4.4623	0.520	0608	0.3801	0.3264	0.2804	0.497
7122	0.5720	0.5406	0.4582	0.622	0701	2.0548	1.7035	1.4377	0.369
7201	1.3596	1.2563	1.0435	0.558	0803	0.4721	0.4102	0.3513	0.568
7202	0.0362	0.0334	0.0278	0.523	0901	1.5719	1.3289	1.1346	0.436
7203	0.1251	0.1190	0.1022	0.586	1002	1.0127	0.8718	0.7516	0.500
7204	0.0000	0.0000	0.0000	0.500	1003	0.8071	0.6939	0.5987	0.494
7301	0.5068	0.4737	0.4015	0.502	1004	0.5289	0.4545	0.3874	0.523
7302	1.0016	0.9381	0.7956	0.521	1005	8.5188	7.2538	6.1992	0.461
7307	0.4998	0.4693	0.3981	0.541	1007	0.3743	0.3200	0.2734	0.491
7308	0.3009	0.2858	0.2441	0.606	1101	0.7394	0.6407	0.5501	0.545
7309	0.2702	0.2558	0.2178	0.596))	1102	1.3609	1.1635	0.9948	0.488
					1103	1.2423	1.0646	0.9225	0.459
					1104	0.5531	0.4824	0.4180	0.554
					1105	0.9232	0.7904	0.6803	0.479
					1106	0.3564	0.3107	0.2714	0.531
					1108	0.6580	0.5696	0.4893	0.542
					1109	1.5467	1.3391	1.1559	0.527
					1301	0.6416	0.5577	0.4698	0.608
					1303	0.2280	0.1989	0.1700	0.590
					1304	0.0295	0.0257	0.0220	0.561
					1305	0.4363	0.3802	0.3262	0.578
					1401	0.5078	0.4363	0.3821	0.446
					1404	0.7932	0.6908	0.5952	0.562
					1405	0.6071	0.5313	0.4534	0.608
					1407	0.5851	0.5096	0.4415	0.547
					1501	0.6072	0.5247	0.4492	0.541
					1507	0.5757	0.4971	0.4255	0.536
					1701	0.9505	0.8141	0.7003	0.478
					1702	2.1811	1.8244	1.5571	0.381
					1703	0.8628	0.7253	0.6121	0.436
					1704	0.9505	0.8141	0.7003	0.478
					1801	0.5417	0.4624	0.4009	0.445
					1802	0.7357	0.6339	0.5418	0.526
					2002	0.7436	0.6465	0.5583	0.545
					2004	0.9824	0.8551	0.7366	0.559
					2007	0.4940	0.4277	0.3687	0.532
					2008	0.3333	0.2868	0.2481	0.491
					2009	0.4135	0.3614	0.3134	0.564
					2101	0.6906	0.5975	0.5175	0.512
					2102	0.5456	0.4770	0.4120	0.577
					2104	0.3683	0.3237	0.2826	0.575
<u>Class</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>Primary Ratio</u>					
0101	1.2923	1.0989	0.9405	0.458					
0103	1.7197	1.4658	1.2548	0.470					
0104	0.9388	0.7998	0.6839	0.470					
0105	1.3161	1.1381	0.9769	0.537					
0107	1.2381	1.0485	0.8957	0.443					
0108	0.9388	0.7998	0.6839	0.470					
0112	0.7679	0.6562	0.5615	0.482					
0201	2.4471	2.0570	1.7471	0.421					
0202	3.1766	2.6829	2.3114	0.402					
0210	1.1827	1.0011	0.8537	0.444					
0212	1.3598	1.1538	0.9849	0.454					
0214	1.3333	1.1325	0.9601	0.477					
0217	1.1010	0.9403	0.8030	0.486					
0219	0.9948	0.8514	0.7346	0.465					
0301	0.6304	0.5471	0.4710	0.549					
0302	1.9304	1.6320	1.3858	0.448					
0303	1.8522	1.5599	1.3274	0.424					
0306	0.9924	0.8429	0.7153	0.476					
0307	0.9680	0.8263	0.7048	0.489					
0308	0.5505	0.4813	0.4157	0.573					
0403	1.7153	1.4862	1.2730	0.551					
0502	1.5269	1.2930	1.1003	0.452					
0504	1.6228	1.3843	1.1935	0.453					
0507	2.8623	2.4467	2.1105	0.463					
0508	2.0131	1.6878	1.4382	0.399					
0509	1.7184	1.4506	1.2404	0.426					
0510	1.5547	1.3367	1.1481	0.504					
0511	1.6595	1.4119	1.2023	0.476					

<u>Class</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>Primary Ratio</u>	<u>Class</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>Primary Ratio</u>
2105	0.5846	0.5108	0.4372	0.597	3905	0.1629	0.1435	0.1251	0.593
2106	0.4360	0.3804	0.3290	0.560	3906	0.4927	0.4302	0.3726	0.562
2201	0.2522	0.2189	0.1895	0.532	3909	0.2688	0.2368	0.2052	0.612
2202	0.7379	0.6394	0.5490	0.546	4002	1.4196	1.2198	1.0360	0.531
2203	0.4840	0.4235	0.3657	0.581	4101	0.3223	0.2786	0.2397	0.530
2204	0.2522	0.2189	0.1895	0.532	4103	0.4580	0.4042	0.3501	0.616
2401	0.5006	0.4343	0.3710	0.563	4107	0.1717	0.1489	0.1287	0.533
2903	0.6529	0.5685	0.4919	0.551	4108	0.1565	0.1361	0.1179	0.545
2904	0.7452	0.6447	0.5582	0.519	4109	0.2158	0.1868	0.1615	0.526
2905	0.5723	0.5017	0.4340	0.584	4201	0.7187	0.6169	0.5218	0.537
2906	0.3317	0.2882	0.2484	0.554	4301	0.6780	0.5939	0.5139	0.581
2907	0.5351	0.4686	0.4038	0.589	4302	0.6894	0.5996	0.5151	0.564
2908	1.0651	0.9131	0.7844	0.488	4304	1.0468	0.9092	0.7903	0.522
2909	0.3994	0.3482	0.3013	0.559	4305	1.2504	1.0771	0.9143	0.545
3101	0.9234	0.7891	0.6765	0.479	4401	0.4210	0.3638	0.3172	0.492
3102	0.2803	0.2432	0.2094	0.552	4402	0.8608	0.7544	0.6505	0.596
3103	0.5816	0.5023	0.4336	0.513	4404	0.5811	0.5083	0.4383	0.581
3104	0.6198	0.5321	0.4568	0.500	4501	0.1922	0.1698	0.1467	0.631
3105	0.7612	0.6597	0.5681	0.540	4502	0.0417	0.0364	0.0317	0.538
3303	0.4512	0.3934	0.3378	0.578	4504	0.1141	0.1010	0.0879	0.634
3304	0.4808	0.4230	0.3663	0.601	4601	0.7683	0.6664	0.5753	0.535
3309	0.4422	0.3826	0.3304	0.528	4802	0.3294	0.2859	0.2499	0.501
3402	0.5400	0.4666	0.4014	0.528	4803	0.3043	0.2685	0.2353	0.583
3403	0.2100	0.1810	0.1564	0.512	4804	0.5366	0.4700	0.4053	0.590
3404	0.4972	0.4326	0.3729	0.556	4805	0.3041	0.2668	0.2320	0.580
3405	0.3132	0.2718	0.2340	0.550	4806	0.0611	0.0533	0.0463	0.542
3406	0.2058	0.1808	0.1566	0.593	4808	0.5158	0.4462	0.3884	0.499
3407	0.7313	0.6286	0.5396	0.504	4809	0.3934	0.3457	0.3003	0.589
3408	0.1848	0.1622	0.1385	0.620	4810	0.1473	0.1297	0.1133	0.584
3409	0.1752	0.1554	0.1335	0.662	4811	0.2838	0.2493	0.2175	0.578
3410	0.2987	0.2618	0.2267	0.581	4812	0.4079	0.3574	0.3087	0.590
3411	0.4869	0.4196	0.3598	0.524	4813	0.1621	0.1421	0.1242	0.562
3412	0.5888	0.5021	0.4292	0.476	4900	0.3229	0.2727	0.2337	0.420
3414	0.5828	0.5036	0.4315	0.539	4901	0.0776	0.0667	0.0573	0.506
3415	0.8492	0.7238	0.6268	0.441	4902	0.1128	0.0984	0.0842	0.587
3501	1.0940	0.9459	0.8153	0.521	4903	0.1596	0.1401	0.1191	0.637
3503	0.3183	0.2808	0.2459	0.584	4904	0.0295	0.0259	0.0224	0.580
3506	1.0789	0.9140	0.7759	0.464	4905	0.3779	0.3326	0.2903	0.584
3509	0.4235	0.3735	0.3223	0.624	4906	0.0976	0.0853	0.0733	0.594
3510	0.3716	0.3246	0.2796	0.581	4907	0.0541	0.0471	0.0409	0.556
3511	0.7285	0.6298	0.5438	0.519	4908	0.0818	0.0721	0.0636	0.560
3512	0.3498	0.3061	0.2655	0.574	4909	0.0412	0.0363	0.0323	0.526
3513	0.4850	0.4173	0.3672	0.441	4910	0.4878	0.4221	0.3658	0.513
3602	0.1335	0.1166	0.1005	0.579	4911	0.0656	0.0567	0.0491	0.525
3603	0.4816	0.4182	0.3616	0.539	5001	5.7543	4.8570	4.1537	0.420
3604	0.8426	0.7275	0.6357	0.486	5002	0.6136	0.5330	0.4554	0.571
3605	0.5400	0.4673	0.3999	0.547	5003	2.1347	1.8047	1.5467	0.422
3701	0.2803	0.2432	0.2094	0.552	5004	0.9396	0.8078	0.7011	0.476
3702	0.4588	0.3996	0.3432	0.573	5005	0.6001	0.5112	0.4394	0.451
3708	0.6421	0.5541	0.4751	0.532	5006	1.5992	1.3483	1.1575	0.403
3802	0.2061	0.1805	0.1551	0.598	5101	0.9195	0.8002	0.6859	0.574
3808	0.4392	0.3769	0.3232	0.501	5103	0.7676	0.6723	0.5812	0.585
3901	0.1772	0.1568	0.1364	0.621	5106	0.7676	0.6723	0.5812	0.585
3902	0.4975	0.4336	0.3758	0.551	5108	0.9196	0.8058	0.6939	0.599
3903	1.1476	1.0011	0.8751	0.533	5109	0.5757	0.4972	0.4264	0.533

<u>Class</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>Primary Ratio</u>	<u>Class</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>Primary Ratio</u>
5201	<u>0.4316</u>	<u>0.3736</u>	<u>0.3207</u>	<u>0.549</u>	6601	<u>0.1969</u>	<u>0.1720</u>	<u>0.1494</u>	<u>0.562</u>
5204	<u>0.9447</u>	<u>0.8089</u>	<u>0.7002</u>	<u>0.466</u>	6602	<u>0.5245</u>	<u>0.4572</u>	<u>0.3963</u>	<u>0.553</u>
5206	<u>0.4183</u>	<u>0.3594</u>	<u>0.3075</u>	<u>0.515</u>	6603	<u>0.3413</u>	<u>0.2963</u>	<u>0.2545</u>	<u>0.555</u>
5207	<u>0.1790</u>	<u>0.1585</u>	<u>0.1380</u>	<u>0.624</u>	6604	<u>0.0864</u>	<u>0.0760</u>	<u>0.0655</u>	<u>0.605</u>
5208	<u>0.8177</u>	<u>0.7068</u>	<u>0.6106</u>	<u>0.517</u>	6605	<u>0.3145</u>	<u>0.2775</u>	<u>0.2419</u>	<u>0.603</u>
5209	<u>0.7464</u>	<u>0.6422</u>	<u>0.5544</u>	<u>0.496</u>	6607	<u>0.1766</u>	<u>0.1539</u>	<u>0.1332</u>	<u>0.550</u>
5301	<u>0.0362</u>	<u>0.0317</u>	<u>0.0272</u>	<u>0.597</u>	6608	<u>0.5580</u>	<u>0.4695</u>	<u>0.3986</u>	<u>0.430</u>
5302	<u>0.0196</u>	<u>0.0170</u>	<u>0.0148</u>	<u>0.543</u>	6620	<u>4.3528</u>	<u>3.8318</u>	<u>3.2406</u>	<u>0.663</u>
5305	<u>0.0541</u>	<u>0.0478</u>	<u>0.0413</u>	<u>0.638</u>	6704	<u>0.1695</u>	<u>0.1484</u>	<u>0.1273</u>	<u>0.601</u>
5306	<u>0.0636</u>	<u>0.0560</u>	<u>0.0482</u>	<u>0.613</u>	6705	<u>0.8379</u>	<u>0.7423</u>	<u>0.6536</u>	<u>0.597</u>
5307	<u>0.5835</u>	<u>0.5056</u>	<u>0.4317</u>	<u>0.561</u>	6706	<u>0.3301</u>	<u>0.2880</u>	<u>0.2519</u>	<u>0.536</u>
6103	<u>0.0846</u>	<u>0.0749</u>	<u>0.0651</u>	<u>0.626</u>	6707	<u>3.6539</u>	<u>3.2686</u>	<u>2.8014</u>	<u>0.708</u>
6104	<u>0.3775</u>	<u>0.3315</u>	<u>0.2870</u>	<u>0.593</u>	6708	<u>8.9411</u>	<u>7.7752</u>	<u>6.9710</u>	<u>0.442</u>
6105	<u>0.3630</u>	<u>0.3140</u>	<u>0.2699</u>	<u>0.535</u>	6709	<u>0.2982</u>	<u>0.2632</u>	<u>0.2284</u>	<u>0.609</u>
6107	<u>0.1401</u>	<u>0.1235</u>	<u>0.1079</u>	<u>0.596</u>	6801	<u>0.6210</u>	<u>0.5398</u>	<u>0.4589</u>	<u>0.592</u>
6108	<u>0.4722</u>	<u>0.4150</u>	<u>0.3602</u>	<u>0.591</u>	6802	<u>0.4947</u>	<u>0.4336</u>	<u>0.3728</u>	<u>0.601</u>
6109	<u>0.0998</u>	<u>0.0866</u>	<u>0.0744</u>	<u>0.559</u>	6803	<u>0.9244</u>	<u>0.7739</u>	<u>0.6656</u>	<u>0.364</u>
6110	<u>0.6561</u>	<u>0.5712</u>	<u>0.4926</u>	<u>0.557</u>	6804	<u>0.2948</u>	<u>0.2563</u>	<u>0.2206</u>	<u>0.564</u>
6121	<u>0.3691</u>	<u>0.3200</u>	<u>0.2753</u>	<u>0.545</u>	6809	<u>5.0004</u>	<u>4.3792</u>	<u>3.8100</u>	<u>0.566</u>
6201	<u>0.3211</u>	<u>0.2747</u>	<u>0.2367</u>	<u>0.477</u>	6901	<u>0.0189</u>	<u>0.0181</u>	<u>0.0173</u>	<u>0.714</u>
6202	<u>0.6737</u>	<u>0.5847</u>	<u>0.5080</u>	<u>0.523</u>	6902	<u>1.0415</u>	<u>0.8768</u>	<u>0.7457</u>	<u>0.422</u>
6203	<u>0.1027</u>	<u>0.0921</u>	<u>0.0805</u>	<u>0.678</u>	6903	<u>7.6603</u>	<u>6.3919</u>	<u>5.5502</u>	<u>0.322</u>
6204	<u>0.1282</u>	<u>0.1124</u>	<u>0.0975</u>	<u>0.589</u>	6904	<u>0.4411</u>	<u>0.3857</u>	<u>0.3241</u>	<u>0.642</u>
6205	<u>0.2657</u>	<u>0.2321</u>	<u>0.2009</u>	<u>0.566</u>	6905	<u>0.3977</u>	<u>0.3474</u>	<u>0.2948</u>	<u>0.619</u>
6206	<u>0.2386</u>	<u>0.2085</u>	<u>0.1800</u>	<u>0.577</u>	6906	<u>0.1568</u>	<u>0.1466</u>	<u>0.1372</u>	<u>0.712</u>
6207	<u>1.1091</u>	<u>0.9711</u>	<u>0.8590</u>	<u>0.520</u>	6907	<u>1.3586</u>	<u>1.1822</u>	<u>1.0196</u>	<u>0.555</u>
6208	<u>0.2491</u>	<u>0.2194</u>	<u>0.1918</u>	<u>0.582</u>	6908	<u>0.4711</u>	<u>0.4105</u>	<u>0.3525</u>	<u>0.575</u>
6209	<u>0.3266</u>	<u>0.2862</u>	<u>0.2486</u>	<u>0.574</u>	6909	<u>0.1223</u>	<u>0.1076</u>	<u>0.0929</u>	<u>0.601</u>
6301	<u>0.1383</u>	<u>0.1175</u>	<u>0.1006</u>	<u>0.457</u>	7100	<u>0.0338</u>	<u>0.0292</u>	<u>0.0255</u>	<u>0.487</u>
6302	<u>0.1983</u>	<u>0.1738</u>	<u>0.1505</u>	<u>0.583</u>	7101	<u>0.0252</u>	<u>0.0216</u>	<u>0.0188</u>	<u>0.452</u>
6303	<u>0.0717</u>	<u>0.0622</u>	<u>0.0536</u>	<u>0.539</u>	7102	<u>4.3171</u>	<u>3.8400</u>	<u>3.4205</u>	<u>0.583</u>
6304	<u>0.4225</u>	<u>0.3724</u>	<u>0.3253</u>	<u>0.587</u>	7103	<u>0.6355</u>	<u>0.5498</u>	<u>0.4686</u>	<u>0.556</u>
6305	<u>0.1052</u>	<u>0.0928</u>	<u>0.0808</u>	<u>0.597</u>	7104	<u>0.0316</u>	<u>0.0278</u>	<u>0.0238</u>	<u>0.625</u>
6306	<u>0.3357</u>	<u>0.2926</u>	<u>0.2519</u>	<u>0.570</u>	7105	<u>0.0338</u>	<u>0.0299</u>	<u>0.0256</u>	<u>0.650</u>
6308	<u>0.0688</u>	<u>0.0602</u>	<u>0.0518</u>	<u>0.586</u>	7106	<u>0.2099</u>	<u>0.1850</u>	<u>0.1603</u>	<u>0.613</u>
6309	<u>0.1983</u>	<u>0.1738</u>	<u>0.1505</u>	<u>0.583</u>	7107	<u>0.2333</u>	<u>0.2050</u>	<u>0.1799</u>	<u>0.565</u>
6402	<u>0.2909</u>	<u>0.2572</u>	<u>0.2219</u>	<u>0.638</u>	7108	<u>0.2005</u>	<u>0.1767</u>	<u>0.1546</u>	<u>0.586</u>
6403	<u>0.1822</u>	<u>0.1605</u>	<u>0.1397</u>	<u>0.594</u>	7109	<u>0.1393</u>	<u>0.1230</u>	<u>0.1066</u>	<u>0.618</u>
6404	<u>0.2401</u>	<u>0.2105</u>	<u>0.1823</u>	<u>0.583</u>	7110	<u>0.3484</u>	<u>0.2991</u>	<u>0.2565</u>	<u>0.500</u>
6405	<u>0.5801</u>	<u>0.5004</u>	<u>0.4304</u>	<u>0.522</u>	7111	<u>0.3995</u>	<u>0.3422</u>	<u>0.2930</u>	<u>0.493</u>
6406	<u>0.1256</u>	<u>0.1108</u>	<u>0.0960</u>	<u>0.613</u>	7112	<u>0.6747</u>	<u>0.5883</u>	<u>0.5092</u>	<u>0.560</u>
6407	<u>0.2851</u>	<u>0.2494</u>	<u>0.2156</u>	<u>0.578</u>	7113	<u>0.3831</u>	<u>0.3361</u>	<u>0.2935</u>	<u>0.567</u>
6408	<u>0.4132</u>	<u>0.3594</u>	<u>0.3086</u>	<u>0.571</u>	7114	<u>0.5463</u>	<u>0.4826</u>	<u>0.4180</u>	<u>0.622</u>
6409	<u>0.8366</u>	<u>0.7179</u>	<u>0.6130</u>	<u>0.512</u>	7115	<u>0.5986</u>	<u>0.5259</u>	<u>0.4574</u>	<u>0.586</u>
6410	<u>0.2932</u>	<u>0.2549</u>	<u>0.2203</u>	<u>0.551</u>	7116	<u>0.7126</u>	<u>0.6229</u>	<u>0.5395</u>	<u>0.565</u>
6501	<u>0.1721</u>	<u>0.1513</u>	<u>0.1303</u>	<u>0.611</u>	7117	<u>1.7551</u>	<u>1.5436</u>	<u>1.3315</u>	<u>0.612</u>
6502	<u>0.0396</u>	<u>0.0346</u>	<u>0.0299</u>	<u>0.568</u>	7118	<u>1.4140</u>	<u>1.2356</u>	<u>1.0696</u>	<u>0.570</u>
6503	<u>0.0789</u>	<u>0.0678</u>	<u>0.0575</u>	<u>0.537</u>	7119	<u>1.3745</u>	<u>1.1991</u>	<u>1.0298</u>	<u>0.578</u>
6504	<u>0.4100</u>	<u>0.3625</u>	<u>0.3157</u>	<u>0.617</u>	7120	<u>6.3153</u>	<u>5.4661</u>	<u>4.7204</u>	<u>0.526</u>
6505	<u>0.1073</u>	<u>0.0950</u>	<u>0.0830</u>	<u>0.609</u>	7121	<u>5.8741</u>	<u>5.0835</u>	<u>4.3915</u>	<u>0.524</u>
6506	<u>0.1105</u>	<u>0.0974</u>	<u>0.0845</u>	<u>0.611</u>	7122	<u>0.5813</u>	<u>0.5145</u>	<u>0.4468</u>	<u>0.626</u>
6509	<u>0.3816</u>	<u>0.3350</u>	<u>0.2913</u>	<u>0.580</u>	7201	<u>1.5270</u>	<u>1.3180</u>	<u>1.1205</u>	<u>0.550</u>
6510	<u>0.4802</u>	<u>0.4092</u>	<u>0.3512</u>	<u>0.459</u>	7202	<u>0.0348</u>	<u>0.0300</u>	<u>0.0255</u>	<u>0.527</u>
6511	<u>0.3800</u>	<u>0.3342</u>	<u>0.2898</u>	<u>0.594</u>	7203	<u>0.1296</u>	<u>0.1148</u>	<u>0.1013</u>	<u>0.596</u>
6512	<u>0.2362</u>	<u>0.2059</u>	<u>0.1782</u>	<u>0.554</u>	7204	<u>0.0000</u>	<u>0.0000</u>	<u>0.0000</u>	<u>0.500</u>

Class	2004	2005	2006	Primary Ratio	Class	2003	2004	2005	Primary Ratio
7301	0.5321	0.4605	0.4011	0.500	0510	1.5442	1.4367	1.2105	0.516
7302	1.0314	0.8964	0.7806	0.521	0511	1.6481	1.5235	1.2761	0.497
7307	0.5071	0.4424	0.3849	0.540	0512	1.5509	1.4285	1.1955	0.466
7308	0.3293	0.2913	0.2546	0.608	0513	0.8602	0.7954	0.6664	0.499
7309	0.2744	0.2421	0.2114	0.593	0514	1.8993	1.7600	1.4775	0.504
					0516	1.6468	1.5211	1.2763	0.474
					0517	1.7583	1.6314	1.3773	0.466
					0518	1.5988	1.4709	1.2304	0.456
					0519	2.2307	2.0511	1.7193	0.431
					0521	0.5599	0.5209	0.4398	0.496
					0601	0.6584	0.6122	0.5153	0.518
					0602	0.7923	0.7338	0.6134	0.540
					0603	1.0268	0.9410	0.7839	0.451
					0604	1.0042	0.9448	0.8043	0.544
					0606	0.5506	0.5186	0.4401	0.586
					0607	0.5134	0.4811	0.4065	0.571
					0608	0.4004	0.3734	0.3156	0.515
					0701	2.0283	1.8295	1.5058	0.378
					0803	0.4823	0.4539	0.3842	0.597
					0901	1.5988	1.4709	1.2304	0.456
					1002	0.9881	0.9242	0.7832	0.522
					1003	0.8083	0.7552	0.6398	0.513
					1004	0.5206	0.4853	0.4081	0.555
					1005	8.2869	7.6493	6.4097	0.476
					1007	0.3807	0.3538	0.2977	0.515
					1101	0.7249	0.6800	0.5757	0.563
					1102	1.3342	1.2336	1.0331	0.502
					1103	1.2400	1.1556	0.9804	0.471
					1104	0.5566	0.5271	0.4508	0.570
					1105	0.9338	0.8706	0.7369	0.497
					1106	0.3618	0.3447	0.2970	0.572
					1108	0.6708	0.6320	0.5366	0.583
					1109	1.5045	1.4103	1.1962	0.538
					1301	0.6624	0.6165	0.5131	0.629
					1303	0.2324	0.2191	0.1853	0.619
					1304	0.0288	0.0272	0.0231	0.595
					1305	0.4241	0.3993	0.3383	0.599
					1401	0.4979	0.4671	0.3995	0.471
					1404	0.7631	0.7185	0.6103	0.576
					1405	0.5886	0.5576	0.4737	0.638
					1407	0.6301	0.5938	0.5054	0.561
					1501	0.5964	0.5582	0.4711	0.566
					1507	0.5448	0.5106	0.4318	0.566
					1701	0.9315	0.8658	0.7308	0.488
					1702	2.1073	1.9222	1.6017	0.393
					1703	0.8692	0.7904	0.6528	0.439
					1704	0.9315	0.8658	0.7308	0.488
					1801	0.5548	0.5180	0.4405	0.471
					1802	0.7274	0.6784	0.5713	0.548
					2002	0.7457	0.7039	0.5998	0.572
					2004	1.0002	0.9419	0.7997	0.581
					2007	0.4767	0.4485	0.3812	0.562
					2008	0.3318	0.3110	0.2644	0.513
					2009	0.4219	0.4015	0.3445	0.597
					2101	0.6953	0.6537	0.5564	0.537

Expected Loss Rates in Dollars Per Sq. Ft. of Wallboard Installed

Class	2003	2004	2005	Primary Ratio
0540	0.0221	0.0202	0.0168	0.463
0541	0.0132	0.0120	0.0099	0.432
0550	0.0297	0.0269	0.0222	0.374
0551	0.0173	0.0156	0.0130	0.382))

~~((TABLE IIIA  
Expected Loss Rates and D-Ratios (No Medical Only Deduction)  
for Indicated Fiscal Year  
Expected Loss Rates in Dollars Per Worker Hour  
Effective January 1, 2007, to December 31, 2007~~

Class	2003	2004	2005	Primary Ratio
0101	1.3134	1.2126	1.0180	0.464
0103	1.6777	1.5501	1.2993	0.486
0104	0.9539	0.8827	0.7409	0.490
0105	1.3873	1.2966	1.0947	0.547
0107	1.2554	1.1562	0.9678	0.462
0108	0.9539	0.8827	0.7409	0.490
0112	0.7894	0.7326	0.6166	0.500
0201	2.4212	2.2151	1.8442	0.436
0202	3.1456	2.8993	2.4418	0.413
0210	1.2073	1.1074	0.9245	0.441
0212	1.3379	1.2317	1.0308	0.460
0214	1.3042	1.1992	0.9990	0.488
0217	1.1208	1.0365	0.8683	0.500
0219	0.9641	0.8990	0.7623	0.482
0301	0.6214	0.5840	0.4954	0.567
0302	1.9464	1.7819	1.4818	0.454
0303	1.8606	1.7037	1.4189	0.443
0306	1.0096	0.9296	0.7758	0.487
0307	0.9619	0.8934	0.7509	0.519
0308	0.5599	0.5291	0.4505	0.594
0403	1.7211	1.6127	1.3614	0.576
0502	1.5323	1.4065	1.1715	0.470
0504	1.5027	1.3913	1.1716	0.466
0507	2.8886	2.6847	2.2672	0.483
0508	1.9440	1.7750	1.4774	0.416
0509	1.5945	1.4628	1.2200	0.451

<b>Class</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>Primary Ratio</b>	<b>Class</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>Primary Ratio</b>
2102	0.5801	0.5487	0.4677	0.597	3902	0.5243	0.4959	0.4239	0.566
2104	0.3744	0.3574	0.3076	0.603	3903	1.1511	1.0935	0.9401	0.559
2105	0.6071	0.5732	0.4858	0.625	3905	0.1696	0.1631	0.1410	0.635
2106	0.4478	0.4242	0.3625	0.584	3906	0.4968	0.4697	0.4008	0.575
2201	0.2539	0.2389	0.2033	0.553	3909	0.2762	0.2643	0.2267	0.654
2202	0.7391	0.6933	0.5864	0.571	4002	1.4091	1.3065	1.0916	0.554
2203	0.4959	0.4700	0.4008	0.607	4101	0.3092	0.2907	0.2468	0.561
2204	0.2539	0.2389	0.2033	0.553	4103	0.4657	0.4473	0.3855	0.656
2401	0.5114	0.4808	0.4071	0.585	4107	0.1724	0.1631	0.1393	0.576
2903	0.6808	0.6440	0.5494	0.583	4108	0.1551	0.1470	0.1257	0.575
2904	0.7749	0.7296	0.6225	0.533	4109	0.2211	0.2084	0.1777	0.555
2905	0.5869	0.5587	0.4791	0.604	4201	0.7011	0.6495	0.5417	0.561
2906	0.3483	0.3296	0.2809	0.591	4301	0.6947	0.6584	0.5609	0.616
2907	0.5572	0.5284	0.4505	0.614	4302	0.6890	0.6503	0.5527	0.593
2908	1.0577	0.9842	0.8299	0.511	4304	1.0390	0.9805	0.8370	0.552
2909	0.4066	0.3852	0.3290	0.589	4305	1.2352	1.1437	0.9540	0.556
3101	0.9744	0.9046	0.7629	0.484	4401	0.4173	0.3933	0.3366	0.514
3102	0.2882	0.2723	0.2317	0.598	4402	0.8734	0.8284	0.7064	0.619
3103	0.5814	0.5449	0.4623	0.531	4404	0.5857	0.5561	0.4745	0.623
3104	0.6182	0.5764	0.4867	0.520	4501	0.2039	0.1957	0.1682	0.666
3105	0.7858	0.7425	0.6326	0.582	4502	0.0447	0.0428	0.0371	0.599
3303	0.4586	0.4324	0.3668	0.601	4504	0.1227	0.1191	0.1034	0.689
3304	0.4995	0.4759	0.4077	0.625	4601	0.7654	0.7206	0.6129	0.559
3309	0.4517	0.4248	0.3608	0.559	4802	0.3110	0.2936	0.2514	0.529
3402	0.5623	0.5285	0.4490	0.550	4803	0.2867	0.2742	0.2363	0.602
3403	0.2117	0.1990	0.1694	0.543	4804	0.5475	0.5180	0.4405	0.612
3404	0.5065	0.4790	0.4083	0.589	4805	0.3130	0.2985	0.2563	0.610
3405	0.3358	0.3162	0.2688	0.566	4806	0.0606	0.0574	0.0492	0.570
3406	0.2170	0.2080	0.1792	0.639	4808	0.4986	0.4691	0.3999	0.535
3407	0.7257	0.6781	0.5740	0.520	4809	0.4059	0.3854	0.3295	0.606
3408	0.1841	0.1745	0.1481	0.650	4810	0.1525	0.1459	0.1256	0.620
3409	0.1823	0.1745	0.1491	0.691	4811	0.2853	0.2732	0.2357	0.611
3410	0.3004	0.2850	0.2435	0.607	4812	0.4172	0.3966	0.3390	0.621
3411	0.4939	0.4619	0.3906	0.539	4813	0.1663	0.1583	0.1361	0.573
3412	0.5995	0.5559	0.4672	0.500	4900	0.3352	0.3085	0.2586	0.446
3414	0.5838	0.5463	0.4611	0.568	4901	0.0817	0.0765	0.0648	0.532
3415	0.8269	0.7709	0.6544	0.468	4902	0.1088	0.1028	0.0872	0.627
3501	1.0884	1.0210	0.8662	0.543	4903	0.1609	0.1521	0.1286	0.668
3503	0.3287	0.3157	0.2731	0.618	4904	0.0321	0.0306	0.0262	0.616
3506	1.1323	1.0396	0.8657	0.475	4905	0.3682	0.3516	0.3025	0.609
3509	0.4314	0.4112	0.3513	0.650	4906	0.0995	0.0942	0.0802	0.617
3510	0.3921	0.3714	0.3168	0.603	4907	0.0542	0.0515	0.0441	0.586
3511	0.7488	0.7049	0.5997	0.556	4908	0.1142	0.1147	0.1032	0.705
3512	0.3704	0.3552	0.3062	0.629	4909	0.0587	0.0594	0.0538	0.692
3513	0.4827	0.4549	0.3913	0.464	4910	0.4788	0.4503	0.3832	0.541
3602	0.1335	0.1268	0.1082	0.628	4911	0.0711	0.0673	0.0575	0.563
3603	0.4958	0.4687	0.4000	0.572	5001	5.0354	4.6187	3.8543	0.444
3604	0.8438	0.7959	0.6819	0.512	5002	0.6206	0.5831	0.4929	0.597
3605	0.5428	0.5088	0.4298	0.571	5003	1.9840	1.8191	1.5199	0.427
3701	0.2882	0.2723	0.2317	0.598	5004	0.9429	0.8824	0.7497	0.504
3702	0.4853	0.4598	0.3917	0.616	5005	0.5808	0.5372	0.4517	0.468
3708	0.6655	0.6219	0.5251	0.547	5006	1.6169	1.4835	1.2432	0.407
3802	0.1997	0.1893	0.1611	0.627	5101	0.9440	0.8901	0.7549	0.604
3808	0.4384	0.4085	0.3446	0.523	5103	0.7856	0.7487	0.6417	0.620
3901	0.1803	0.1732	0.1493	0.648	5106	0.7856	0.7487	0.6417	0.620

<b>Class</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>Primary Ratio</b>	<b>Class</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>Primary Ratio</b>
5108	0.9456	0.8969	0.7637	0.631	6512	0.2872	0.2716	0.2317	0.592
5109	0.6219	0.5840	0.4950	0.565	6601	0.1988	0.1889	0.1619	0.593
5201	0.4517	0.4248	0.3600	0.580	6602	0.4880	0.4611	0.3932	0.580
5204	0.9517	0.8886	0.7542	0.489	6603	0.3460	0.3254	0.2758	0.584
5206	0.4310	0.4027	0.3401	0.542	6604	0.0884	0.0842	0.0720	0.634
5207	0.1847	0.1774	0.1530	0.656	6605	0.3334	0.3221	0.2796	0.650
5208	0.8678	0.8159	0.6947	0.532	6607	0.1785	0.1687	0.1438	0.575
5209	0.7762	0.7263	0.6160	0.518	6608	0.5649	0.5180	0.4314	0.455
5301	0.0354	0.0338	0.0290	0.646	6620	4.6097	4.3617	3.6771	0.693
5302	0.0215	0.0204	0.0174	0.580	6704	0.1757	0.1660	0.1410	0.629
5305	0.0573	0.0551	0.0475	0.678	6705	0.8930	0.8628	0.7504	0.633
5306	0.0654	0.0624	0.0536	0.642	6706	0.3376	0.3210	0.2761	0.565
5307	0.5495	0.5143	0.4334	0.586	6707	3.7428	3.6125	3.1004	0.738
6103	0.0899	0.0869	0.0751	0.676	6708	8.8493	8.4704	7.4145	0.468
6104	0.3829	0.3645	0.3123	0.611	6709	0.3088	0.2961	0.2548	0.645
6105	0.3623	0.3407	0.2895	0.562	6801	0.6404	0.6059	0.5138	0.640
6107	0.1518	0.1474	0.1286	0.656	6802	0.4714	0.4478	0.3817	0.634
6108	0.4682	0.4479	0.3849	0.636	6803	0.8716	0.7986	0.6699	0.382
6109	0.0989	0.0936	0.0800	0.602	6804	0.2899	0.2735	0.2326	0.577
6110	0.6341	0.5975	0.5074	0.585	6809	5.2243	4.9914	4.3002	0.600
6201	0.3343	0.3120	0.2644	0.500	6901	0.0377	0.0407	0.0389	0.850
6202	0.6833	0.6457	0.5524	0.546	6902	1.0322	0.9419	0.7820	0.433
6203	0.1122	0.1099	0.0961	0.723	6903	7.5329	6.8972	5.8126	0.331
6204	0.1384	0.1329	0.1147	0.633	6904	0.4245	0.3975	0.3321	0.661
6205	0.2617	0.2485	0.2126	0.597	6905	0.4039	0.3809	0.3217	0.641
6206	0.2452	0.2326	0.1986	0.610	6906	0.1742	0.1796	0.1654	0.750
6207	1.1108	1.0635	0.9238	0.546	6907	1.2878	1.2116	1.0271	0.584
6208	0.2590	0.2485	0.2148	0.615	6908	0.4892	0.4624	0.3931	0.608
6209	0.3323	0.3173	0.2729	0.611	6909	0.1266	0.1209	0.1037	0.640
6301	0.1348	0.1248	0.1048	0.478	7100	0.0341	0.0321	0.0275	0.515
6302	0.1939	0.1850	0.1588	0.623	7101	0.0255	0.0240	0.0206	0.485
6303	0.0733	0.0693	0.0591	0.570	7102	4.4406	4.3195	3.7911	0.618
6304	0.4303	0.4113	0.3540	0.613	7103	0.6159	0.5740	0.4826	0.558
6305	0.1070	0.1027	0.0887	0.634	7104	0.0322	0.0307	0.0262	0.656
6306	0.3473	0.3289	0.2803	0.603	7105	0.0338	0.0323	0.0276	0.679
6308	0.0685	0.0648	0.0552	0.612	7106	0.2085	0.1989	0.1705	0.633
6309	0.1939	0.1850	0.1588	0.623	7107	0.2390	0.2295	0.1988	0.596
6402	0.3102	0.2963	0.2533	0.664	7108	0.2054	0.1972	0.1705	0.608
6403	0.1795	0.1717	0.1479	0.623	7109	0.1395	0.1334	0.1143	0.646
6404	0.2334	0.2221	0.1901	0.615	7110	0.3511	0.3264	0.2748	0.514
6405	0.6115	0.5739	0.4869	0.552	7111	0.3900	0.3634	0.3065	0.522
6406	0.1249	0.1195	0.1027	0.646	7112	0.6692	0.6329	0.5399	0.583
6407	0.2911	0.2762	0.2359	0.608	7113	0.3830	0.3652	0.3142	0.593
6408	0.4134	0.3908	0.3323	0.611	7114	0.5795	0.5526	0.4727	0.643
6409	0.8962	0.8341	0.7026	0.523	7115	0.6015	0.5736	0.4920	0.620
6410	0.3030	0.2871	0.2455	0.582	7116	0.7175	0.6777	0.5768	0.589
6501	0.1789	0.1698	0.1446	0.643	7117	1.6735	1.5896	1.3557	0.631
6502	0.0425	0.0404	0.0346	0.609	7118	1.3946	1.3220	1.1278	0.608
6503	0.0795	0.0742	0.0622	0.566	7119	1.3587	1.2789	1.0837	0.592
6504	0.4283	0.4117	0.3553	0.647	7120	6.3206	5.9429	5.0526	0.550
6505	0.1146	0.1105	0.0958	0.647	7121	5.8785	5.5267	4.6990	0.548
6506	0.1130	0.1082	0.0930	0.648	7122	0.5968	0.5704	0.4893	0.648
6509	0.3913	0.3738	0.3214	0.616	7201	1.3704	1.2738	1.0655	0.572
6510	0.4816	0.4455	0.3746	0.466	7202	0.0379	0.0354	0.0299	0.558
6511	0.3599	0.3426	0.2934	0.620	7203	0.1359	0.1317	0.1147	0.631

Class	2003	2004	2005	Primary Ratio
7204	0.0000	0.0000	0.0000	0.500
7301	0.5209	0.4912	0.4199	0.529
7302	1.0217	0.9644	0.8242	0.543
7307	0.5195	0.4930	0.4227	0.571
7308	0.3310	0.3203	0.2784	0.653
7309	0.2825	0.2704	0.2330	0.624))

**((Expected Loss Rates in Dollars Per Sq. Ft. of Wallboard Installed**

Class	2002	2003	2004	D-Ratio
0540	0.0223	0.0206	0.0171	0.482
0541	0.0133	0.0120	0.0101	0.448
0550	0.0295	0.0267	0.0221	0.382
0551	0.0171	0.0156	0.0129	0.392))

AMENDATORY SECTION (Amending WSR 07-12-045, filed 5/31/07, effective 7/1/07)

**WAC 296-17-895 Industrial insurance accident fund base rates and medical aid base rates by class of industry.** Industrial insurance accident fund and medical aid fund base rates by class of industry shall be as set forth below.

((Base Rates Effective January 1, 2007

Class	Accident Fund	Medical Aid Fund
0101	1.5102	0.7102
0103	1.9285	0.9063
0104	1.0954	0.5189
0105	1.4873	0.8554
0107	1.4779	0.6467
0108	1.0954	0.5189
0112	0.8855	0.4502
0201	2.9771	1.1228
0202	3.5865	1.7260
0210	1.4481	0.5946
0212	1.5741	0.6908
0214	1.5723	0.6391
0217	1.2903	0.6064
0219	1.0310	0.5979
0301	0.6338	0.4127
0302	2.4031	0.8991
0303	2.2735	0.8789
0306	1.2097	0.5013
0307	1.0909	0.5375
0308	0.5462	0.3967
0403	1.8151	1.0914
0502	1.8533	0.7421
0504	1.6756	0.8618
0507	3.1395	1.7331

Class	Accident Fund	Medical Aid Fund
0508	2.4004	0.8899
0509	1.9140	0.7798
0510	1.6923	0.9163
0511	1.9177	0.8731
0512	1.8329	0.7927
0513	0.9923	0.4630
0514	2.1735	1.0436
0516	1.8907	0.8933
0517	1.9313	1.0352
0518	1.9005	0.8052
0519	2.6218	1.1503
0521	0.6073	0.3376
0601	0.7416	0.3729
0602	0.9248	0.4189
0603	1.2551	0.4830
0604	1.0086	0.6823
0606	0.5608	0.3679
0607	0.5428	0.3239
0608	0.4330	0.2432
0701	2.7040	0.7317
0803	0.4986	0.3150
0901	1.9005	0.8052
1002	1.0349	0.6322
1003	0.8552	0.5082
1004	0.5814	0.3011
1005	9.6730	4.4009
1007	0.4244	0.2189
1101	0.7541	0.4688
1102	1.5286	0.7283
1103	1.3045	0.7863
1104	0.5311	0.4052
1105	1.0005	0.5747
1106	0.3267	0.2807
1108	0.6894	0.4434
1109	1.5396	0.9942
1301	0.7669	0.3602
1303	0.2400	0.1527
1304	0.0296	0.0192
1305	0.4356	0.2806
1401	0.4876	0.3476
1404	0.7669	0.5189
1405	0.6008	0.3976
1407	0.6165	0.4427
1501	0.6346	0.3723
1507	0.5820	0.3399
1701	1.0239	0.5509

Class	Accident Fund	Medical Aid Fund	Class	Accident Fund	Medical Aid Fund
1702	2.5949	0.9691	3414	0.6261	0.3601
1703	1.1204	0.3557	3415	0.8773	0.5152
1704	1.0239	0.5509	3501	1.1294	0.7094
1801	0.5826	0.3513	3503	0.2759	0.2748
1802	0.8068	0.4272	3506	1.3792	0.5391
2002	0.7386	0.5182	3509	0.3980	0.3263
2004	1.0135	0.6728	3510	0.3848	0.2760
2007	0.4854	0.3184	3511	0.7602	0.5032
2008	0.3401	0.2179	3512	0.3360	0.2880
2009	0.3930	0.3170	3513	0.4523	0.3564
2101	0.7007	0.4712	3602	0.1286	0.0963
2102	0.5642	0.4120	3603	0.4908	0.3451
2104	0.3307	0.2965	3604	0.8076	0.6067
2105	0.6213	0.4048	3605	0.5803	0.3382
2106	0.4365	0.3199	3701	0.2872	0.1983
2201	0.2530	0.1745	3702	0.4833	0.3360
2202	0.7733	0.4742	3708	0.7128	0.4106
2203	0.4765	0.3581	3802	0.1954	0.1415
2204	0.2530	0.1745	3808	0.4773	0.2627
2401	0.5360	0.3290	3901	0.1540	0.1481
2903	0.6629	0.4833	3902	0.5034	0.3777
2904	0.7700	0.5325	3903	1.0439	0.8858
2905	0.5443	0.4428	3905	0.1447	0.1398
2906	0.3483	0.2395	3906	0.4803	0.3556
2907	0.5409	0.3986	3909	0.2474	0.2162
2908	1.1619	0.6262	4002	1.6280	0.7618
2909	0.3916	0.2927	4101	0.3183	0.2031
3101	1.0863	0.5612	4103	0.4048	0.3771
3102	0.2872	0.1983	4107	0.1686	0.1219
3103	0.6003	0.3802	4108	0.1487	0.1119
3104	0.6744	0.3701	4109	0.2210	0.1513
3105	0.7886	0.5375	4201	0.8230	0.3679
3303	0.4653	0.3088	4301	0.6687	0.5001
3304	0.4574	0.3817	4302	0.6992	0.4650
3309	0.4556	0.3036	4304	1.0132	0.7360
3402	0.5828	0.3664	4305	1.4391	0.6544
3403	0.2137	0.1418	4401	0.4070	0.2945
3404	0.5027	0.3517	4402	0.8309	0.6355
3405	0.3434	0.2232	4404	0.5665	0.4215
3406	0.1960	0.1695	4501	0.1849	0.1590
3407	0.7729	0.4525	4502	0.0399	0.0354
3408	0.1880	0.1246	4504	0.1011	0.1050
3409	0.1663	0.1403	4601	0.7733	0.5186
3410	0.2803	0.2240	4802	0.2979	0.2248
3411	0.5284	0.3058	4803	0.2438	0.2354
3412	0.6816	0.3328	4804	0.5360	0.3861



Class	Accident Fund	Medical Aid Fund	Class	Accident Fund	Medical Aid Fund
4805	0.2812	0.2436	6107	0.1224	0.1320
4806	0.0566	0.0450	6108	0.4166	0.3694
4808	0.4945	0.3441	6109	0.0980	0.0688
4809	0.3766	0.3045	6110	0.6353	0.4328
4810	0.1332	0.1225	6120	0.2971	0.1916
4811	0.2506	0.2279	6121	0.3714	0.2395
4812	0.3967	0.3054	6201	0.3576	0.2052
4813	0.1493	0.1295	6202	0.6582	0.4908
4900	0.3884	0.1773	6203	0.0825	0.1050
4901	0.0867	0.0511	6204	0.1219	0.1102
4902	0.1098	0.0738	6205	0.2469	0.1932
4903	0.1675	0.1054	6206	0.2350	0.1773
4904	0.0304	0.0237	6207	0.9090	0.9446
4905	0.3208	0.2955	6208	0.2207	0.2133
4906	0.0986	0.0692	6209	0.3010	0.2576
4907	0.0513	0.0399	6301	0.1529	0.0747
4908	0.0799	0.1152	6302	0.1776	0.1483
4909	0.0381	0.0622	6303	0.0725	0.0510
4910	0.4829	0.3235	6304	0.3757	0.3458
4911	0.0697	0.0500	6305	0.0909	0.0884
5001	6.0252	2.4999	6306	0.3406	0.2448
5002	0.6557	0.3944	6308	0.0669	0.0483
5003	2.3613	0.9947	6309	0.1776	0.1483
5004	0.9584	0.6259	6402	0.2832	0.2378
5005	0.6550	0.3265	6403	0.1593	0.1422
5006	1.9073	0.8254	6404	0.2184	0.1745
5101	0.9648	0.6286	6405	0.6377	0.3937
5103	0.7356	0.5874	6406	0.1116	0.0981
5106	0.7356	0.5874	6407	0.2793	0.2110
5108	0.9177	0.6739	6408	0.4131	0.2828
5109	0.6542	0.3966	6409	0.9934	0.5215
5201	0.4666	0.2945	6410	0.2946	0.2151
5204	0.9946	0.6060	6501	0.1719	0.1293
5206	0.4708	0.2584	6502	0.0403	0.0313
5207	0.1551	0.1536	6503	0.0902	0.0447
5208	0.8852	0.5790	6504	0.3636	0.3535
5209	0.8151	0.4940	6505	0.0944	0.0974
5300	0.1098	0.0738	6506	0.0994	0.0899
5301	0.0330	0.0267	6509	0.3492	0.3076
5302	0.0207	0.0154	6510	0.5441	0.2700
5305	0.0498	0.0464	6511	0.3269	0.2768
5306	0.0605	0.0494	6512	0.2715	0.2105
5307	0.5858	0.3420	6601	0.1848	0.1493
6103	0.0753	0.0755	6602	0.4685	0.3511
6104	0.3560	0.2884	6603	0.3564	0.2275
6105	0.3714	0.2395	6604	0.0833	0.0656

Class	Accident Fund	Medical Aid Fund	Class	Accident Fund	Medical Aid Fund
6605	0.2779	0.2818	7122	0.5236	0.4754
6607	0.1746	0.1260	7200	1.2338	0.6227
6608	0.6917	0.2648	7201	1.5423	0.7784
6620	4.8308	2.9905	7202	0.0414	0.0226
6704	0.1754	0.1209	7203	0.1053	0.1217
6705	0.6966	0.7926	7204	0.0000	0.0000
6706	0.3005	0.2637	7205	0.0000	0.0000
6707	3.4221	2.9240	7301	0.5041	0.3715
6708	6.9097	7.8371	7302	0.9770	0.7401
6709	0.2714	0.2477	7307	0.4868	0.3880
6801	0.6708	0.4154	7308	0.2678	0.2871
6802	0.4546	0.3395	7309	0.2410	0.2315
6803	1.0265	0.4432	7400	1.5423	0.7784))
6804	0.2946	0.1943			
6809	4.7278	4.0617			
6901	0.0000	0.0584			
6902	1.2857	0.4644			
6903	8.6855	3.9709			
6904	0.4799	0.2432			
6905	0.4281	0.2567			
6906	0.0000	0.2567			
6907	1.3109	0.8611			
6908	0.4925	0.3340			
6909	0.1169	0.0963			
7100	0.0327	0.0243			
7101	0.0255	0.0175			
7102	3.0801	4.2970			
7103	0.6772	0.3641			
7104	0.0310	0.0234			
7105	0.0316	0.0254			
7106	0.1887	0.1614			
7107	0.2015	0.1987			
7108	0.1703	0.1730			
7109	0.1259	0.1085			
7110	0.3871	0.2062			
7111	0.4265	0.2329			
7112	0.6466	0.4776			
7113	0.3368	0.3040			
7114	0.5211	0.4502			
7115	0.5380	0.4693			
7116	0.6929	0.5136			
7117	1.5938	1.2207			
7118	1.3242	1.0182			
7119	1.3808	0.9103			
7120	6.4082	4.2401			
7121	5.9556	3.9464			

  

Base Rates Effective January 1, 2008		
Class	Accident Fund	Medical Aid Fund
0101	1.3976	0.7569
0103	1.8375	1.0211
0104	1.0147	0.5571
0105	1.3287	0.9325
0107	1.3718	0.6993
0108	1.0147	0.5571
0112	0.8199	0.4747
0201	2.8463	1.2139
0202	3.4002	1.8451
0210	1.3188	0.6333
0212	1.5001	0.7574
0214	1.5157	0.7077
0217	1.1863	0.6515
0219	1.0164	0.6697
0301	0.6154	0.4647
0302	2.2113	0.9929
0303	2.1198	0.9334
0306	1.1251	0.5446
0307	1.0570	0.5909
0308	0.5121	0.4310
0403	1.7332	1.1790
0502	1.7183	0.8134
0504	1.6701	1.0241
0507	2.9215	1.8753
0508	2.3191	0.9933
0509	1.9060	0.9417
0510	1.5905	1.0234
0511	1.8421	0.9551

	<u>Accident</u>	<u>Medical Aid</u>		<u>Accident</u>	<u>Medical Aid</u>
<u>Class</u>	<u>Fund</u>	<u>Fund</u>	<u>Class</u>	<u>Fund</u>	<u>Fund</u>
<u>0512</u>	<u>1.7354</u>	<u>0.8743</u>	<u>1802</u>	<u>0.7773</u>	<u>0.5017</u>
<u>0513</u>	<u>0.8687</u>	<u>0.4856</u>	<u>2002</u>	<u>0.7131</u>	<u>0.5700</u>
<u>0514</u>	<u>2.0708</u>	<u>1.1353</u>	<u>2004</u>	<u>0.9479</u>	<u>0.7397</u>
<u>0516</u>	<u>1.7840</u>	<u>0.9736</u>	<u>2007</u>	<u>0.4853</u>	<u>0.3658</u>
<u>0517</u>	<u>1.9147</u>	<u>1.1740</u>	<u>2008</u>	<u>0.3264</u>	<u>0.2425</u>
<u>0518</u>	<u>1.7564</u>	<u>0.8790</u>	<u>2009</u>	<u>0.3807</u>	<u>0.3486</u>
<u>0519</u>	<u>2.4405</u>	<u>1.2485</u>	<u>2101</u>	<u>0.6614</u>	<u>0.5199</u>
<u>0521</u>	<u>0.6078</u>	<u>0.3663</u>	<u>2102</u>	<u>0.5095</u>	<u>0.4368</u>
<u>0601</u>	<u>0.7082</u>	<u>0.4141</u>	<u>2104</u>	<u>0.3148</u>	<u>0.3351</u>
<u>0602</u>	<u>0.9060</u>	<u>0.4596</u>	<u>2105</u>	<u>0.5806</u>	<u>0.4454</u>
<u>0603</u>	<u>1.1671</u>	<u>0.5437</u>	<u>2106</u>	<u>0.4134</u>	<u>0.3594</u>
<u>0604</u>	<u>0.9791</u>	<u>0.7505</u>	<u>2201</u>	<u>0.2381</u>	<u>0.1895</u>
<u>0606</u>	<u>0.5448</u>	<u>0.4088</u>	<u>2202</u>	<u>0.7380</u>	<u>0.5282</u>
<u>0607</u>	<u>0.5506</u>	<u>0.3746</u>	<u>2203</u>	<u>0.4515</u>	<u>0.3858</u>
<u>0608</u>	<u>0.3929</u>	<u>0.2581</u>	<u>2204</u>	<u>0.2381</u>	<u>0.1895</u>
<u>0701</u>	<u>2.5420</u>	<u>0.7997</u>	<u>2401</u>	<u>0.5140</u>	<u>0.3497</u>
<u>0803</u>	<u>0.4740</u>	<u>0.3431</u>	<u>2903</u>	<u>0.6150</u>	<u>0.5222</u>
<u>0901</u>	<u>1.7564</u>	<u>0.8790</u>	<u>2904</u>	<u>0.7154</u>	<u>0.5709</u>
<u>1002</u>	<u>1.0110</u>	<u>0.6969</u>	<u>2905</u>	<u>0.5264</u>	<u>0.4830</u>
<u>1003</u>	<u>0.8081</u>	<u>0.5610</u>	<u>2906</u>	<u>0.3266</u>	<u>0.2656</u>
<u>1004</u>	<u>0.5663</u>	<u>0.3293</u>	<u>2907</u>	<u>0.5072</u>	<u>0.4335</u>
<u>1005</u>	<u>9.2832</u>	<u>4.8682</u>	<u>2908</u>	<u>1.1021</u>	<u>0.6958</u>
<u>1007</u>	<u>0.4011</u>	<u>0.2306</u>	<u>2909</u>	<u>0.3745</u>	<u>0.3222</u>
<u>1101</u>	<u>0.7373</u>	<u>0.5220</u>	<u>3101</u>	<u>0.9795</u>	<u>0.5905</u>
<u>1102</u>	<u>1.4486</u>	<u>0.8079</u>	<u>3102</u>	<u>0.2751</u>	<u>0.2146</u>
<u>1103</u>	<u>1.2252</u>	<u>0.8425</u>	<u>3103</u>	<u>0.5695</u>	<u>0.4117</u>
<u>1104</u>	<u>0.5116</u>	<u>0.4459</u>	<u>3104</u>	<u>0.6427</u>	<u>0.4175</u>
<u>1105</u>	<u>0.9491</u>	<u>0.6070</u>	<u>3105</u>	<u>0.7554</u>	<u>0.5842</u>
<u>1106</u>	<u>0.3162</u>	<u>0.3128</u>	<u>3303</u>	<u>0.4405</u>	<u>0.3380</u>
<u>1108</u>	<u>0.6628</u>	<u>0.4866</u>	<u>3304</u>	<u>0.4313</u>	<u>0.4127</u>
<u>1109</u>	<u>1.4961</u>	<u>1.1065</u>	<u>3309</u>	<u>0.4287</u>	<u>0.3277</u>
<u>1301</u>	<u>0.6997</u>	<u>0.3829</u>	<u>3402</u>	<u>0.5440</u>	<u>0.3996</u>
<u>1303</u>	<u>0.2287</u>	<u>0.1676</u>	<u>3403</u>	<u>0.2069</u>	<u>0.1570</u>
<u>1304</u>	<u>0.0295</u>	<u>0.0220</u>	<u>3404</u>	<u>0.4833</u>	<u>0.3932</u>
<u>1305</u>	<u>0.4300</u>	<u>0.3236</u>	<u>3405</u>	<u>0.3089</u>	<u>0.2430</u>
<u>1401</u>	<u>0.4645</u>	<u>0.3825</u>	<u>3406</u>	<u>0.1892</u>	<u>0.1884</u>
<u>1404</u>	<u>0.7597</u>	<u>0.5933</u>	<u>3407</u>	<u>0.7525</u>	<u>0.4867</u>
<u>1405</u>	<u>0.6140</u>	<u>0.4667</u>	<u>3408</u>	<u>0.1849</u>	<u>0.1446</u>
<u>1407</u>	<u>0.5419</u>	<u>0.4532</u>	<u>3409</u>	<u>0.1583</u>	<u>0.1501</u>
<u>1501</u>	<u>0.6215</u>	<u>0.4104</u>	<u>3410</u>	<u>0.2708</u>	<u>0.2416</u>
<u>1507</u>	<u>0.5948</u>	<u>0.3963</u>	<u>3411</u>	<u>0.5005</u>	<u>0.3348</u>
<u>1701</u>	<u>0.9796</u>	<u>0.6133</u>	<u>3412</u>	<u>0.6373</u>	<u>0.3612</u>
<u>1702</u>	<u>2.5100</u>	<u>1.0602</u>	<u>3414</u>	<u>0.5950</u>	<u>0.4029</u>
<u>1703</u>	<u>1.0304</u>	<u>0.3841</u>	<u>3415</u>	<u>0.8608</u>	<u>0.5840</u>
<u>1704</u>	<u>0.9796</u>	<u>0.6133</u>	<u>3501</u>	<u>1.0809</u>	<u>0.7812</u>
<u>1801</u>	<u>0.5447</u>	<u>0.3893</u>	<u>3503</u>	<u>0.2621</u>	<u>0.3000</u>

<u>Class</u>	<u>Accident Fund</u>	<u>Medical Aid Fund</u>	<u>Class</u>	<u>Accident Fund</u>	<u>Medical Aid Fund</u>
3506	1.2340	0.5977	4810	0.1255	0.1364
3509	0.3815	0.3569	4811	0.2483	0.2695
3510	0.3560	0.2995	4812	0.3805	0.3469
3511	0.7162	0.5477	4813	0.1392	0.1463
3512	0.3240	0.3196	4900	0.3535	0.1786
3513	0.4304	0.3916	4901	0.0796	0.0546
3602	0.1277	0.1074	4902	0.1128	0.0840
3603	0.4635	0.3881	4903	0.1628	0.1238
3604	0.7732	0.6913	4904	0.0275	0.0256
3605	0.5549	0.3756	4905	0.3193	0.3378
3701	0.2751	0.2146	4906	0.0948	0.0770
3702	0.4540	0.3592	4907	0.0502	0.0458
3708	0.6557	0.4400	4908	0.0765	0.1166
3802	0.1974	0.1626	4909	0.0369	0.0649
3808	0.4560	0.2873	4910	0.4665	0.3703
3901	0.1501	0.1667	4911	0.0632	0.0513
3902	0.4621	0.4047	5001	6.3769	3.0302
3903	1.0038	0.9838	5002	0.6271	0.4375
3905	0.1408	0.1541	5003	2.3266	1.1565
3906	0.4536	0.3941	5004	0.9026	0.6638
3909	0.2394	0.2380	5005	0.6307	0.3616
4002	1.5407	0.8397	5006	1.7478	0.8728
4101	0.3230	0.2363	5101	0.9144	0.6798
4103	0.4079	0.4155	5103	0.7143	0.6546
4107	0.1664	0.1351	5106	0.7143	0.6546
4108	0.1476	0.1286	5108	0.8699	0.7534
4109	0.2091	0.1674	5109	0.5894	0.4109
4201	0.8008	0.4084	5201	0.4337	0.3134
4301	0.6214	0.5537	5204	0.9380	0.6509
4302	0.6824	0.5197	5206	0.4408	0.2832
4304	0.9661	0.8251	5207	0.1506	0.1685
4305	1.3483	0.7513	5208	0.8031	0.6183
4401	0.3929	0.3434	5209	0.7464	0.5384
4402	0.7973	0.6825	5300	0.1128	0.0840
4404	0.5516	0.4728	5301	0.0347	0.0302
4501	0.1757	0.1839	5302	0.0186	0.0156
4502	0.0386	0.0376	5305	0.0482	0.0494
4504	0.0999	0.1190	5306	0.0583	0.0557
4601	0.7442	0.5735	5307	0.5980	0.3891
4802	0.2945	0.2696	6103	0.0732	0.0830
4803	0.2465	0.2800	6104	0.3431	0.3189
4804	0.5029	0.4312	6105	0.3640	0.2618
4805	0.2677	0.2642	6107	0.1215	0.1500
4806	0.0552	0.0507	6108	0.4206	0.4159
4808	0.4795	0.4017	6109	0.0994	0.0777
4809	0.3456	0.3350	6110	0.6268	0.4957

Class	<u>Accident</u>		Class	<u>Accident</u>	
	<u>Fund</u>	<u>Medical Aid Fund</u>		<u>Fund</u>	<u>Medical Aid Fund</u>
<u>6120</u>	<u>0.2918</u>	<u>0.2190</u>	<u>6704</u>	<u>0.1639</u>	<u>0.1298</u>
<u>6121</u>	<u>0.3647</u>	<u>0.2738</u>	<u>6705</u>	<u>0.6547</u>	<u>0.8704</u>
<u>6201</u>	<u>0.3310</u>	<u>0.2269</u>	<u>6706</u>	<u>0.2846</u>	<u>0.2813</u>
<u>6202</u>	<u>0.6277</u>	<u>0.5453</u>	<u>6707</u>	<u>3.4185</u>	<u>3.7372</u>
<u>6203</u>	<u>0.0812</u>	<u>0.1155</u>	<u>6708</u>	<u>6.6988</u>	<u>8.9057</u>
<u>6204</u>	<u>0.1160</u>	<u>0.1170</u>	<u>6709</u>	<u>0.2625</u>	<u>0.2703</u>
<u>6205</u>	<u>0.2468</u>	<u>0.2154</u>	<u>6801</u>	<u>0.6603</u>	<u>0.4714</u>
<u>6206</u>	<u>0.2236</u>	<u>0.1936</u>	<u>6802</u>	<u>0.4751</u>	<u>0.4076</u>
<u>6207</u>	<u>0.8819</u>	<u>1.0671</u>	<u>6803</u>	<u>1.0216</u>	<u>0.4912</u>
<u>6208</u>	<u>0.2100</u>	<u>0.2356</u>	<u>6804</u>	<u>0.2899</u>	<u>0.2336</u>
<u>6209</u>	<u>0.2951</u>	<u>0.2877</u>	<u>6809</u>	<u>4.5185</u>	<u>4.5429</u>
<u>6301</u>	<u>0.1496</u>	<u>0.0818</u>	<u>6901</u>	<u>0.0000</u>	<u>0.0659</u>
<u>6302</u>	<u>0.1813</u>	<u>0.1700</u>	<u>6902</u>	<u>1.1946</u>	<u>0.5072</u>
<u>6303</u>	<u>0.0705</u>	<u>0.0553</u>	<u>6903</u>	<u>8.1636</u>	<u>4.3648</u>
<u>6304</u>	<u>0.3554</u>	<u>0.3852</u>	<u>6904</u>	<u>0.4812</u>	<u>0.2802</u>
<u>6305</u>	<u>0.0904</u>	<u>0.0974</u>	<u>6905</u>	<u>0.4155</u>	<u>0.2907</u>
<u>6306</u>	<u>0.3243</u>	<u>0.2626</u>	<u>6906</u>	<u>0.0000</u>	<u>0.2907</u>
<u>6308</u>	<u>0.0653</u>	<u>0.0559</u>	<u>6907</u>	<u>1.2985</u>	<u>1.0152</u>
<u>6309</u>	<u>0.1813</u>	<u>0.1700</u>	<u>6908</u>	<u>0.4647</u>	<u>0.3585</u>
<u>6402</u>	<u>0.2613</u>	<u>0.2535</u>	<u>6909</u>	<u>0.1126</u>	<u>0.1069</u>
<u>6403</u>	<u>0.1585</u>	<u>0.1652</u>	<u>7100</u>	<u>0.0314</u>	<u>0.0269</u>
<u>6404</u>	<u>0.2190</u>	<u>0.2029</u>	<u>7101</u>	<u>0.0244</u>	<u>0.0193</u>
<u>6405</u>	<u>0.5873</u>	<u>0.4198</u>	<u>7102</u>	<u>2.9961</u>	<u>4.7722</u>
<u>6406</u>	<u>0.1114</u>	<u>0.1138</u>	<u>7103</u>	<u>0.6616</u>	<u>0.4115</u>
<u>6407</u>	<u>0.2650</u>	<u>0.2341</u>	<u>7104</u>	<u>0.0300</u>	<u>0.0270</u>
<u>6408</u>	<u>0.4086</u>	<u>0.3195</u>	<u>7105</u>	<u>0.0314</u>	<u>0.0288</u>
<u>6409</u>	<u>0.8920</u>	<u>0.5342</u>	<u>7106</u>	<u>0.1847</u>	<u>0.1800</u>
<u>6410</u>	<u>0.2815</u>	<u>0.2407</u>	<u>7107</u>	<u>0.1957</u>	<u>0.2287</u>
<u>6501</u>	<u>0.1604</u>	<u>0.1403</u>	<u>7108</u>	<u>0.1666</u>	<u>0.1858</u>
<u>6502</u>	<u>0.0377</u>	<u>0.0327</u>	<u>7109</u>	<u>0.1230</u>	<u>0.1242</u>
<u>6503</u>	<u>0.0870</u>	<u>0.0517</u>	<u>7110</u>	<u>0.3611</u>	<u>0.2224</u>
<u>6504</u>	<u>0.3477</u>	<u>0.3881</u>	<u>7111</u>	<u>0.4214</u>	<u>0.2532</u>
<u>6505</u>	<u>0.0897</u>	<u>0.1099</u>	<u>7112</u>	<u>0.6291</u>	<u>0.5454</u>
<u>6506</u>	<u>0.0973</u>	<u>0.0999</u>	<u>7113</u>	<u>0.3275</u>	<u>0.3351</u>
<u>6509</u>	<u>0.3370</u>	<u>0.3377</u>	<u>7114</u>	<u>0.4767</u>	<u>0.4703</u>
<u>6510</u>	<u>0.5078</u>	<u>0.2888</u>	<u>7115</u>	<u>0.5213</u>	<u>0.5177</u>
<u>6511</u>	<u>0.3361</u>	<u>0.3188</u>	<u>7116</u>	<u>0.6503</u>	<u>0.5550</u>
<u>6512</u>	<u>0.2180</u>	<u>0.1789</u>	<u>7117</u>	<u>1.6093</u>	<u>1.4568</u>
<u>6601</u>	<u>0.1786</u>	<u>0.1643</u>	<u>7118</u>	<u>1.2987</u>	<u>1.1337</u>
<u>6602</u>	<u>0.4819</u>	<u>0.4112</u>	<u>7119</u>	<u>1.3315</u>	<u>1.0089</u>
<u>6603</u>	<u>0.3385</u>	<u>0.2516</u>	<u>7120</u>	<u>6.1411</u>	<u>4.7003</u>
<u>6604</u>	<u>0.0803</u>	<u>0.0738</u>	<u>7121</u>	<u>5.7028</u>	<u>4.3816</u>
<u>6605</u>	<u>0.2745</u>	<u>0.3171</u>	<u>7122</u>	<u>0.4964</u>	<u>0.5236</u>
<u>6607</u>	<u>0.1653</u>	<u>0.1395</u>	<u>7200</u>	<u>1.2949</u>	<u>0.7366</u>
<u>6608</u>	<u>0.6480</u>	<u>0.2810</u>	<u>7201</u>	<u>1.6186</u>	<u>0.9208</u>
<u>6620</u>	<u>4.4945</u>	<u>3.1943</u>	<u>7202</u>	<u>0.0370</u>	<u>0.0236</u>

<u>Class</u>	<u>Accident Fund</u>	<u>Medical Aid Fund</u>
<u>7203</u>	<u>0.1014</u>	<u>0.1418</u>
<u>7204</u>	<u>0.0000</u>	<u>0.0000</u>
<u>7205</u>	<u>0.0000</u>	<u>0.0000</u>
<u>7301</u>	<u>0.4920</u>	<u>0.4202</u>
<u>7302</u>	<u>0.9354</u>	<u>0.8159</u>
<u>7307</u>	<u>0.4591</u>	<u>0.4187</u>
<u>7308</u>	<u>0.2779</u>	<u>0.3367</u>
<u>7309</u>	<u>0.2294</u>	<u>0.2507</u>
<u>7400</u>	<u>1.6186</u>	<u>0.9208</u>

~~((For work performed during the period July 1, 2007, through December 31, 2007, employers shall not be required to pay nor shall they be entitled to deduct from workers' pay, medical aid premium; such premiums shall be deemed to have been paid by the department out of the medical aid fund.))~~

In calendar year 2008, the department will pay such dividends from the accident fund to employers not participating in the retrospective rating program during the period July 1, 2007, through December 31, 2007, as the department's actuaries determine to be necessary to equalize the proportion of losses funded between retro and nonretro employers.

**AMENDATORY SECTION** (Amending WSR 07-12-045, filed 5/31/07, effective 7/1/07)

**WAC 296-17-89502 Industrial insurance accident fund, medical aid and supplemental pension rates by class of industry for nonhourly rated classifications.** The base rates as set forth below are for classifications whose premium rates are based on units other than hours worked.

Base Rates ((in Dollars Per Sq. Ft. of Wallboard))  
Effective January 1, ((2007)) 2008

<u>Class</u>	<u>Accident Fund</u>	<u>Medical Aid Fund</u>	<u>Supplemental Pension Fund</u>
<del>((0540</del>	<del>0.0268</del>	<del>0.0111</del>	<del>0.0005</del>
<u>0541</u>	<u>0.0161</u>	<u>0.0062</u>	<u>0.0005</u>
<u>0550</u>	<u>0.0375</u>	<u>0.0124</u>	<u>0.0005</u>
<del>0551</del>	<del>0.0218</del>	<del>0.0073</del>	<del>0.0005</del>
<u>0540</u>	<u>0.0244</u>	<u>0.0118</u>	<u>0.0006</u>
<u>0541</u>	<u>0.0145</u>	<u>0.0066</u>	<u>0.0006</u>
<u>0550</u>	<u>0.0327</u>	<u>0.0131</u>	<u>0.0006</u>
<u>0551</u>	<u>0.0194</u>	<u>0.0077</u>	<u>0.0006</u>

~~((For work performed during the period July 1, 2007, through December 31, 2007, employers shall not be required to pay nor shall they be entitled to deduct from workers' pay, medical aid premium; such premiums shall be deemed to have been paid by the department out of the medical aid fund.))~~

In calendar year 2008, the department will pay such dividends from the accident fund to employers not participating in the retrospective rating program during the period July 1, 2007, through December 31, 2007, as the department's actuaries determine to be necessary to equalize the proportion of losses funded between retro and nonretro employers.

**AMENDATORY SECTION** (Amending WSR 07-12-045, filed 5/31/07, effective 7/1/07)

**WAC 296-17-89504 Horse racing industry industrial insurance, medical aid, and supplemental pension by class.**

Base Rates ((Per License)) Effective  
January 1, ((2007)) 2008

<u>Class</u>	<u>Accident Fund</u>	<u>Medical Aid Fund</u>	<u>Supplemental Pension Fund</u>
<del>((6614</del>	<del>44</del>	<del>35</del>	<del>+</del>
<u>6615</u>	<u>309</u>	<u>270</u>	<u>+</u>
<u>6616</u>	<u>14</u>	<u>10</u>	<u>+</u>
<del>6617</del>	<del>103</del>	<del>76</del>	<del>+</del>
<u>6618</u>	<u>99</u>	<u>50</u>	<u>+</u>

Base Rates Per Twelve Horse Stalls  
Effective January 1, 2007

<u>6622</u>	<u>565</u>	<u>449</u>	<u>+</u>
<del>6623</del>	<del>207</del>	<del>147</del>	<del>+) )</del>
<u>6614</u>	<u>39*</u>	<u>20*</u>	<u>1</u>
<u>6615</u>	<u>284*</u>	<u>150*</u>	<u>1</u>
<u>6616</u>	<u>13*</u>	<u>6*</u>	<u>1</u>
<u>6617</u>	<u>100*</u>	<u>44*</u>	<u>1</u>
<u>6618</u>	<u>99*</u>	<u>25*</u>	<u>1</u>
<u>6622</u>	<u>526**</u>	<u>253**</u>	<u>1</u>
<u>6623</u>	<u>130**</u>	<u>54**</u>	<u>1</u>

\* These rates are calculated on a per license basis for parimutuel race tracks and are base rated.

\*\* These rates are calculated on a per 12 horse stalls for parimutuel race tracks and are base rated.

**NEW SECTION**

**WAC 296-17-89505 2007 Rate holiday dividend. What is happening?**

As part of the medical aid fund rate holiday for the third and fourth quarters of 2007, the department will be refunding to eligible state fund employers a percentage of accident fund premiums they reported and paid for the hours worked from July 1 to December 31, 2007.

**Why is the department doing this?**

The department is doing this so that retro and nonretro employers pay for the same fair share of their expected losses after the net retro refunds and dividends are taken into consideration.

**Who is eligible?**

To be eligible, an employer must have reported and paid accident fund premiums by June 1, 2008, for the work done in at least one quarter of the two quarters covered by the rate holiday and must not have participated in the retrospective rating program during that quarter.

**Why are retro employers not eligible?**

Instead of this dividend, retro employers in aggregate will be receiving larger retrospective rating adjustments because the department will be calculating adjustments as though employers had paid medical aid premiums for the third and fourth quarters of 2007.

**How will the dividend work?**

The department will fix the dividend percentage using data available to the department as of June 1, 2008, and then announce this to the public. The department will then apply that percentage to the amount of accident fund premiums each eligible employer paid for the work done in each quarter they were eligible to calculate the dividend amount. The dividend amount will then be distributed by the department either by applying a credit or issuing a check. Employers owing the department money will receive a credit to their industrial insurance account; employers not owing the department money will be sent a check (what the state calls a warrant drawn on the state treasury).

**How will the department calculate the dividend percentage?**

The department will calculate the dividend percentage using the following formula, rounded to four decimal places:

$$1.0 - (1.0 - 19\% \times \text{Standard Premium} / \text{Accident Fund Premium}) / 81\%$$

Standard Premium and the Accident Fund Premium are the sums of the standard premiums and accident fund premiums respectively for retrospective rating participants for hours worked during the period July 1, 2007, to December 31, 2007, using data evaluated on June 1, 2008.

**AMENDATORY SECTION** (Amending WSR 06-24-054, filed 12/1/06, effective 1/1/07)

**WAC 296-17-90492 Table I.**

((RETROSPECTIVE RATING PLANS A, A1, A2, A3, AND B  
STANDARD PREMIUM SIZE RANGES  
Effective January 1, 2007

Size Group Number	Standard Premium Range
63	\$4,700 - \$5,678
62	5,679 - 6,819
61	6,820 - 8,114
60	8,115 - 9,599
59	9,600 - 11,299
58	11,300 - 13,209
57	13,210 - 15,389
56	15,390 - 17,699
55	17,700 - 20,139
54	20,140 - 22,709

Size Group Number	Standard Premium Range
53	22,710 - 25,419
52	25,420 - 28,269
51	28,270 - 31,239
50	31,240 - 34,369
49	34,370 - 37,639
48	37,640 - 40,959
47	40,960 - 44,299
46	44,300 - 47,959
45	47,960 - 52,029
44	52,030 - 56,559
43	56,560 - 61,579
42	61,580 - 67,199
41	67,200 - 73,489
40	73,490 - 80,519
39	80,520 - 88,449
38	88,450 - 97,429
37	97,430 - 107,539
36	107,540 - 118,399
35	118,400 - 130,099
34	130,100 - 143,199
33	143,200 - 157,399
32	157,400 - 173,199
31	173,200 - 189,599
30	189,600 - 207,799
29	207,800 - 228,399
28	228,400 - 251,799
27	251,800 - 278,799
26	278,800 - 309,899
25	309,900 - 345,599
24	345,600 - 387,499
23	387,500 - 436,799
22	436,800 - 494,399
21	494,400 - 563,399
20	563,400 - 646,599
19	646,600 - 746,399
18	746,400 - 869,299
17	869,300 - 1,022,499
16	1,022,500 - 1,242,999
15	1,243,000 - 1,547,999
14	1,548,000 - 1,977,999
13	1,978,000 - 2,527,999
12	2,528,000 - 3,228,999
11	3,229,000 - 4,279,999
10	4,280,000 - 5,927,999
9	5,928,000 - 8,544,999

<u>Size Group Number</u>	<u>Standard Premium Range</u>
8	8,545,000 - 12,379,999
7	12,380,000 - 18,229,999
6	18,230,000 - 28,339,999
5	28,340,000 - 44,739,999
4	44,740,000 & Over))

RETROSPECTIVE RATING PLANS A, A1, A2, A3, AND B  
 STANDARD PREMIUM SIZE RANGES  
 Effective January 1, 2008

<u>Size Group Number</u>	<u>Standard Premium Range</u>
<u>63</u>	<u>\$4,761 - \$5,751</u>
<u>62</u>	<u>5,752 - 6,907</u>
<u>61</u>	<u>6,908 - 8,219</u>
<u>60</u>	<u>8,220 - 9,723</u>
<u>59</u>	<u>9,724 - 11,445</u>
<u>58</u>	<u>11,446 - 13,379</u>
<u>57</u>	<u>13,380 - 15,589</u>
<u>56</u>	<u>15,590 - 17,929</u>
<u>55</u>	<u>17,930 - 20,399</u>
<u>54</u>	<u>20,400 - 22,999</u>
<u>53</u>	<u>23,000 - 25,749</u>
<u>52</u>	<u>25,750 - 28,629</u>
<u>51</u>	<u>28,630 - 31,639</u>
<u>50</u>	<u>31,640 - 34,809</u>
<u>49</u>	<u>34,810 - 38,129</u>
<u>48</u>	<u>38,130 - 41,489</u>
<u>47</u>	<u>41,490 - 44,869</u>
<u>46</u>	<u>44,870 - 48,579</u>
<u>45</u>	<u>48,580 - 52,699</u>
<u>44</u>	<u>52,700 - 57,289</u>
<u>43</u>	<u>57,290 - 62,369</u>
<u>42</u>	<u>62,370 - 68,069</u>
<u>41</u>	<u>68,070 - 74,439</u>
<u>40</u>	<u>74,440 - 81,559</u>
<u>39</u>	<u>81,560 - 89,589</u>
<u>38</u>	<u>89,590 - 98,689</u>
<u>37</u>	<u>98,690 - 108,929</u>
<u>36</u>	<u>108,930 - 119,899</u>
<u>35</u>	<u>119,900 - 131,799</u>
<u>34</u>	<u>131,800 - 144,999</u>
<u>33</u>	<u>145,000 - 159,399</u>
<u>32</u>	<u>159,400 - 175,399</u>
<u>31</u>	<u>175,400 - 191,999</u>
<u>30</u>	<u>192,000 - 210,499</u>

<u>Size Group Number</u>	<u>Standard Premium Range</u>
<u>29</u>	<u>210,500 - 231,299</u>
<u>28</u>	<u>231,300 - 254,999</u>
<u>27</u>	<u>255,000 - 282,399</u>
<u>26</u>	<u>282,400 - 313,899</u>
<u>25</u>	<u>313,900 - 350,099</u>
<u>24</u>	<u>350,100 - 392,499</u>
<u>23</u>	<u>392,500 - 442,399</u>
<u>22</u>	<u>442,400 - 500,799</u>
<u>21</u>	<u>500,800 - 570,699</u>
<u>20</u>	<u>570,700 - 654,899</u>
<u>19</u>	<u>654,900 - 755,999</u>
<u>18</u>	<u>756,000 - 880,499</u>
<u>17</u>	<u>880,500 - 1,035,699</u>
<u>16</u>	<u>1,035,700 - 1,258,999</u>
<u>15</u>	<u>1,259,000 - 1,567,999</u>
<u>14</u>	<u>1,568,000 - 2,003,999</u>
<u>13</u>	<u>2,004,000 - 2,560,999</u>
<u>12</u>	<u>2,561,000 - 3,270,999</u>
<u>11</u>	<u>3,271,000 - 4,334,999</u>
<u>10</u>	<u>4,335,000 - 6,003,999</u>
<u>9</u>	<u>6,004,000 - 8,654,999</u>
<u>8</u>	<u>8,655,000 - 12,539,999</u>
<u>7</u>	<u>12,540,000 - 18,469,999</u>
<u>6</u>	<u>18,470,000 - 28,709,999</u>
<u>5</u>	<u>28,710,000 - 45,319,999</u>
<u>4</u>	<u>45,320,000 - &amp; Over</u>

AMENDATORY SECTION (Amending WSR 06-24-054, filed 12/1/06, effective 1/1/07)

**WAC 296-17-920 Assessment for supplemental pension fund.** The amount of ((33.4) 39.1 mils (\$((0.0334) 0.0391)) shall be retained by each employer from the earnings of each worker for each hour or fraction thereof the worker is employed. The amount of money so retained from the employee shall be matched in an equal amount by each employer, except as otherwise provided in these rules, all such moneys shall be remitted to the department on or before the last day of January, April, July and October of each year for the preceding calendar quarter, provided self-insured employers shall remit to the department as provided under WAC 296-15-060. All such moneys shall be deposited in the supplemental pension fund.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 296-17-891 Table IV-A.



**WSR 07-19-135**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Filed September 19, 2007, 11:50 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-16-134.

Title of Rule and Other Identifying Information: WAC 220-16-320 General definitions—Fish length, 220-56-105 River mouth definitions, 220-56-100 Definitions—Personal use fishing, 220-56-175 Catch record cards, 220-56-282 Sturgeon—Areas, seasons, limits and unlawful acts, 220-56-310 Shellfish—Daily limits, 220-56-315 Crab, shrimp, crawfish—Unlawful acts, 220-56-320 Shellfish gear—Unlawful acts, 220-56-350 Clams other than razor clams, mussels—Areas and seasons, 220-56-380 Oysters—Areas and seasons, 220-56-510 Game fish possession limits and size limits, 232-12-168 Fishing contests, and 232-28-619 Washington food fish and game fish—Freshwater exceptions to statewide rules. Sport fishing rules.

Hearing Location(s): Campbell's Resort and Conference Center, 104 West Woodin Avenue, Chelan, WA 98816, on November 2-3, 2007, at 8:00 a.m.

Date of Intended Adoption: On or after February 1, 2008.

Submit Written Comments to: Lori Preuss, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, e-mail [preuslmp@dfw.wa.gov](mailto:preuslmp@dfw.wa.gov), fax (360) 902-2155, by November 1, 2007.

Assistance for Persons with Disabilities: Contact Susan Yeager, TTY (360) 902-2207 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: WAC 220-16-320, a definition of "fork length" is added to the general definition of fish length. Fork length will be used to measure sturgeon, which have a cyclic tail that does not lend itself to conventional length measurement.

WAC 220-56-100 -

Subsection (2) A new "anti-snagging rule" is defined as restricting terminal gear to one single-pointed hook. Anglers may only retain fish hooked inside the mouth, and a night closure is in effect. This rule will be applied in place of the nonbuoyant lure rule in areas where anglers are attempting to snag fish.

Subsection (5) The term "bass" is defined as largemouth and smallmouth bass. This will make it clear that rock bass and striped bass are not included in the rules for "bass."

Subsection (19) The term "nonbuoyant lure restriction" has been deleted and will be replaced in the rule by the new anti-snagging rule described above. The nonbuoyant lure rule is very complex. The new rule will be easier for anglers to understand and for officers to enforce.

WAC 220-56-105, the mouth of the Nisqually River at the upstream end of Alder Lake is defined as the Highway 7 Bridge at Elbe. This will help anglers to distinguish between the lake and the river at all flow levels. Different rules apply in the lake than those in the river.

WAC 220-56-175, anglers may purchase a second catch record card for hatchery steelhead. A second card is invalid for wild steelhead.

WAC 220-56-282, sturgeon size limits are described in terms of fork length instead of total length.

WAC 220-56-310, this change would completely remove the minimum carapace size requirement for spot shrimp.

WAC 220-56-315, anglers may use up to five units of gear while fishing for crayfish in fresh water.

WAC 220-56-320, this proposed rule would make universal the requirement to use large mesh pots when fishing for spot shrimp in Puget Sound after June 1st. Shrimpers who are fishing after June 1st in areas closed to spot shrimp, but open for coonstripe and pink shrimp, will still be able to use small mesh pots for the nonspot shrimp. The purpose of the rule is to reduce mortality on juvenile spot shrimp by requiring large mesh when fishing for spot shrimp, which minimizes the sorting of small spot shrimp at the boat.

WAC 220-56-350, sport clam seasons are closed year-round on additional public beaches in Washington department of fish and wildlife (WDFW) Regions 4 and 6 that are polluted and therefore pose a human health risk to harvesters, according to the Washington department of health (DOH). This change is needed in order to carry out parts (2) and (3) of WDFW's tripartite legislative mandate (RCW 77.04.012): (1) Conserving the state's wildlife and food fish, game fish, and shellfish resources; (2) maintaining the economic well-being and stability of the state's fishing industry; and (3) enhancing and improving recreational and commercial fishing in the state.

The economic well-being and stability of the state's commercial aquaculture industry depends on a public perception that clams and oysters sold in the marketplace are safe to eat. This rule change strengthens our agency's ability to prevent the introduction of tainted shellfish into the commercial marketplace. For the same reason, this rule change enhances and improves the commercial shellfish aquaculture industry. This rule change also enhances recreational fishing by eliminating the current confusion among sport harvesters about the meaning of "closed" and "open." Beaches "closed" by DOH for pollution will also be closed by WDFW clam and oyster season regulations.

WAC 220-56-380, sport oyster seasons are closed year-round on additional public beaches in WDFW Regions 4 and 6 that are polluted and therefore pose a human health risk to harvesters, according to DOH. This change is needed in order to carry out parts (2) and (3) of WDFW's tripartite legislative mandate (RCW 77.04.012): (1) Conserving the state's wildlife and food fish, game fish, and shellfish resources; (2) maintaining the economic well-being and stability of the state's fishing industry; and (3) enhancing and improving recreational and commercial fishing in the state.

The economic well-being and stability of the state's commercial aquaculture industry depends on a public perception that clams and oysters sold in the marketplace are safe to eat. This rule change strengthens our agency's ability to prevent the introduction of tainted shellfish into the commercial marketplace. For the same reason, this rule change enhances and improves the commercial shellfish aquaculture industry.

This rule change also enhances recreational fishing by eliminating the current confusion among sport harvesters about the meaning of "closed" and "open." Beaches "closed" by DOH for pollution will also be closed by WDFW clam and oyster season regulations.

WAC 220-56-510, separate daily limits are listed for largemouth and smallmouth bass. The current statewide bass rule that addresses both largemouth and smallmouth bass is only effective in management of largemouth bass, providing too much protection for smallmouth bass. The focus of increasing smallmouth bass harvest needs to be directed at fish less than 14 inches to avoid even greater increases in abundance of this smaller size group of smallmouth bass. A daily limit of one fish and minimum size of 48" is provided for tiger muskellunge, to allow a high quality fishery on these popular game fish.

WAC 232-12-168, fishing contests on tiger muskellunge (tiger muskies) are only allowed if no retention of muskies is allowed. Fish may be caught, measured, and photographed before being immediately released. Tournaments are only allowed on wild steelhead in areas and at times where it is lawful to retain wild steelhead. Due to the current spread of several deleterious aquatic invasive species throughout the country, rules for decontamination of tournament boats are expanded to include other aquatic invasive species in addition to zebra mussels. Tournament anglers are required to sign a decontamination statement, which must be submitted to the department as part of the tournament report.

WAC 232-28-619, modify exceptions to statewide rules. Change seasonal dates, and modify closed areas, daily limits, size limits, and gear restrictions. Nonbuoyant lure restrictions and night closures have been replaced by a new anti-snagging rule. New statewide daily limit for smallmouth bass incorporated.

Aberdeen Lake - only 2 trout over 15" may be retained.

Banks Lake - crappie daily limit of 10 fish, minimum size 9".

Bear River - closed waters above the Longview Fiber Bridge.

Big Quilcene River - selective gear rules added to lower river. Season in upper river section shortened to close October 31.

Big Tiffany Lake - bonus limit added for Eastern brook trout.

Black Lake renamed Spring Hill Reservoir.

Boulder Creek and tributaries - bonus limit added for Eastern brook trout.

Box Canyon Creek - dry lakebed specified as being included in the Closed waters area.

Bradley Lake - juvenile anglers only from May 15 through the last day of free fishing weekend to accommodate two special fishing events for juveniles.

Burley Creek - standard stream season of June 1 through October 31.

Cascade River: From the Rockport-Cascade Road upstream - selective gear rules and catch-and-release, except up to two hatchery steelhead may be retained per day.

Cedar River - anglers may keep other game fish species during the catch-and-release fishery for trout.

Chehalis River - from the High Bridge upstream - June 1 through April 15 season, selective gear rules and catch-and-release, except up to two hatchery steelhead may be retained per day.

Cispus River - anglers may keep other game fish species, and up to two hatchery steelhead during the catch-and-release fishery for trout.

Cle Elum Lake - bonus limit added for Lake Trout (Mackinaw).

Columbia Basin Hatchery Creek - trout daily limit lowered to three fish.

Columbia River - anti-snagging rule added from Rocky Reach Dam to Turtle Rock.

Cottonwood Creek - closed waters.

Cowlitz River - closed waters within a 100-foot radius of the new Cowlitz Trout Hatchery outfall structure, except anglers who permanently use a wheelchair may fish within posted markers when adjacent waters are open. From PUD signs on Peters Road to the mouth of the Muddy Fork and Ohanepecosh rivers - anglers may keep other game fish species, and up to two hatchery steelhead during the November 1 through May 31 catch-and-release fishery for trout.

Curley Creek - standard stream season of June 1 through October 31.

Dalton Lake - no more than two trout over 13" in length may be retained.

De Roux Creek - closed waters area added from the mouth to the USFS Trail #1392 (De Roux Cr. Trail) stream crossing (approximately one river mile).

Downs Lake - season opens March 1.

Dry Creek - closed waters upstream from the middle Waitsburg Road.

East Little Walla Walla River - closed waters.

Ellen Lake - catch-and-release, except up to two hatchery steelhead may be retained.

Failor Lake - no more than two trout over 13" in length may be retained.

Goodman Creek - anglers may not retain wild steelhead.

Grande Ronde River - daily limit for bass and channel catfish changed to match that of the adjoining Snake River.

Hatch Lake - catch-and-release for all game fish, except up to five rainbow trout may be retained.

Hoh River - season extended through April 30.

Hoquiam River - March 1 through 31, season closed.

Humtulsips River - March 1 through 31 season added in mainstem from Highway 101 to forks and West Fork mouth to Donkey Creek - selective gear rules and catch-and-release.

Kalama River - timing and area of anti-snagging rule and night closure adjusted.

Lake Creek - from Black Lake to Three Prong Creek - Closed waters.

Liberty Lake - season opens March 1.

Little Quilcene River - standard stream season of June 1 through October 31 - catch-and-release and selective gear rules from mouth to Little Quilcene River Bridge on Penny Creek Road.

Little Twin Lake - Last Saturday in April through October 31 season. Trout daily limit one.

Long Lake (Spokane River Reservoir) - year-round season.

Mashel River - catch-and-release, except up to two hatchery steelhead may be retained per day. Selective gear rules.

Medical Lake - March 1 through October 31 season.

Mill Creek - June 1 through March 31 season.

Mill Pond - holders of a senior license may fish along with juveniles.

Munn Lake - additional season March 1 through the last Friday in April - catch-and-release and selective gear rules.

Nisqually River - between the tank crossing and LaGrande dam - catch-and-release, except up to two hatchery steelhead may be retained per day. Selective gear rules.

North Creek - Closed waters from the mouth to falls at river mile 0.8.

Pampa Pond - no more than two trout over 13" in length may be retained.

Prices Lake - year-round season.

Rock Creek - mouth to ACE Park: Year-round season; same rules as adjacent area of Columbia River.

Roosevelt Lake - closed waters from the Coulee Dam National Recreation Area boundary downstream of Onion Creek to the Canadian border March 1 through May 31.

Sauk River - Selective gear rules and catch-and-release, except up to two hatchery steelhead may be retained.

Silvermail Lake - name changed to Silver Nail Lake.

Skagit River - from the Cascade River to Gorge Powerhouse - selective gear rules and catch-and-release, except up to two hatchery steelhead may be retained.

Spokane River - from the upstream boundary of the Plese Flats Day Use Area to Monroe Street Dam - June 1 through March 15 season.

Sprague Lake - Trout: No more than 2 over 20" in length. Combined daily limit of 25 crappie and bluegill. Crappie minimum size 9". Walleye: Statewide daily and size limits.

Sylvia Lake - no more than two trout over 13" in length may be retained per day.

Teal Lake - year-round season. Trout daily limit one fish.

Teanaway River - release all trout.

N.F. Teanaway River - mouth to Beverly Creek, including tributaries - selective gear rules and release all trout. Beverly Creek to impassable waterfall - closed waters.

Tieton River - dry lakebed specified as being included in the closed waters area.

S.F. Tieton River - closed waters area adjusted to between bridge on USFS Road 1200 to the bridge on USFS Road 1070.

Touchet River - additional season from mouth to confluence of the north and south forks ends March 31.

Tucannon River - additional season from mouth to Tucannon Hatchery Bridge ends March 31.

Vance Creek Ponds 1&2: No more than two trout over 15" in length may be retained per day.

Walla Walla River: No daily limit for channel catfish. Additional season from Touchet River upstream ends March 31.

Reasons Supporting Proposal: See Purpose above.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

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

Name of Proponent: Washington department of fish and wildlife, governmental.

Name of Agency Personnel Responsible for Drafting: Patricia Michael, 1111 Washington Street, Olympia, (360) 902-2628; Implementation: Lew Atkins, 1111 Washington Street, Olympia, (360) 902-2651; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, (360) 902-2373.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules affect recreational fishers. There is no direct regulation of small businesses.

A cost-benefit analysis is not required under RCW 34.05.328. These proposals do not affect hydraulics.

September 19, 2007

Loreva M. Preuss

Rules Coordinator

AMENDATORY SECTION (Amending Order 817, filed 5/29/69)

**WAC 220-16-320 General definitions—Fish length measurement.** The length of a fish, unless otherwise provided, is defined as the shortest distance between the extreme tip of the tail and extreme tip of the snout or jaw, whichever extends the farthest, measured while the fish is lying in a prone and normal position, except:

The term "fork length" means the distance from the extreme tip of the snout to the center of the fork of the tail.

AMENDATORY SECTION (Amending Order 06-135, filed 6/13/06, effective 7/14/06)

**WAC 220-56-100 Definitions—Personal-use fishing.** The following definitions apply to personal use fishing in Titles 220 and 232 WAC:

(1) "Anadromous game fish" means steelhead, searun cutthroat trout, and searun Dolly Varden/bull trout.

(2) "Anti-snagging rule" means terminal gear is restricted to one single-pointed hook. Only fish hooked inside the mouth may be retained. Night closure is in effect.

(3) "Bait" means any substance which attracts fish by scent or flavors. Bait includes any lure which uses scent or flavoring to attract fish.

~~((3))~~ (4) "Barbless hook" means a hook on which all barbs have been deleted when manufactured or filed off or pinched down.

~~((4))~~ (5) "Bass" means largemouth and smallmouth bass.

(6) "Bow and arrow fishing" means any method of taking, or attempting to take, fish by the use of an arrow equipped with a barbed head and a line attached, and propelled by a bow, as in the sport of archery, while the fisher is above the surface of the water.

~~((5))~~ (7) "Buoy 10 line" means a true north-south line projected through Buoy 10 at the mouth of the Columbia River. "Buoy 10 fishery" means a fishery between a line in the Columbia River from Tongue Point in Oregon to Rocky Point in Washington and the Buoy 10 line.

~~((6))~~ (8) "Channel Marker 13 line" means a true north-south line through Grays Harbor Channel Marker 13.

~~((7))~~ (9) "Daily limit" means the maximum number or pounds of fish, shellfish, or seaweed of the required size of a given species or aggregate of species which a person may retain in a single day.

~~((8))~~ (10) "Fresh" means fish or shellfish that are refrigerated, iced, salted, or surface glazed.

~~((9))~~ (11) "Freshwater area" means:

(a) Within any freshwater river, lake, stream or pond.

(b) On the bank or within 10 yards of any freshwater river, lake, stream or pond.

(c) On or within any boat launch, ramp, or parking facility associated with any freshwater river, lake, stream or pond.

~~((10))~~ (12) "Frozen" means fish or shellfish that are hard frozen throughout.

~~((11))~~ (13) "Gaffing" means an effort to take fish by impaling the fish with a hook attached directly to a pole or other device.

~~((12))~~ (14) "Hatchery" when used to describe the difference between a hatchery fish and a nonhatchery fish, except salmon, means a fish having a clipped adipose fin or a clipped ventral fin with a healed scar at the location of the clipped fin. A hatchery salmon is a salmon having a clipped adipose fin and a healed scar at the location of the clipped fin, regardless of whether the fish is missing a ventral fin.

~~((13))~~ (15) "Hook" means one single point, double or treble hook. A "single point hook" means a hook having only one point. A "double hook" means a hook having two points on a common shank. A "treble hook" means a hook having three points on a common shank.

~~((14))~~ (16) "Hook and line" or "angling" shall be identical in meaning and, except as provided in WAC 220-56-115, shall be defined as the use of not more than one line with three hooks attached to a pole held in hand while landing fish, or the use of a hand operated line without rod or reel, to which may be attached not more than three hooks. When fishing for bottom fish, "angling" and "jigging" shall be identical in meaning.

~~((15))~~ (17) "In the field or in transit" means at any place other than at the ordinary residence of the harvester. An ordinary residence is a residential dwelling where a person normally lives, with associated features such as address, telephone number, utility account, etc. A motor home or camper parked at a campsite or a vessel are not considered to be an ordinary residence.

~~((16))~~ (18) "Juvenile" means a person under fifteen year of age.

~~((17))~~ (19) "Lure" means a manufactured article constructed of feathers, hair, fiber, wood, metal, glass, cork, leather, rubber or plastic which does not use scent or flavoring to attract fish. "Nonbuoyant lure" means a lure complete with hooks, swivels or other attachments, which does not float in freshwater.

~~((18))~~ (20) "Night closure" means closed to fishing from one hour after official sunset to one hour before official sunrise.

~~((19) "Nonbuoyant lure restriction" means nonbuoyant lures, defined as lures with hooks and attachments (eyes, swivels, etc.), that do not have enough buoyancy to float in freshwater, may have only one single hook measuring not more than 3/4 inch point to shank. No weights may be~~

~~attached below or less than twelve inches above a buoyant lure defined as a lure with hooks and attachments that has enough buoyancy to float in freshwater, and all hooks must be attached to or no more than three inches below a buoyant lure or within three inches of bait or a nonbuoyant lure. No hook may be attached to the line above a buoyant lure.~~

~~((20))~~ (21) "Possession limit" means the number of daily limits allowed to be retained in the field or in transit.

~~((21))~~ (22) "Processed" means fish or shellfish which have been processed by heat for human consumption as kippered, smoked, boiled, or canned.

~~((22))~~ (23) "Steelhead license year limit" means the maximum number of steelhead trout any one angler may retain from April 1st through the following March 31st.

~~((23))~~ (24) "Selective gear rules" means terminal fishing gear is limited to artificial flies with barbless single hooks or lures with barbless single hooks, bait is prohibited, and fishing from a floating device equipped with an internal combustion motor is prohibited unless otherwise provided. Up to three hooks may be used. Only knotless nets may be used to land fish. In waters under selective gear rules, fish may be released until the daily limit is retained.

~~((24))~~ (25) "Slough" means any swamp, marsh, bog, pond, side-channel, or backwater connected to a river by water. Waters called sloughs that are not connected to a river are considered lakes.

~~((25))~~ (26) "Snagging" means an effort to take fish with a hook and line in a manner that the fish does not take the hook or hooks voluntarily in its mouth.

~~((26))~~ (27) "Spearing" or "spear fishing" means an effort to take fish or shellfish by impaling the fish or shellfish on a shaft, arrow or other device.

~~((27))~~ (28) "Stationary gear restriction" means the line and weight and lure or bait must be moving while in the water. The line and weight and lure or bait may not be stationary.

~~((28))~~ (29) "Steelhead" means searun rainbow trout over twenty inches in length.

~~((29))~~ (30) "Unmarked salmon" means a salmon with intact adipose and ventral fins.

~~((30))~~ (31) "Trout" means brown trout, bull trout, cutthroat trout, Dolly Varden, Eastern brook trout, golden trout, grayling, Kokanee (silver trout), lake trout, rainbow trout, tiger trout, and, in WAC 232-28-619, salmon from waters designated as "landlocked salmon rules apply."

~~((31))~~ (32) "Whitefish gear rules" means terminal fishing gear is restricted to one single hook, maximum hook size three-sixteenths inch point to shank (hook size 14), and bait is allowed. All species: Release all fish except whitefish.

~~((32))~~ (33) "Wild" when used to describe the difference between a hatchery fish and a nonhatchery fish, except salmon, means a fish with all fins intact.

~~((33))~~ (34) "Wild" when used to describe a salmon (chinook, coho, chum, pink or sockeye), means a salmon with an unclipped adipose fin, regardless of whether the fish is ventral fin-clipped. A salmon with a clipped adipose fin and a healed scar at the site of the clipped fin is not a wild salmon.

~~((34))~~ (35) "Wild cutthroat release" means it is unlawful to retain any cutthroat trout that does not have a clipped adipose fin and a healed scar at the location of the clipped fin.

~~((35))~~ (36) "Wild steelhead release" means it is unlawful to retain any steelhead that does not have a clipped adipose or ventral fin and a healed scar at the location of the clipped fin.

AMENDATORY SECTION (Amending Order 07-22, filed 2/16/07, effective 3/19/07)

**WAC 220-56-105 River mouth definitions.** When pertaining to food fish angling, unless otherwise defined, any reference to the mouths of rivers or streams shall be construed to include those waters of any river or stream including sloughs and tributaries upstream and inside of a line projected between the outermost uplands at the mouth. The term "outermost upland" shall be construed to mean those lands not covered by water during an ordinary high tide. The following river mouths are hereby otherwise defined:

- Abernathy Creek - Highway 4 Bridge.
- Bear River - Highway 101 Bridge.
- Bone River - Highway 101 Bridge.
- Chambers Creek - Burlington Northern Railroad Bridge.
- Chehalis River - Highway 101 Bridge in Aberdeen.
- Chelan River - Railroad Bridge.
- Cispus River - Posted markers at the Lewis County P.U.D. kayak launch, approximately 1.5 miles upstream from the confluence of the Cowlitz and Cispus rivers.
- Cowlitz River - A line projected across the river between two fishing boundary markers set on each bank of the river approximately one-half mile downstream from the lowermost railroad bridge crossing the Cowlitz River.
- Dakota Creek - A line from the outermost headland of the south bank to a house at 1285 Runge Avenue, Blaine, Washington, approximately one-quarter mile downstream from the Blaine Road Bridge.
- Deschutes River - A line projected across the river 400 feet below the lower Tumwater Falls fish ladder.
- Drano Lake - Highway 14 Bridge.
- Duwamish River - First Avenue South Bridge.
- Elk River - Highway 105 Bridge.
- Entiat River - Highway 97 Bridge.
- Hawk Creek (Lincoln County) - Falls at the Hawk Creek campground.
- Hoquiam River - Highway 101 Bridge.
- Humptulips River - Mouth of Jessie Slough.
- Johns River - Highway 105 Bridge.
- Kennedy Creek - An arc 500 yards east of the midpoint of the northbound Highway 101 Bridge.
- Kettle River - Barstow Bridge.
- Lake Washington Ship Canal - A line 400 feet west of the fish ladder at the Chittenden Locks.

Lewis River - A straight line running from a fishing boundary marker or from the outermost upland at the north shore of the Lewis River mouth, southerly across the Lewis River to a fishing boundary marker near the south shore.

Methow River - Highway 97 Bridge.

Naselle River - Highway 101 Bridge.

North Nemah River - Highway 101 Bridge.

Niawiakum River - Highway 101 Bridge.

Nisqually River - At the upstream end of Alder Lake, the mouth of the Nisqually River is the Highway 7 Bridge at Elbe.

North River - Highway 105 Bridge.

Palix River - Highway 101 Bridge.

Puyallup River - 11th Street Bridge.

Samish River - The Samish Island Bridge (Bayview-Edison Road).

Sammamish River - 68th Avenue NE Bridge.

Skagit River - A line projected from the terminus of the jetty with McGlenn Island to the white monument on the easterly end of Ika Island, then to a white monument on the westerly end of Craft Island, then to a white monument near the corner of the levee on the westerly side of Dry Slough, and then to a white monument on the easterly side of Tom Moore Slough.

Skamokawa Creek - Highway 4 Bridge.

Skookum Creek - A line 400 yards below the old railroad bridge.

Snohomish River - Burlington Northern Railway Bridges crossing main river and sloughs.

South Nemah River - Lynn Point 117 degrees true to the opposite shore.

Spokane River - State Route 25 Bridge.

Wallace River - The furthest downstream railroad bridge.

Washougal River - A straight line from the Crown Zellerbach pumphouse southeasterly across the Washougal River to the east end of the Highway 14 Bridge near the upper end of Lady Island.

Whatcom Creek - A line projected approximately 14 degrees true from the flashing light at the south-westerly end of the Port of Bellingham North Terminal to the southernmost point of the dike surrounding the Georgia Pacific treatment pond.

White Salmon River - Between markers on the east and west shores downstream of the Burlington Northern Railroad Bridge except when buoys are in place southerly from the shore to the buoys and east and west between the buoys.

Little White Salmon River - At boundary markers on river bank downstream from the Little White Salmon National Fish Hatchery.

Willapa River - South Bend boat launch.

Wind River - Boundary line markers at mouth.

Yakima River - Highway 240 Bridge.

AMENDATORY SECTION (Amending Order 07-59, filed 4/11/07, effective 5/12/07)

**WAC 220-56-175 Catch record cards.** It is unlawful for any person to fail to comply with the catch record requirements as provided for in this section:

(1) In order to fish for or possess for personal use any crab in Catch Record Card Area 4 east of the Bonilla-Tatoosh Line and in Catch Record Card Areas 5-13, anadromous salmon, sturgeon, halibut, or steelhead, an angler must obtain and have in personal possession a valid appropriate catch record card as described in WAC 220-69-236 except for commercially caught salmon retained for personal use as provided for in WAC 220-20-016 and commercially caught sturgeon retained for personal use as provided for in WAC 220-20-021. Notwithstanding the provisions of this subsection, a catch record card is not required for landlocked steelhead or for salmon in waters designated as "landlocked salmon rules apply" in WAC 232-28-619.

(2) Any angler, after obtaining a catch record card shall validate the catch record card by completely, accurately, and legibly completing all personal identification information in ink on the catch record card prior to detaching the catch record card from the underlying copy of the catch record card or, for automated licenses, affixing the appropriate validation sticker to the catch record card. A catch record card remains valid so long as there are one or more unfilled spaces available for the species being fished for, except:

(a) In the mainstem Columbia River downstream from where the river forms the common boundary between Oregon and Washington for sturgeon a catch record card remains valid when the sturgeon portion of the catch record card is filled. A person may not retain sturgeon after the sturgeon portion of the catch record card is filled.

(b) A second or subsequent catch record card is invalid for retention of sturgeon and wild steelhead.

(3) Immediately upon catching and possessing a salmon, steelhead, sturgeon or halibut, the angler shall enter in ink in the appropriate space the place, date of catch, species (catch type), for sturgeon, length, for halibut, vessel type and for salmon, whether or not the fish was marked.

(4) Immediately upon retaining a Dungeness crab aboard a vessel or on the shore, the fisher must enter in ink in the appropriate space the place and date of catch, fishery type and enter a tally mark for each Dungeness crab retained from each catch record card area fished. At the end of the fishing day, the fisher shall enter the total number of crab tally marks for each fishery type.

(5) Every person issued a catch record card shall by April 30 of the year following the year printed on the catch record card return such card to the department of fish and wildlife except as follows: Every person issued a Puget Sound crab catch record card shall return such catch record card to the department of fish and wildlife no later than the required return date printed on the catch record card or report their catch record card information on the internet site designated on the catch record card by the same date.

(6) Any person possessing a catch record card shall, upon demand of any law enforcement officer or authorized department employee, exhibit said card to such officer or employee for inspection.

(7) A catch record card shall not be transferred, borrowed, altered, or loaned to another person.

AMENDATORY SECTION (Amending Order 07-22, filed 2/16/07, effective 3/19/07)

**WAC 220-56-282 Sturgeon—Areas, seasons, limits and unlawful acts.** (1) It is unlawful to retain green sturgeon.

(2) It is lawful to fish for white sturgeon the entire year in saltwater, but open in freshwater only concurrent with a salmon or gamefish opening unless otherwise provided.

(3) The daily limit is one white sturgeon, with the following size restrictions:

(a) Minimum size (~~((48))~~) 42 inches (~~((#))~~) fork length in the Columbia River and tributaries upstream from The Dalles Dam.

(b) Minimum size (~~((42))~~) 38 inches (~~((#))~~) fork length in all other state waters.

(c) Maximum size (~~((60))~~) 54 inches (~~((#))~~) fork length.

Once the daily limit has been retained, it is lawful to continue to fish for sturgeon in the mainstem of the Columbia River downstream from where the river forms the boundary between Oregon and Washington, provided that all subsequent sturgeon are released immediately.

(4) The possession limit is two daily limits of fresh, frozen or processed white sturgeon.

(5) There is an annual personal-use limit of five white sturgeon from April 1 through March 31, regardless of where the sturgeon were taken. After the annual limit of sturgeon has been taken, it is lawful to continue to fish for white sturgeon in the mainstem Columbia River downstream from where the river forms the common boundary between Oregon and Washington, provided that all subsequent sturgeon are released immediately.

(6) It is unlawful to fish for sturgeon with terminal gear other than bait and one single barbless hook. It is lawful to use artificial scent with bait when fishing for white sturgeon. Violation of this subsection is an infraction, punishable under RCW 77.15.160. It is unlawful to possess sturgeon taken with gear in violation of the provisions of this section. Possession of sturgeon while using gear in violation of the provisions of this section is a rebuttable presumption that the sturgeon were taken with such gear. Possession of such sturgeon is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree—Penalty, unless the sturgeon are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree—Penalty.

(7) It is unlawful to fish for or possess sturgeon taken for personal use from freshwater, except the Chehalis River, from one hour after official sunset to one hour before official sunrise.

(8) It is unlawful to possess in the field sturgeon eggs without having retained the intact carcass of the fish from which the eggs have been removed.

(9) It is unlawful to use a gaff or other fish landing aid that penetrates the fish while restraining, handling or landing a sturgeon.

(10) It is unlawful to fail to immediately return to the water any undersize sturgeon.

**AMENDATORY SECTION** (Amending Order 06-23, filed 2/14/06, effective 5/1/06)

**WAC 220-56-310 Shellfish—Daily limits.** It is unlawful for any one person to take in any one day for personal use more than the following quantities and sizes of shellfish:

(1) Cockles, borers and clams in the shell, other than razor clams, geoduck clams and horse clams, 40 clams in the aggregate, or 10 pounds, whichever is achieved first except:

(a) In Skagit Bay, east of a line projected from Browns Point to Swinomish Slough entrance - diggers may additionally retain up to 20 pounds of eastern softshell clams in the shell.

(b) Willapa Bay - diggers may additionally retain up to twenty-four cockles.

(2) Razor clams: 15 clams.

(3) Geoduck clams: 3 clams.

(4) Horse clams: 7 clams.

(5) Oysters: 18 oysters, shucked and the shells left on the beach. Minimum size before shucking two and one-half inches along the longest dimension of the shell.

(6) Rock scallops: 12 scallops.

(7) Weathervane scallops: 12 scallops (over 4 inches).

(8) Spiny and pink scallops: 10 pounds or 5 quarts in the shell, in the aggregate.

(9) Shrimp: ~~((In all waters — First Saturday in May through May 31, daily limit 80 shrimp. During all other open periods total weight 10 pounds, maximum 80 spot shrimp as part of the 10-pound limit. Spot shrimp: First Saturday in May through May 31 in all waters and in Areas 1 through 3 and Area 4 west of the Bonilla-Tatoosh line during the remainder of the year, no minimum size; June 1 through October 15 in Area 4 east of the Bonilla-Tatoosh line and Areas 5 through 13, minimum size one and three sixteenths inch from the base of the eyestalk to the top rear edge of the earapae-))~~

(a) In Areas 1-3 and Area 4 west of the Bonilla-Tatoosh line - total weight 10 pounds, maximum 80 spot shrimp as part of the 10-pound limit.

(b) In Area 4 east of the Bonilla-Tatoosh line and Areas 5-13 - first Saturday in May through May 31, daily limit 80 shrimp. During all other open periods total weight 10 pounds, maximum 80 spot shrimp as part of the 10-pound limit.

(10) Octopus: 1 octopus.

(11) Pinto abalone: Closed statewide.

(12) Crawfish: 10 pounds in the shell. Minimum size 3 1/4 inches from tip of rostrum to tip of tail. Female crawfish with eggs or young attached to the abdomen must be released immediately.

(13) Squid other than Humboldt squid: 10 pounds or 5 quarts. In addition a person may retain up to 5 Humboldt squid per day.

(14) Sea cucumbers: 25 sea cucumbers.

(15) Red sea urchins: 18 sea urchins.

(16) Purple sea urchins: 18 sea urchins.

(17) Green sea urchins: 36 sea urchins.

(18) Dungeness crabs:

(a) In Area 1 except when fishing from the north jetty of the Columbia River and Areas 2, 3, and 4 west of the Bonilla-Tatoosh line - 6 male crabs.

(b) In Area 4 east of the Bonilla-Tatoosh line, and Areas 5, 6, 7, 8-1, 8-2, 9, 10, 11, 12 and 13 - 5 male crabs.

(c) In the Columbia River upstream of a line from the outermost end of the north jetty to the exposed end of the south jetty, or when fishing from the north jetty of the Columbia River - 12 male crabs.

(19) Red rock crabs: 6 crabs.

(20) Mussels: 10 pounds in the shell, in the aggregate.

(21) Goose barnacles: 10 pounds of whole barnacles or 5 pounds of barnacle stalks.

(22) Ghost and mud shrimp: 10 dozen.

(23) King and box crab: Closed statewide.

(24) Tanner crabs: 6 crabs.

**AMENDATORY SECTION** (Amending Order 07-22, filed 2/16/07, effective 3/19/07)

**WAC 220-56-315 Crabs, shrimp, crawfish—Unlawful acts.** (1) It is unlawful to take and possess crabs, shrimp, and crawfish taken for personal use except by hand or with hand dip nets, ring nets, shellfish pots, and any hand-operated instrument that will not penetrate the shell.

(2) It is unlawful to set, fish, or pull more than two units of gear at any one time except:

(a) In Puget Sound waters it is unlawful to set, fish, or pull at any one time more than two units of crab gear and two additional units of shrimp gear.

(b) It is unlawful for the operator of any boat from which shrimp pots are set, fished, or pulled in Catch Record Card Areas 4 through 13 to have on board or to fish more than four shrimp pots.

(c) In the Columbia River it is unlawful to set, fish, or pull more than three units of crab gear.

(d) In fresh water it is lawful to use up to five units of gear to fish for crawfish.

(3) It is unlawful for any person to operate a shellfish pot not attached to a buoy bearing that person's name, except that a second person may assist the pot owner in operation of the gear.

(4) It is unlawful to salvage or attempt to salvage shellfish pot gear from Hood Canal that has been lost without first obtaining a permit authorizing such activity issued by the director, and it is unlawful to fail to comply with all provisions of such permit.

(5) It is unlawful to fish for or possess crab taken for personal use from the waters of Fidalgo Bay within 25 yards of the Burlington Northern Railroad trestle connecting March Point and Anacortes.

(6) It is unlawful to fish for or possess crab taken for personal use with shellfish pot or ring net gear from the waters of Padilla Bay or Swinomish Slough within 25 yards of the Burlington Northern Railroad crossing the northern end of Swin-

omish Slough except from one hour before official sunrise to one hour after official sunset.

(7) It is unlawful to dig for or possess ghost or mud shrimp taken for personal use by any method except hand operated suction devices or dug by hand.

(8) One unit of gear is equivalent to one ring net or one shellfish pot. It is unlawful to have more than one unit of unattended gear attached to a buoy line or to fail to have a separate buoy for each unit of gear.

(9) In waters open only on certain days or certain hours during the day, except for the night closure set out in subsection (10) of this section, it is unlawful to fail to remove gear from the water when fishing for shellfish is not allowed, and it is unlawful to fail to remove gear from the water by one hour after sunset if fishing is not allowed on the next calendar day. In waters that are open continuously except for the night closure set out in subsection (10) of this section, gear may be left in the water during the night closure.

(10) It is unlawful to set or pull shellfish pots, ring nets or star traps from a vessel in Catch Record Card Areas 1-13 from one hour after official sunset to one hour before official sunrise.

(11) It is unlawful to possess soft-shelled crab for any personal use purpose. Violation of this subsection shall be an infraction, punishable under RCW 77.15.160.

AMENDATORY SECTION (Amending Order 06-67, filed 4/11/06, effective 5/12/06)

**WAC 220-56-320 Shellfish gear—Unlawful acts.** (1)

It is unlawful for the owner or operator of any personal use shellfish gear to leave such gear unattended in the waters of the state unless said gear is marked with a buoy to which shall be affixed in a permanent visible and legible manner the first and last name and permanent mailing address of the operator. It is unlawful for more than one person's name and address to appear on the same marker buoy. It is unlawful to violate the following provisions regarding unattended shellfish gear:

(a) Unattended shellfish gear must have the line attaching the buoy to the gear weighted sufficiently to prevent the line from floating on the water's surface.

(b) All buoys must consist of durable material and remain visible on the surface at all times except during extreme tidal conditions. It is unlawful to use bleach, anti-freeze or detergent bottles, paint cans or any other container.

(c) All buoys attached to shrimp gear must be yellow or fluorescent yellow in color. Flags and staff, if attached, may be any color.

(d) All buoys attached to crab gear must be half red or half fluorescent red in color and half white in color. Flags and staff, if attached, may be any color.

(2) It is unlawful for the maximum perimeter of any shrimp pot to exceed 10 feet, and the pot shall not exceed 1-1/2 feet in height.

(3) It is unlawful to fish for or possess crab taken with shellfish pot gear that are equipped with tunnel triggers or other devices which prevent free exit of crabs under the legal limit unless such gear is equipped with not less than two escape rings located in the upper half of the pot which are not less than 4-1/4 inches inside diameter in all waters except in

the Columbia River the escape ring minimum size is 4 inches inside diameter. It is unlawful to use mesh size for crab pots less than 1-1/2 inches.

(4) It is unlawful to take, fish for or possess shrimp taken for personal use with shellfish pot gear (~~during the month of May in Area 4 east of the Bonilla Tatoosh line and in Areas 5 through 13, and year-round in Area 4 west of the Bonilla Tatoosh line and Areas 1 through 3~~) unless such gear meets the following requirements:

(a) The entire top, bottom, and sides of the shellfish pots must be constructed of mesh material and except for the entrance tunnels have the minimum mesh opening size defined below.

(b) The minimum mesh (~~(opening)~~) size for shrimp pots is one inch, defined as a mesh that a 7/8-inch square peg will pass through each mesh opening except for flexible (web) mesh pots where the opening must be a minimum of one and three-quarters inch stretch measure except:

June 1 through October 15, Area 4 east of the Bonilla Tatoosh line, and Areas 5 through 13: In any Marine Area of portion thereof that is closed for spot shrimp but open for coonstripe and pink shrimp, the minimum mesh size for shrimp pots is one-half inch, defined as a mesh that a 3/8 inch square peg will pass through each mesh opening except for flexible (web) mesh pots where the opening must be a minimum of one and one-eighth inch stretch measure.

(c) All entrance tunnels must open into the pot from the side.

(d) The sum of the maximum widths of all entrance tunnels must not exceed 1/2 the perimeter of the bottom of the pot.

(5) It is unlawful to fish for or possess shellfish taken for personal use with shellfish pot gear unless the gear allows for escapement using at least one of the following methods:

(a) Attachment of pot lid hooks or tiedown straps with a single strand or loop of untreated, 100 percent cotton twine no larger than thread size 120 so that the pot lid will open freely if the twine or fiber is broken.

(b) An opening in the pot mesh no less than three inches by five inches which is laced or sewn closed with untreated, 100 percent cotton twine no larger than thread size 120. The opening must be located within the top half of the pot and be unimpeded by the entry tunnels, bait boxes, or any other structures or materials.

(c) Attachment of pot lid or one pot side serving as a pot lid with no more than three single loops of untreated 100 percent cotton or other natural fiber twine no larger than thread size 120 so that the pot lid or side will open freely if the twine or fiber is broken.

(6) It is unlawful to set shellfish pots in a manner that they are not covered by water at all times.

~~(7) ((June 1 through October 15 in Area 4 east of the Bonilla Tatoosh line and Areas 5 through 13, it is unlawful to use mesh size for shrimp pots less than one-half inch except in entrance tunnels except for flexible (web) mesh pots where the opening must be a minimum of one and one-eighths inch stretch measure.~~

~~(8))~~ It is unlawful to fish for crab using shellfish pot gear greater in volume than thirteen cubic feet.



~~((9))~~ (8) Use of gear in violation of this section is an infraction, punishable under RCW 77.15.160, except failure to use untreated cotton twine as provided for in subsection (5) of this section remains a misdemeanor punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree—Penalty.

~~((10))~~ (9) It is unlawful to possess shellfish taken with gear in violation of the provisions of this section. Possession of shellfish while using gear in violation of the provisions of this section is a rebuttable presumption that the shellfish were taken with such gear. Violation of this subsection is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree—Penalty, unless the shellfish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree—Penalty.

AMENDATORY SECTION (Amending Order 07-22, filed 2/16/07, effective 3/19/07)

**WAC 220-56-350 Clams other than razor clams, mussels—Areas and seasons.** ~~((1) It is lawful to)~~ A person can take, dig for and possess clams and mussels taken for personal use on Puget Sound the entire year:

Except that public tidelands at the following beaches are closed unless otherwise provided:

~~((1))~~ (1) Ala Spit: Open May 1 through May 31.

~~((2))~~ (2) Alki Park: Closed the entire year.

(3) Alki Point: Closed the entire year.

(4) Bay View State Park: Closed the entire year.

(5) Brown's Point Lighthouse: Closed the entire year.

(6) Brownsville: Closed the entire year.

(7) Cama Beach State Park: Closed the entire year.

~~((8))~~ (8) Camano Island State Park: Closed the entire year.

~~((9))~~ (9) Chuckanut Bay: Closed the entire year.

(10) Coupeville: Closed the entire year.

(11) Dash Point State Park: Closed the entire year.

(12) Dave Mackie County Park: Closed the entire year.

(13) Des Moines City Park: Closed the entire year.

(14) Discovery Park: Closed the entire year.

(15) DNR-18: Closed the entire year.

(16) DNR-79: Closed the entire year.

(17) DNR-85: Closed the entire year.

(18) DNR-142: Closed the entire year.

(19) DNR-144 (Sleeper): Closed the entire year.

(20) Dockton County Park: Closed the entire year.

(21) Dosewallips State Park: Open May 15 through July 31 only in area defined by boundary markers and signs posted on the beach.

~~((22))~~ (22) Dungeness Spit and Dungeness National Wildlife Refuge Tidelands - Open May 15 through September 30.

~~((23))~~ (23) Eagle Creek: Closed the entire year.

~~((24))~~ (24) East San De Fuca: Closed the entire year.

(25) Fort Flagler State Park including that portion of the spit west of the park boundary (Rat Island): Open April 1 through June 30.

~~((26))~~ (26) Fort Ward State Park: Closed the entire year.

~~((27))~~ (27) Freeland County Park ~~((—Open January 1 through May 15))~~: Closed the entire year.

~~((28))~~ (28) Frye Cove County Park - Open January 1 through June 15.

~~((29))~~ (29) Garrison Bay: Tidelands at Guss Island and those tidelands at British camp between the National Park Service dinghy dock at the north end and the park boundary at the south end are closed the entire year.

~~((30))~~ (30) Gertrude Island - All tidelands at Gertrude Island closed the entire year.

~~((31))~~ (31) Golden Gardens: Closed the entire year.

(32) Graveyard Spit: Closed the entire year.

(33) Harrington Beach: Closed the entire year.

(34) Hoodspport: Tidelands at Hoodspport Salmon Hatchery are closed the entire year.

~~((35))~~ (35) Hope Island State Park (South Puget Sound): Open April 1 through May 31.

~~((36))~~ (36) Howarth Park: Closed the entire year.

(37) Illahee State Park: Open April 1 through July 31.

~~((38))~~ (38) Jarrell Cove State Park: Closed the entire year.

(39) Kayak Point County Park: Closed the entire year.

~~((40))~~ (40) Kitsap Memorial State Park: Open May 15 through June 30.

~~((41))~~ (41) Kopachuck State Park: Open June 1 through July 31.

~~((42))~~ (42) Liberty Bay - All state-owned tidelands in Liberty Bay north and west of the Keyport Naval Supply Center are closed to the harvest of clams the entire year.

~~((43))~~ (43) Lincoln Park: Closed the entire year.

(44) Lions Park (Bremerton): Closed the entire year.

(45) Little Clam Bay: Closed the entire year.

(46) Lower Roto Vista Park: Closed the entire year.

(47) Manchester State Park: Closed the entire year.

(48) McNeil Island - All tidelands on McNeil Island are closed the entire year.

~~((49))~~ (49) Meadowdale County Park: Closed the entire year.

(50) Mee-Kwa-Mooks Park: Closed the entire year.

(51) Middle Ground (Sequim Bay): Closed the entire year.

(52) Monroe Landing: Closed the entire year.

(53) Mukilteo State Park - Closed the entire year.

~~((54))~~ (54) Mystery Bay State Park: Open October 1 through April 30.

~~((55))~~ (55) Nisqually National Wildlife Refuge: Closed the entire year.

(56) North Beach County Park: Closed the entire year.

(57) North Fort Lewis: Closed the entire year.

(58) North Point Hudson: Closed the entire year.

(59) Northeast Cultus Bay: Closed the entire year.

(60) Oak Bay County Park: Open July 1 through July 31.

~~((61))~~ (61) Oak Harbor City Park: Closed the entire year.

(62) Old Man House State Park: Closed the entire year.

(63) Olympia Shoal: Closed the entire year.

(64) Oyster Reserves: Puget Sound and Willapa Bay state oyster reserves are closed the entire year except as follows:

~~((i))~~ (a) North Bay: State-owned oyster reserves open the entire year.

~~((ii))~~ (b) Oakland Bay: Tidelands at the north end of Oakland Bay and on the channel of the northwest shore of the Bayshore Peninsula between department markers open the entire year.

~~((iii))~~ (c) Willapa Bay - Long Island oyster reserve: Northwest side of Long Island between reserve monuments 39 and 41 and southwest side of Long Island between reserve monuments 58 and 59.

~~((x))~~ (65) Penrose Point State Park: Open March 1 through May 31.

~~((y))~~ (66) Picnic Point County Park: Closed the entire year.

~~((z))~~ (67) Pitship Point: Closed the entire year.

~~((aa))~~ (68) Pitt Island - All tidelands on Pitt Island are closed the entire year.

~~((bb))~~ (69) Pleasant Harbor State Park: Closed the entire year.

(70) Point Whitney (excluding Point Whitney Lagoon): Open March 1 through May 15.

~~((ee))~~ (71) Point Whitney Lagoon: Open May 15 through June 30.

~~((dd))~~ (72) Port Angeles Coast Guard: Closed the entire year.

(73) Port Angeles Harbor: Closed the entire year.

(74) Port Gardner: Closed the entire year.

(75) Port Townsend Ship Canal/Portage Canal: Open January 1 through May 31.

~~((ee))~~ (76) Post Point: Closed the entire year.

(77) Potlatch DNR tidelands: Open April 1 through August 31.

~~((ff))~~ (78) Potlatch East: Open April 1 through August 31.

~~((gg))~~ (79) Potlatch State Park: Open April 1 through August 31.

~~((hh))~~ (80) Priest Point County Park: Closed the entire year.

(81) Purdy Spit County Park: The southern shore of the spit from the boat ramp to the bridge is closed the entire year.

~~((ii))~~ (82) Quilcene Bay Tidelands - All state-owned tidelands in Quilcene Bay north of a line drawn from the Quilcene Boat Haven to Fisherman's Point are closed to the harvest of clams the entire year, except those state-owned tidelands on the west side of the bay north of the Quilcene Boat Haven are open April 1 through December 31, daily from official sunrise to official sunset only.

~~((jj))~~ (83) Retsil: Closed the entire year.

(84) Rendsland Creek: Open January 1 through June 15.

~~((kk))~~ (85) Richmond Beach: Closed the entire year.

(86) Saltwater State Park: Closed the entire year.

~~((H))~~ (87) Samish Beach: Closed the entire year.

(88) Scenic Beach State Park(~~((—))~~): Open April 15 through May 15.

~~((mm))~~ (89) Seahurst County Park: Closed the entire year.

~~((nn))~~ (90) Semiahmoo: Closed the entire year.

(91) Semiahmoo County Park: Closed the entire year.

(92) Sequim Bay State Park - Open May 1 through June 15.

~~((oo))~~ (93) Shine Tidelands State Park: Open January 1 through May 15.

~~((pp))~~ (94) Silverdale County Park: Closed the entire year.

(95) Sinclair Inlet: Closed the entire year.

(96) Skagit Wildlife Area Jensen Access: Closed the entire year.

(97) Skagit Wildlife Area North Fork Access: Closed the entire year.

(98) Skagit Wildlife Area South Fork Access: Closed the entire year.

(99) South Carkeek Park: Closed the entire year.

(100) South Dougall Point: Closed the entire year.

(101) South Gordon Point: Closed the entire year.

(102) South Indian Island County Park: Open April 1 through August 31.

~~((qq))~~ (103) South Mukilteo Park: Closed the entire year.

(104) South Oro Bay: Closed the entire year.

(105) South Point Wilson: Closed the entire year.

(106) Southworth Ferry Dock: Closed the entire year.

(107) Spencer Spit State Park: Open March 1 through July 31.

~~((rr))~~ (108) Sunrise Beach (Langley Seawall): Closed the entire year.

(109) Suquamish (Old Man House): Closed the entire year.

(110) Taylor Bay: Closed the entire year.

(111) Triton Cove Tidelands: Open July 1 through September 30.

~~((ss))~~ (112) Twanoh State Park: Closed the entire year.

~~((tt))~~ (113) Walker County Park: Closed the entire year.

(114) West Dewatto: DNR Beach 44A closed the entire year.

~~((uu))~~ (115) West Pass Access: Closed the entire year.

(116) Willapa Bay: State-owned tidelands east of the department Willapa Bay Field Station and Nahcotta Tidelands Interpretive Site are closed year-round.

~~((vv))~~ (117) Wolfe Property State Park: Open January 1 through May 15.

~~((z))~~ (118) Woodard Bay: Closed the entire year.

It is lawful to take, dig for and possess clams, cockles, borers, and mussels, not including razor clams, taken for personal use in Grays Harbor and Willapa Harbor the entire year, except from state oyster reserves, which are closed to clam digging the entire year.

~~((z))~~ It is lawful to take, dig for and possess clams, cockles, borers, and mussels, not including razor clams taken for personal use from the Pacific Ocean beaches from November 1 through March 31.

AMENDATORY SECTION (Amending Order 07-22, filed 2/16/07, effective 3/19/07)

**WAC 220-56-380 Oysters—Areas and seasons.** It is lawful to take and possess oysters taken for personal use from public tidelands the entire year, except that public tidelands at the following beaches are closed unless otherwise provided:

- (1) Alki Park: Closed the entire year.  
 (2) Alki Point: Closed the entire year.  
 (3) Bangor: Closed the entire year.  
 (4) Bay View State Park: Closed the entire year.  
 (5) Brown Point (DNR 57-B): Closed the entire year.  
 ((2)) (6) Brown's Point Lighthouse: Closed the entire year.  
 (7) Brownsville: Closed the entire year.  
 (8) Chuckanut: Closed the entire year.  
 (9) Coupeville: Closed the entire year.  
 (10) Cushman (Saltwater) Park - Open March 1 through December 31.  
 ((3)) (11) Dash Point State Park: Closed the entire year.  
 (12) Dave Mackie County Park: Closed the entire year.  
 (13) Des Moines City Park: Closed the entire year.  
 (14) Discovery Park: Closed the entire year.  
 (15) DNR-18: Closed the entire year.  
 (16) DNR-79: Closed the entire year.  
 (17) DNR-85: Closed the entire year.  
 (18) DNR-142: Closed the entire year.  
 (19) DNR 144 (Sleeper): Closed the entire year.  
 (20) Dockton County Park: Closed the entire year.  
 (21) East San De Fuca: Closed the entire year.  
 (22) Fort Flagler State Park including that portion of the spit west of the park boundary (Rat Island): Open April 1 through June 30.  
 ((4)) (23) Fort Ward State Park: Closed the entire year.  
 (24) Freeland County Park: Closed the entire year.  
 (25) Frye Cove County Park: Open January 1 through June 15.  
 ((5)) (26) Golden Gardens: Closed the entire year.  
 (27) Graveyard Spit: Closed the entire year.  
 (28) Harrington Beach: Closed the entire year.  
 (29) Hoodspout: Tidelands at the Hoodspout Salmon Hatchery are closed the entire year.  
 ((6)) (30) Hope Island State Park (South Puget Sound): Open April 1 through May 31.  
 ((7)) (31) Howarth Park: Closed the entire year.  
 (32) Illahee State Park: Open April 1 through July 31.  
 ((8)) (33) Jarrell Cove State Park: Closed the entire year.  
 (34) Kitsap Memorial State Park: Open May 15 through July 31.  
 ((9)) (35) Kopachuck State Park: Open March 1 through July 31.  
 ((10)) (36) Liberty Bay - All state-owned tidelands in Liberty Bay north and west of the Keyport Naval Supply Center are closed to the harvest of oysters the entire year.  
 ((11)) (37) Lincoln Park: Closed the entire year.  
 (38) Lions Park (Bremerton): Closed the entire year.  
 (39) Little Clam Bay: Closed the entire year.  
 (40) Lower Roto Vista Park: Closed the entire year.  
 (41) Manchester State Park: Closed the entire year.  
 (42) Meadowdale County Park: Closed the entire year.  
 (43) Mee-Kwa-Mooks Park: Closed the entire year.  
 (44) Middle Ground (Sequim Bay): Closed the entire year.  
 (45) Monroe Landing: Closed the entire year.  
 (46) Mukilteo State Park: Closed the entire year.  
 (47) Mystery Bay State Park: Open October 1 through April 30.  
 ((12)) (48) Nisqually National Wildlife Refuge: Closed the entire year.  
 (49) North Beach County Park: Closed the entire year.  
 (50) North Fort Lewis: Closed the entire year.  
 (51) North Point Hudson: Closed the entire year.  
 (52) Northeast Cultus Bay: Closed the entire year.  
 (53) Oak Bay County Park: Open July 1 through July 31.  
 ((13)) (54) Oak Harbor Beach Park: Closed the entire year.  
 (55) Oak Harbor City Park: Closed the entire year.  
 (56) Old Man House State Park: Closed the entire year.  
 (57) Olympia Shoal: Closed the entire year.  
 (58) Oyster Reserves: Puget Sound and Willapa Bay oyster reserves are closed the entire year except the following are open the entire year:  
 (a) Oakland Bay - Tidelands at the north end of Oakland Bay and on the channel of the northwest shore of the Bay-shore Peninsula between department markers - open the entire year.  
 (b) North Bay - State-owned reserves open the entire year.  
 (c) Willapa Bay - Long Island oyster reserve: Northwest side of Long Island between reserve monuments 39 and 41 and southwest side of Long Island between reserve monuments 58 and 59.  
 ((14)) (59) Penrose Point State Park: Open March 1 through May 31.  
 ((15)) (60) Picnic Point: Closed the entire year.  
 (61) Pleasant Harbor State Park: Closed the entire year.  
 (62) Port Angeles Coast Guard: Closed the entire year.  
 (63) Port Angeles Harbor: Closed the entire year.  
 (64) Port Gardner: Closed the entire year.  
 (65) Port Townsend Ship Canal/Portage Canal: Open January 1 through May 31.  
 ((16)) (66) Post Point: Closed the entire year.  
 (67) Potlatch DNR Tidelands: Open April 1 through August 31.  
 ((17)) (68) Potlatch East: Open April 1 through August 31.  
 ((18)) (69) Potlatch State Park: Open April 1 through August 31.  
 ((19)) (70) Priest Point County Park: Closed the entire year.  
 (71) Quilcene Bay Tidelands - All state-owned tidelands in Quilcene Bay north of a line drawn from the Quilcene Boat Haven to Fisherman's Point are closed except those state-owned tidelands on the west side of the bay north of the Quilcene Boat Haven are open April 1 through December 31, daily from official sunrise to official sunset, only.  
 ((20)) (72) Reid Harbor - South Beach: Closed the entire year.  
 (73) Retsil: Closed the entire year.  
 (74) Richmond Beach: Closed the entire year.  
 (75) Saltwater County Park: Closed the entire year.  
 (76) Samich Beach: Closed the entire year.  
 (77) Seahurst County Park: Closed the entire year.

- (78) Scenic Beach State Park: Open April 15 through May 15.
- ~~((21))~~ (79) Semiahmoo: Closed the entire year.
- (80) Semiahmoo County Park: Closed the entire year.
- (81) Shine Tidelands State Park: Open January 1 through May 15.
- ~~((22))~~ (82) Silverdale County Park: Closed the entire year.
- (83) Sinclair Inlet: Closed the entire year.
- (84) Skagit Wildlife Area Jensen Access: Closed the entire year.
- (85) Skagit Wildlife Area North Fork Access: Closed the entire year.
- (86) Skagit Wildlife Area South Fork Access: Closed the entire year.
- (87) South Carkeek Park: Closed the entire year.
- (88) South Dougall Point: Closed the entire year.
- (89) South Gordon Point: Closed the entire year.
- (90) South Indian Island County Park: Open April 1 through August 31.
- ~~((23))~~ (91) South Mukilteo Park: Closed the entire year.
- (92) South Oro Bay: Closed the entire year.
- (93) South Point Wilson: Closed the entire year.
- (94) Southworth Ferry Dock: Closed the entire year.
- (95) Sunrise Beach (Langley Seawall): Closed the entire year.
- (96) Suquamish (Old Man House): Closed the entire year.
- (97) Taylor Bay: Closed the entire year.
- (98) Walker County Park: Closed the entire year.
- (99) West Pass Access: Closed the entire year.
- (100) Willapa Bay: State-owned tidelands east of the department Willapa Bay Field Station and the Nahcotta Tidelands Interpretive Site are open only between boundary markers and posted signs.
- ~~((24))~~ (101) Woodard Bay: Closed the entire year.
- (102) Wolfe Property State Park: Open January 1 through May 15.

AMENDATORY SECTION (Amending Order 06-135, filed 6/13/06, effective 7/14/06)

**WAC 220-56-510 Game fish possession limits and size limits.** It is unlawful to retain or possess game fish taken in excess of the daily, possession, or license year possession limits, or game fish that do not conform to the size limits provided for in this section, unless otherwise provided for in WAC 232-28-619.

(1) Daily game fish possession and size limits:

Species	Daily limit	Size limits
<u>Largemouth Bass</u>	5	Release bass 12 to 17 inches in length. Not more than 1 <u>large-mouth</u> bass 17 inches in length or greater may be retained.

Species	Daily limit	Size limits
<u>Smallmouth Bass</u>	10	<u>No minimum size. Not more than one smallmouth bass over 14 inches in length or greater may be retained.</u>
Burbot	5	No size restriction.
Channel catfish	5	No size restriction.
Eastern brook trout	Count as part of the 5 trout daily limit in lakes, ponds and reservoirs.	No size restriction.
	Bonus limit in rivers, streams and beaver ponds. Up to 5 trout including Eastern brook trout may be retained, but not more than 2 of which may be trout other than Eastern brook trout.	No size restriction.
Grass carp	Unlawful to retain.	Not applicable.
<u>Tiger Musklunge</u>	5	<u>Minimum size 48 inches in length.</u>
Trout (except Eastern brook trout)	5 from lakes, ponds and reservoirs.	No size restriction.
	2 from rivers, streams, and beaver ponds.	8-inch minimum size.
	The daily trout limit is 5 trout, regardless of origin, of which not more than 2 may be steelhead.	
Walleye	5	16-inch minimum size. Not more than 1 walleye greater than 22 inches in length may be retained.
Whitefish	15	No size restriction.
All other game fish	No limit.	No size restriction.

(2) Possession limit: The game fish possession limit in the field is two daily limits in fresh, frozen or processed form.

(3) Wild steelhead and Dolly Varden/bull trout: Except as provided for in this section and WAC 232-28-619, it is unlawful to retain wild steelhead or Dolly Varden.

(4) Wild steelhead license year limit: From waters in which wild steelhead may be taken as provided for in WAC 232-28-619, the license year limit is one wild steelhead.

(5) ~~((Total steelhead license year limit: The license year limit is thirty steelhead in total.~~

(6)) Saltwater game fish retention: Game fish taken in saltwater may not be retained, except that up to two hatchery steelhead per day may be retained.

**AMENDATORY SECTION** (Amending Order 06-23, filed 2/14/06, effective 5/1/06)

**WAC 232-12-168 Fishing contests.** (1) Contest defined: By definition, a fishing contest exists when 6 or more licensed persons fish competitively and determine winners, regardless of prize value.

(2) Application:

(a) Fishing contest permit applications should be submitted to the department by November 1 of each year for contests that are to take place the following calendar year. After November 1, applications must be submitted not less than 30 days prior to the date for which the contest is proposed.

(b) Applications must include the permit fee required by RCW 77.65.480. The fee will be returned if the permit is denied. No more than seven permits will be issued to any one permittee during a calendar year. The fee is \$24 per permit.

(c) For purposes of application for a fishing contest permit, "permittee" means a "person" as defined in RCW 77.08.-010. All applications from a permittee must be in a single name.

(3) Approval:

(a) Fishing contests which adversely affect fish or wildlife resources or other recreational opportunity may be denied.

(b) Contests will not be allowed on sea-run cutthroat trout, wild steelhead where wild steelhead retention is not allowed, Dolly Varden or bull trout.

(c) During fishing contests, where anglers target tiger muskies, no retention of caught fish is allowed. Tiger muskies may be caught, measured for length, photographed and all fish must be immediately released alive.

(4) Prize value: Total prize value per contest will not exceed \$5,000 when trout, steelhead, char, whitefish, grayling, tiger muskie, or kokanee are included as target species; provided that contests wherein other species not listed above are targeted, or where bass or walleye are the targeted species and at least 90 percent of bass or walleye are released alive and in good condition after the contest, may qualify for no limitation on amount of prize.

(5) Legal requirements, all contests:

(a) Fishing contest permits must be in the possession of the contest sponsor or official at the contest site.

(b) Contests are restricted to the species and waters approved on the permit. Only those species listed as a target of the contest may be retained by contest participants during bass or walleye contests where all contestants fish at the same time and place.

(c) Sponsors must report contest information requested by the department within 30 days after the contest has ended. Subsequent contest permits will not be issued for one year after the date of the contest for which the report was not returned if this requirement is not fulfilled.

(d) Contest participants may not restrict public access at boat launches.

(e) Contests for bass and walleye where participants expect to fish at the same time from boats on lakes or reservoirs will not last longer than three consecutive days and have the following limits per water:

ACRES	CONTESTS PER DAY	BOATS PER CONTEST DAY
Less than 300	1	15
301 - 3,000	1	35
3,001 - 6,000	2	75
6,001 - 10,000	2	120
More than 10,000	3	250

\* No more than four weekend days per month nor more than two weekends per month may be scheduled on any water when contestants fish at the same time, and are allowed to fish from boats.

(f) It is unlawful for the fishing contest permittee or any of the contest participants to fail to comply with the conditions of the fishing contest permit, or of general fishing rules not specifically exempted by this permit. Failure of the permittee or any of the contestants to comply with all provisions of the contest permit or of other fishing regulations during a contest may lead to revocation of the permit and result in denial of fishing contest permits to the permittee and related organizations or individuals sponsoring contests for two years.

(6) Special regulations, bass and walleye contests:

(a) In any contest targeting either bass or walleye, all live bass or walleye must be released alive into the water from which they were caught after being weighed and/or measured. At the end of each day's competition, if the mortality of target fish caught that day exceeds 10%, the contest will be suspended. Suspended contests may be continued (within assigned permit dates) only if the cause of the high mortality can be positively identified, and the cause of the mortality (high waves, equipment deficiency, etc.) ceases or is corrected by contest officials.

(b) During bass and walleye contests only, participants may continue to fish while holding up to five fish in possession, as long as one fish is released immediately upon catching a fish which would make the angler in excess of five fish if kept. The fish released may come either from the one just caught, or from the livewell, but at no time may the angler have more than five fish in the livewell.

(c) During bass contests, contestants may not use live bait.

(d) During bass and walleye contests participants may retain up to five bass and walleye of any size to be weighed in. A tournament angler may not be in possession of more than five bass or walleye from the water being fished, except as authorized under (6)(e) below.

(e) The contest director or director designee may exceed possession limits for bass or walleye for the purpose of transporting fish from a weigh-in site to an open-water area. During transportation, the transport boat must not leave the water the fish were caught from and a copy of the contest permit must be on board during actual fish transport.

(f) Boat identification: All boats used for fishing in bass and walleye contests must be clearly identified according to criteria established by the department.

(7) ~~((Zebra mussel decontamination. Prior to participating in a Washington state fishing contest:~~

~~(a) All contest participants are required to sign a zebra mussel decontamination statement that their boats and/or boat trailers have or have not been in physical contact with any waters east of the Continental Divide for thirty days immediately preceding the contest and, if the boat and/or trailer has been in contact with such waters the participant must complete a decontamination report indicating that the following actions have been taken:~~

~~(i) A physical inspection has been made of the hull, motor, trailer, livewell and bilge by the contest director or designee, and any zebra mussels, if found, have been disposed of in a garbage container; and~~

~~(ii) The vessel has been decontaminated by the hull having been:~~

~~(A) Pressurized washed with hot soapy water; or~~

~~(B) Washed with a household bleach solution of one part bleach to 19 parts water, or the equivalent;~~

~~(iii) The motor has been run in a household bleach solution of one part bleach to 19 parts water, or the equivalent, for a minimum of one minute; and~~

~~(iv) The bilge and any livewells have been flushed, and the flush water disposed in such a manner that the wastewater will not directly enter state waters, either ground or surface.~~

~~(b) The zebra mussel decontamination statement and decontamination report shall be submitted to the department as part of the fishing contest report.) Aquatic invasive species decontamination. Prior to launching into any Washington state body of water:~~

~~(a) All contest participants are required to sign an aquatic invasive species decontamination statement that their boats and/or boat trailers have or have not been in physical contact with any waters outside of Washington state for thirty days immediately preceding the contest and, if the boat and/or trailer has been in contact with such waters, the participant must complete an aquatic invasive species decontamination report indicating that the following actions have been taken:~~

~~(i) A physical inspection has been made of the hull, motor, trailer, livewell and bilge by the contest director or designee, according to criteria established by the department; and~~

~~(ii) Any aquatic invasive species, if found, have been disposed of in a garbage container; and~~

~~(iii) The hull, motor, trailer, livewell, and bilge have been decontaminated according to criteria established by the department.~~

~~(b) The aquatic invasive species decontamination statement and decontamination report shall be submitted to the department as part of the fishing contest report.~~

AMENDATORY SECTION (Amending WSR 07-16-056, filed 7/26/07, effective 8/26/07)

**WAC 232-28-619 Washington food fish and game fish—Freshwater exceptions to statewide rules.** (1) All freshwater streams and lakes not listed as open for salmon fishing are closed.

(2) Freshwater terminal gear restrictions: In all waters with freshwater terminal gear restrictions, including, but not limited to, selective gear rules, whitefish gear rules, single point barbless hooks required, fly-fishing only, and ~~((non-buoyant lure restrictions))~~ antislugging rule, violation of the gear rules is an infraction, punishable under RCW 77.15.160. It is unlawful to possess fish taken with gear in violation of the freshwater terminal gear restrictions. Possession of fish while using gear in violation of the freshwater terminal gear restrictions is a rebuttable presumption that the fish were taken with such gear. Possession of such fish is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree, unless the fish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree.

(3) County freshwater exceptions to statewide rules:

(a) Adams and Grant counties: All seasons in specific freshwater exceptions to statewide rules apply to inlet and outlet streams of named lakes in Grant and Adams counties.

(b) Adams, Douglas, Franklin, Grant, and Okanogan counties, except Zosel Dam (Okanogan River): Lawful to fish to base of all dams.

(c) Benton County: Rivers, streams and beaver ponds open year around.

(d) Ferry and Lincoln counties: Except those tributaries listed under specific water exceptions to statewide rules, all tributaries to Lake Roosevelt between Grand Coulee Dam and the State Highway 25 Bridge at Northport except Barnaby and Nancy creeks: Trout: Daily limit 5, no minimum size.

(e) Kitsap County and Mason County on Tahuya Peninsula west of Belfair-Bremerton Highway (S.R. 3): Beaver ponds: Last Saturday in April through October 31 season. Trout: No minimum length.

(4) Specific freshwater exceptions to statewide rules:

Aberdeen Lake (Grays Harbor County): Last Saturday in April through October 31 season. Trout: No more than two over 15 inches in length may be retained per day.

Abernathy Creek (Cowlitz County):

From mouth to a point five hundred feet downstream from salmon hatchery: June 1 through August 31 and November 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

From Abernathy Falls to posted markers five hundred feet downstream from salmon hatchery: Closed waters.

Aeneas Lake (Okanogan County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one.

Ahtanum Creek, including North and Middle Forks (Yakima County): Selective gear rules. North Fork from Grey Rock

Trailhead Bridge crossing to Shellneck Creek: Closed waters.

Alder Creek (Cowlitz County): Closed waters.

Aldrich Lake (Mason County): Last Saturday in April through October 31 season.

Aldwell Lake (Clallam County): Last Saturday in April through October 31 season. Selective gear rules except fishing from a floating device equipped with an internal combustion motor permitted. Trout: Daily limit two, minimum length twelve inches.

Alexander Lake (Kitsap County): Closed waters.

Alkali Lake (Grant County): Crappie: Not more than five greater than eight inches in length. Bluegill: Not more than five greater than six inches in length.

Alta Lake (Okanogan County): Last Saturday in April through September 30 season.

Amber Lake (Spokane County): Last Saturday in April through September 30 season. Selective gear rules. Trout: Daily limit two, minimum length fourteen inches; release rainbow trout with a clipped adipose fin and a healed scar at the site of the clipped fin. Additional season October 1 through November 30 and March 1 through Friday before last Saturday in April. Selective gear rules. All species: Release all fish.

American Lake (Pierce County): Chumming permitted.

American River (Yakima County): Closed waters: From Highway 410 Bridge at river mile 5.4 to the Mesatchee Creek Trail crossing at river mile 15.8 July 16 through September 15. Selective gear rules.

Anderson Lake (Jefferson County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited. From September 1 through October 31, selective gear rules and trout: Release trout.

Armstrong Lake (Snohomish County): Last Saturday in April through October 31 season.

Asotin Creek, mainstem and forks (Asotin County): Closed to fishing for steelhead.

From SR 129 Bridge upstream to the forks: Lawful to fish up to base of Headgate Dam.

North Fork from mouth upstream to USFS boundary: Selective gear rules.

North Fork from USFS boundary upstream and all other tributaries: Closed waters.

South Fork and tributaries: Closed waters.

B.C. Mill Pond (Stevens County): Last Saturday in April through October 31 season.

Bachelor Creek (Yakima County): Year around season. Trout: Daily limit five, no minimum length.

Badger Lake (Spokane County): Last Saturday in April through September 30 season.

Baker Lake (Whatcom County): Last Saturday in April through October 31 season, except closed waters in an area two hundred feet in radius around the pump discharge at the south end of the lake. Chumming permitted. Trout: Minimum length six inches and maximum length eighteen inches.

Baker River (Skagit County): Mouth to Highway 20 Bridge: September 1 through October 31 season. (~~Nonbuoyant lure restriction and night closure~~) Antisnagging rule. Trout: Minimum length fourteen inches, except Dolly Varden/Bull Trout. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches. Salmon: Open only July 1 through July 31 except closed 12:01 a.m. July 5 through 2:00 p.m. July 6 and 12:01 a.m. July 10 through 2:00 p.m. July 11. (~~Nonbuoyant lure restriction and night closure~~) Antisnagging rule. Daily limit 2 sockeye salmon.

Highway 20 Bridge to Baker River fish barrier dam: Closed waters.

Banks Lake (Grant County): Chumming allowed. Perch: Daily limit twenty-five. (~~Small mouth bass: Small mouth bass do not count as part of bass daily limit. Small mouth bass 12 to 17 inches in length may be retained. No minimum size. Daily limit 10 small mouth bass not more than one of which may be greater than 14 inches in length.~~) Crappie: Daily limit 10, minimum size 9 inches in length.

Barnaby Slough (Skagit County): Closed waters.

Battle Ground Lake (Clark County): Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: No more than 2 trout 20 inches or greater in length may be retained.

Bay Lake (Pierce County): Last Saturday in April through October 31 season.

Bayley Lake (Stevens County): Last Saturday in April through July 4 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one, minimum length fourteen inches. Additional season, July 5 through October 31. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. All species: Release all fish. Inlet stream: Closed waters.

Bear Creek (Yakima County), tributary to South Fork Tieton River: From the mouth to the falls (approximately 3/4 mile): Closed waters.

Bear Lake (Spokane County): Juveniles, holders of disability licenses, and licensed adults accompanied by a juvenile only.

Bear River (Pacific County): June 1 through March 31 season. (~~Nonbuoyant lure restriction and night closure~~) Antisnagging rule August 16 through November 30. Single point barbless hooks required August 16 through November 30 downstream from the Lime Quarry Road. All species: Release all fish except salmon and except up to two hatchery steelhead may be retained each day. (~~Upstream~~) From the Lime Quarry Road to the Longview Fiber Bridge: Selective gear rules June 1 through March 31. All species: Release all fish except up to two hatchery steelhead may be retained each day. Salmon: Open only September 1 through November 30

from mouth to Lime Quarry Road. Daily limit 6 fish of which no more than 2 may be adult fish and of these two fish no more than one may be a wild adult coho. Release adult Chinook, and chum. Upstream of Longview Fiber Bridge: Closed waters.

Beaver Creek (tributary to Elochoman River) (Wahkiakum County): Closed waters.

Beaver Lake (Clallam County): Selective gear rules. Trout: Maximum size 12 inches in length.

Beaver Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

Beda Lake (Grant County): Selective gear rules. Trout: Daily limit one fish.

Beehive (Lake) Reservoir (Chelan County): Last Saturday in April through October 31 season. July 5 through October 31, selective gear rules, and all species: Release all fish.

Bennington Lake (Mill Creek Reservoir) (Walla Walla County): Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Benson Lake (Mason County): Last Saturday in April through October 31 season.

Berry Creek (tributary to Nisqually River) (Lewis County): Selective gear rules.

Big Bear Creek (tributary of Sammamish River) (Snohomish/King counties): June 1 through August 31 season. Juveniles only.

Big Beaver Creek (Whatcom County):

From closed water markers on Ross Lake upstream one-quarter mile: Closed waters.

From one-quarter mile markers upstream, including tributary streams, and beaver ponds that are tributary to Big Beaver Creek: July 1 through October 31 season. Selective gear rules. All species: Release all fish.

Big Beef Creek (Kitsap County): June 1 through August 31 season. Closed waters August 1 through August 31: Waters within 100 feet of the Seabeck Highway NW Bridge. Selective gear rules. All species: Release all fish.

Big Four Lake (Columbia County): March 1 through October 31 season. Fly fishing only. Fishing from any floating device prohibited. Trout: Daily limit two.

Big Lake (Skagit County): Crappie: Daily limit ten, minimum length nine inches. Salmon: Landlocked salmon rules apply.

Big Meadow Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Big Quilcene River (Jefferson County):

From mouth to upper boundary of Falls View Campground: June 1 through ~~((last day in February))~~ October 31 season. ~~((Closed waters: August 16 through October 31))~~ From mouth to Rodgers Street selective gear rules June 1 through August 15 and closed waters August 16 through

October 31. Rodgers Street to the Highway 101 Bridge: Selective gear rules June 1 through August 15, one single point barbless hook August 16 through October 31, ~~((and selective gear rules November 1 through last day in February))~~ and night closure August 16 through ~~((December))~~ October 31. From electric weir to upper boundary of Falls View Campground: Selective gear rules June 1 through ~~((last day in February))~~ October 31. All game fish: Release all fish from mouth to campground. Salmon: Open only August 16 through October 31 from Rodgers Street to the Highway 101 Bridge. Daily limit 4 coho salmon. Only coho salmon hooked inside the mouth may be retained.

From Highway 101 Bridge upstream to the electric weir at the Quilcene National Fish Hatchery: Closed waters.

Big River (Clallam County): June 1 through last day in February season. Selective gear rules. Trout: Minimum length fourteen inches.

Big Tiffany Lake (Okanogan County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Release all cutthroat.

Big Twin Lake (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit one.

Bird Creek (Klickitat County): Trout: Daily limit five.

~~((Black Lake (Lower Wheeler Reservoir) (Chelan County): Last Saturday in April through October 31 season. July 5 through October 31, selective gear rules, and all species: Release all fish.))~~

Black Lake (Okanogan County): Selective gear rules.

Black Lake (Pacific County): Last Saturday in April through October 31 season.

Black Lake (Stevens County): Last Saturday in April through October 31 season.

Black Lake (Thurston County): Crappie: Daily limit ten, minimum length nine inches.

Black River (Thurston County), from mouth to Black Lake and including all tributaries west of Interstate Highway 5, including Waddell Creek, Mima Creek, Dempsey Creek, Beaver Creek, Salmon Creek and Blooms Ditch: Selective gear rules. Trout: Minimum length fourteen inches.

Blockhouse Creek (Klickitat County): Trout: Daily limit five.

Bloodgood Creek (Klickitat County): Trout: Daily limit five.

Blue Creek (Lewis County), from mouth to Spencer Road: Closed waters except December 1 through December 31 season from mouth to posted sign at rearing pond outlet. Closed waters: Upstream from cable crossing to posted signs at fence. ~~((Nonbuoyant lure restriction and night closure.))~~ Antisnagging rule. Only anglers who permanently use a wheelchair((-bound anglers)) may fish from posted signs above rearing pond to posted signs approximately 40 feet downstream at fence including the rearing pond outlet. Trout:



Daily limit five. Minimum size 12 inches no more than two fish over 20 inches. Release wild cutthroat, wild steelhead and hatchery steelhead with clipped right ventral fin.

Blue Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Blue Lake (Cowlitz County): Last Saturday in April through October 31 season. Selective gear rules. All species: Release all fish.

Blue Lake (Grant County): Last Saturday in April through September 30 season.

Blue Lake (near Sinlahekin) (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit one.

Blue Lake (near Wannacut Lake) (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit one.

Bobcat Creek and Ponds (Adams County): April 1 through September 30 season.

Bogachiel River (Clallam County), from mouth to Olympic National Park boundary: June 1 through April 30 season. December 1 through April 30, selective gear rules from Highway 101 to Olympic National Park boundary. Trout: Minimum length fourteen inches. November 1 through last day in February, daily limit three steelhead downstream from Highway 101 Bridge. December 1 through April 30, mouth to Highway 101, one wild steelhead per day may be retained. Salmon: Open only July 1 through November 30 from mouth to Highway 101 Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon July 1 through August 31 and of which no more than 3 may be adult salmon September 1 through November 30. July 1 through August 31 release wild adult coho and wild adult Chinook. September 1 through October 31 the daily limit may contain no more than 2 adult Chinook, release wild coho, and selective gear rules. November 1 through November 30 the daily limit may contain no more than 2 adult Chinook or 2 adult wild coho or a combination of adult Chinook and adult wild coho.

Bonaparte Lake (Okanogan County): Trout: No more than one over twenty inches in length may be retained.

Bosworth Lake (Snohomish County): Last Saturday in April through October 31 season.

Boulder Creek and tributaries (Okanogan County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten, no minimum size.

Boundary Creek (Clallam County): Closed waters.

Bowman Creek (Klickitat County): Trout: Daily limit five.

Box Canyon Creek (Kittitas County), from mouth to waterfall approximately 2 miles upstream (including the portion flowing through the dry lakebed): Closed waters. From waterfall approximately 2 miles upstream of mouth to USFS Road #4930 Bridge: Selective gear rules.

Boxley Creek (North Bend) (King County), from its mouth to the falls located at approximately river mile 0.9: Closed waters.

Boyle Lake (King County): Last Saturday in April through October 31 season. The inlet and outlet streams to Boyle Lake are closed waters.

Bradley Lake (Pierce County): Salmon: Landlocked salmon rules apply. May 15 through the last day of Free Fishing Weekend (as defined in WAC 220-56-160): Juveniles only.

Bridges Lake (King County): Last Saturday in April through October 31 season. The inlet and outlet streams to Bridges Lake are closed waters.

Brookies Lake (Grant County): Selective gear rules. Trout: Daily limit one fish.

Browns Creek (Pend Oreille County): Fly fishing only.

Browns Lake (Pend Oreille County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: No more than one fish greater than 11 inches in length may be retained.

Buck Lake (Kitsap County): Last Saturday in April through October 31 season.

Buckskin Creek and tributaries (Yakima County), from mouth to the west boundary of Suntides Golf Course: Closed waters.

Bumping Lake (Reservoir) (Yakima County): Chumming permitted. Trout: Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Bumping River (Yakima County):

From mouth to Bumping Reservoir: Lawful to fish to base of Bumping Dam. Selective gear rules June 1 through October 31. Whitefish: Additional December 1 through March 31 season. Whitefish gear rules apply.

Burbank Slough (Walla Walla County): Fishing from any floating device prohibited.

Burke Lake (Grant County): March 1 through July 31 season.

Burley Creek (Kitsap County): June 1 through (~~last day in February~~) October 31 season. Trout: Minimum length fourteen inches.

Butter Creek (Lewis County): Selective gear rules. Trout: Minimum length ten inches.

Buttermilk Creek, mouth to confluence of East and West Forks (Okanogan County): Closed waters.

Cady Lake (Mason County): Fly fishing only. Fishing from a floating device equipped with an internal combustion motor prohibited. All species: Release all fish.

Cain Lake (Whatcom County): Last Saturday in April through October 31 season.

Calawah River (Clallam County), from mouth to forks: June 1 through April 30 season. December 1 through April 30, selective gear rules from Highway 101 to forks. Trout: Minimum length fourteen inches. November 1 through last day in February, daily limit three steelhead from mouth to Highway 101 Bridge. December 1 through April 30, mouth to Highway 101, one wild steelhead per day may be retained. Salmon: Open only July 1 through November 30 from mouth to Highway 101 Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon July 1 through August 31 and of which no more than 3 may be adult salmon September 1 through November 30. July 1 through August 31 release wild adult coho and wild adult Chinook. September 1 through October 31 the daily limit may contain no more than 2 adult Chinook, release wild coho, and selective gear rules. November 1 through November 30 the daily limit may contain no more than 2 adult Chinook or 2 adult wild coho or a combination of adult Chinook and adult wild coho.

Calawah River, South Fork (Clallam County) from mouth to Olympic National Park boundary: June 1 through last day in February season. December 1 through last day in February, selective gear rules. Trout: Minimum length fourteen inches.

Caldwell Lake (Pend Oreille County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: Daily limit two, minimum length twelve inches.

Caliche Lakes, Lower, Upper and West (Grant County): March 1 through July 31 season.

Calispell Creek (Calispell River) (Pend Oreille County):

From mouth to Calispell Lake: Year around season.

From Calispell Lake upstream to source: Selective gear rules.

Calispell Creek and tributaries: Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Calligan Lake (King County): June 1 through October 31 season. All tributary streams, and the upper third of the outlet are closed waters.

Camas Slough: Waters of the Columbia River downstream from the mouth of the Washougal River, north of Lady Island, and downstream of the Highway 14 Bridge at the upstream end of Lady Island. Season: Open when the adjacent mainstem Columbia or Washougal rivers are open to fishing for salmon. Daily limit same as most liberal regulation of either area.

Campbell Creek (Mason County): Closed waters.

Campbell Lake (Okanogan County): April 1 through August 31: Selective gear rules and all species: Release all fish.

Campbell Lake (Skagit County): Crappie: Daily limit ten, minimum length nine inches.

Canyon Creek (Clark County): Trout: Daily limit five.

Canyon River (Mason County and Grays Harbor County): Closed waters.

Canyon Creek (S.F. Stillaguamish River) (Snohomish County), mouth to forks: June 1 through last day in February season. Trout: Minimum length fourteen inches.

Canyon Creek (Whatcom County): Closed waters: Mouth to Canyon Creek Road Bridge.

Capitol Lake (Thurston County), from its outlet to a point four hundred feet below the lowest Tumwater Falls (Deschutes River) fish ladder: Closed waters: Percival Cove, west of a set of markers on the western shoreline of the south basin of Capitol Lake. June 1 through March 31 season. (~~(Nonbuoyant lure restriction and night closure)~~) Antisnagging rule August 1 through November 30. Trout: June 1 through July 31 daily limit five, minimum length eight inches. August 1 through March 31 daily limit two, minimum length fourteen inches. Salmon: Open only July 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

Carbon River (Pierce County), from its mouth to Voight Creek: (~~(July)~~) September 1 through last day in February season. (~~(Nonbuoyant lure restriction, night closure)~~) Antisnagging rule and single point barbless hooks August 1 through November 30. Trout: Minimum length fourteen inches. Voight Creek to Highway 162 Bridge: July 1 through August 15 and December 1 through last day in February season: Trout: Minimum length 14 inches. Salmon: Open only September 1 through November 30 mouth to Voight Creek. Daily limit 6 fish of which no more than 4 may be adult salmon and of these 4 fish no more than 2 may be adult hatchery Chinook. Release chum and wild adult Chinook salmon.

Carlisle Lake (Lewis County): Last Saturday in April through last day in February season. Fishing from a floating device equipped with an internal combustion motor prohibited. Salmon: Landlocked salmon rules apply.

Carl's Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Carney Lake (Pierce County): Last Saturday in April through June 30 and September 1 through November 30 seasons. Fishing from a floating device equipped with an internal combustion motor prohibited. Salmon: Landlocked salmon rules apply.

Carson Lake (Mason County): Last Saturday in April through October 31 season.

Cascade Lake (Grant County): March 1 through July 31 season.

Cascade Lake (San Juan County): Last Saturday in April through October 31 season.

Cascade River (Skagit County):

From the mouth to the Rockport-Cascade Road Bridge: October 1 through last day in February season. (~~(Nonbuoyant lure restriction and night closure)~~) Antisnagging rule September 16 through November 30. Trout: Trout except Dolly Varden/Bull Trout, minimum length fourteen inches. Legal

to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches. Salmon: Open June 1 through July 8. ~~((Nonbuoyant lure restriction and night closure.))~~ Antisnagging rule. Daily limit 2 hatchery Chinook. Open September 16 through November 30. Daily limit 4 coho salmon.

From the Rockport-Cascade Road Bridge upstream: June 1 through last day in February season. ~~((Trout—Trout except Dolly Varden/Bull Trout, minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches.))~~ Selective gear rules. All species: Release all fish except up to two hatchery steelhead may be retained per day.

Cases Pond (Pacific County): Last Saturday in April through November 30 season. Juveniles only. Salmon: Landlocked salmon rules apply.

Cassidy Lake (Snohomish County): Crappie: Daily limit ten, minimum length nine inches.

Castle Lake (Cowlitz County): Selective gear rules. Trout: Daily limit one, minimum length sixteen inches.

Cattail Lake (Grant County): April 1 through September 30 season.

Cavanaugh Lake (Skagit County): Chumming permitted.

Cedar Creek (tributary of N.F. Lewis) (Clark County), from mouth to 100 feet upstream of the falls: From the Grist Mill Bridge to 100 feet upstream of the falls: Closed waters. June 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Cedar Creek (Jefferson County): June 1 through last day in February season. Selective gear rules. Trout: Minimum length fourteen inches.

Cedar Creek (Okanogan County), from mouth to Cedar Falls: Closed waters.

Cedar Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Cedar Lake (Stevens County): Last Saturday in April through October 31 season.

Cedar River (King County), from mouth to Landsburg Road: June 1 through August 31 season. Selective gear rules ~~((and night closure)).~~ ~~((All species))~~ Trout: Release all ~~((fish))~~ trout. Landsburg Road to Cedar Falls: Closed waters.

Cedar River (Pacific County): Selective gear rules. All species: Release all fish except up to two hatchery steelhead per day may be retained.

Chain Lake (Pend Oreille County): Last Saturday in April through October 31 season. Release kokanee.

Chambers Creek (Pierce County): July 1 through November 15 season. ~~((Night closure and nonbuoyant lure restriction.))~~ Antisnagging rule.

Chambers Creek Estuary (downstream from markers 400 feet below the Boise-Cascade Dam to the Burlington Northern Railroad Bridge) (Pierce County): July 1 through November 15 season. ~~((Night closure and nonbuoyant lure restriction.))~~ Antisnagging rule. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through November 15. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho.

Chambers Lake (within Ft. Lewis Military Reservation) (Pierce County): Selective gear rules. Trout: Release all trout.

Chaplain Lake (Snohomish County): Closed waters.

Chapman Lake (Spokane County): Last Saturday in April through October 31 season. Chumming permitted. Trout: Kokanee not counted in daily trout limit. Kokanee daily limit ten.

Chehalis River (Grays Harbor County), from Highway 101 Bridge in Aberdeen to high bridge on Weyerhaeuser 1000 line (approximately 400 yards downstream from Roger Creek): June 1 through April 15 season. Single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only April 16 through July 31 from mouth to high bridge, October 1 through January 31 from mouth to Porter Bridge, and October 16 through last day in February from Porter Bridge to high bridge. Daily limit 6 fish of which no more than 2 may be adult salmon. October 1 through October 31, the daily limit may contain no more than one adult Chinook, release chum. November 1 through November 30, release adult Chinook, and chum. December 1 through January 31, mouth to Porter Bridge, the daily limit may contain no more than one wild adult coho, and release adult Chinook, and chum. December 1 through last day in February, Porter Bridge to High Bridge, release adult Chinook, wild adult coho, and chum. Sturgeon: Open year-round and no night closure from mouth to high bridge on Weyerhaeuser 1000 line.

From the High Bridge on Weyerhaeuser 1000 line upstream, including all forks and tributaries: June 1 through April 15 season. Selective gear rules. All species: Release all fish except up to two hatchery steelhead may be retained per day.

Chehalis River, South Fork (Lewis County), from mouth to Highway Bridge at Boistfort School: June 1 through April 15 season. Trout: Minimum length fourteen inches.

Chehalis River Potholes (adjacent to the Chehalis River south of Highway 12 in Grays Harbor County, this does not include sloughs or beaver ponds): Last Saturday in April through October 31 season.

Chelan Hatchery Creek (Chelan County): Closed waters.

Chelan Lake (Chelan County): Closed waters: Within 400 feet of all tributaries south of a line from Purple Point at Stehekin and Painted Rocks. Trout except kokanee and lake trout: Daily limit 5. Release wild cutthroat. Lake trout not counted in daily trout limit. Lake trout no minimum size, no daily limit. Kokanee not counted in daily trout limit. Kokanee daily limit 10, no minimum length. North of a line between

Purple Point at Stehekin and Painted Rocks: April 1 through July 31: All species: Release all fish. Salmon: Open only May 1 through May 31 south of a line from Purple Point to Painted Rocks: Daily limit 1, minimum length 15 inches.

Chelan Lake Tributaries (Chelan County), from mouths upstream one mile except Stehekin River: August 1 through September 30 season. Selective gear rules. Trout: Release wild cutthroat.

Chelan River (Chelan County): From the railroad bridge to the Chelan P.U.D. safety barrier below the power house: May 15 through August 31 season. ~~((Nonbuoyant lure restriction))~~ Antisnagging rule. Trout: Release all trout.

Chewuch River (Chewack River) (Okanogan County), from mouth to Eight Mile Creek: June 1 through August 15 season. Selective gear rules. All species: Release all fish.

Upstream from Eight Mile Creek to Pasayten Wilderness boundary: Closed waters June 1 through October 31.

From mouth to Pasayten Wilderness boundary: Additional December 1 through March 31 season. Whitefish gear rules apply.

Chikamin Creek (Chelan County): Selective gear rules.

Chimacum Creek (Jefferson County):

From mouth to Ness's Corner Road: June 1 through August 31 season. Trout: Minimum length fourteen inches.

From Ness's Corner Road to headwaters: Trout: Minimum length fourteen inches.

Chiwaukum Creek (Chelan County): Mouth to Fool Hen Creek: Closed waters.

Chiwawa River (Chelan County): Mouth to Buck Creek: Closed waters.

Chopaka Lake (Okanogan County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one.

Cispus River (Lewis County), from mouth to North Fork: Trout: Release all cutthroat. Additional season November 1 through May 31((-)). Trout: Release all ~~((game fish other than steelhead))~~ trout except up to two hatchery steelhead may be retained per day. Salmon: Open year around. Daily limit 6 fish, of which no more than 2 fish may be adult salmon. Salmon minimum size 8 inches. Release wild coho at all times and release wild Chinook January 1 through July 31.

Cispus River, North Fork (Lewis County): Selective gear rules. Trout: No more than one over twelve inches in length. Release cutthroat.

Clallam River (Clallam County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Clara Lake (Mason County): Last Saturday in April through October 31 season.

Clear Creek (Chelan County): Closed waters.

Clear Lake (Chelan County): Last Saturday in April through October 31 season. From July 5 through October 31, selective gear rules and all species: Release all fish.

Clear Lake (Pierce County): Last Saturday in April through October 31 season. Chumming permitted. Salmon: Land-locked salmon rules apply.

Clear Lake (Spokane County): Last Saturday in April through October 31 season.

Clear Lake (Thurston County): Last Saturday in April through October 31 season.

Clearwater River (Jefferson County):

From mouth to Snahapish River: June 1 through April 15 season. Trout: Minimum length fourteen inches. December 1 through April 15, one wild steelhead per day may be retained. Salmon: Open only September 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon.

From Snahapish River upstream: Trout, minimum length fourteen inches.

Clearwater River (Pierce County): July 1 through October 31 season. Selective gear rules. Trout: Minimum length fourteen inches.

Cle Elum Lake (Reservoir) (Kittitas County): Trout except kokanee: Daily limit two, minimum length twelve inches. Kokanee not counted in daily trout limit. Kokanee daily limit sixteen, no minimum size. Lake trout (Mackinaw) not included in trout daily limit. Lake trout daily limit 5, no minimum size.

Cle Elum River (Kittitas County), from mouth to Cle Elum Dam: Lawful to fish to base of Cle Elum Dam. Year-round season. Selective gear rules, except December 1 through March 31 bait and one single point barbed hook three-sixteenths or smaller point to shank may be used. Trout: Release all trout. Above Cle Elum Lake to outlet of Hyas Lake except Tucquala Lake: Selective gear rules.

Cliff Lake (Grant County): March 1 through July 31 season.

Cloquallum Creek (Grays Harbor County):

From mouth to second bridge on Cloquallum Road: June 1 through last day in February season. Trout: Minimum length fourteen inches.

From mouth to Highway 8 Bridge: Additional March 1 through March 31 season. Trout: Minimum length fourteen inches.

Clough Creek (North Bend) (King County): Closed waters.

Coal Creek (Cowlitz County), from mouth to four hundred feet below falls: June 1 through August 31 and November 1 through last day in February season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Coal Creek (tributary of Lake Washington) (King County): June 1 through August 31 season. Juveniles only.

Coal Creek (near Snoqualmie) (King County), from mouth to Highway I-90: Last Saturday in April through October 31 season. Juveniles only. Trout: No minimum length.

Coffee Pot Lake (Lincoln County): March 1 through September 30 season. Selective gear rules except internal combustion motors allowed. Trout: Daily limit one, minimum

length eighteen inches. Crappie: Daily limit ten, minimum length nine inches.

Coldwater Lake (Cowlitz County): Selective gear rules. Trout: Daily limit one, minimum length sixteen inches.

Coldwater Lake inlet and outlet streams (Cowlitz County): Closed waters.

Collins Lake (Mason County): Last Saturday in April through October 31 season.

Columbia Basin Hatchery Creek (Grant County): Hatchery outflow to confluence with mainstem Hatchery Creek: April 1 through September 30 season. Juveniles and holders of reduced fee disability licenses only. Trout: Daily limit three fish. Mainstem Hatchery Creek: April 1 through September 30 season. Juveniles and holders of reduced fee disability licenses only.

Columbia Park Pond (Benton County): Juveniles and holders of reduced fee disability licenses only. All species: Daily limit of five fish combined.

Columbia River, including impoundments and all connecting sloughs, except Wells Ponds: Year-round season unless otherwise provided. General species provisions (unless otherwise provided for in this section): Bass: Below Priest Rapids Dam: Daily limit five fish, bass 12 to 17 inches in length may be retained. Daily limit 5. Up to but not more than three of the daily limit may be over 15 inches. Trout: Daily limit two fish, minimum length 12 inches, except release all Dolly Varden/Bull Trout. ~~((Walleye: Daily limit five fish of which not more than one may be over 24 inches, minimum length 18 inches.))~~ Whitefish: Daily limit 15 fish. All other game fish: No daily limit, except release all grass carp.

In the Columbia River between Washington and Oregon, the license of either state is valid. Anglers must comply with the fishing regulations of the state in which they are fishing. This provision does not allow an angler licensed in Oregon to fish on the Washington shore, or in the sloughs or tributaries in Washington except Camas Slough, where the license of either state is valid when fishing from a floating device.

Anglers fishing the Columbia River are restricted to one daily limit, as defined by the laws of the state in which they are fishing, even if they are licensed by both states.

From a true north-south line through Buoy 10 to a line between Rocky Point in Washington to Tongue Point in Oregon: Trout: Release wild cutthroat. Release all trout April 1 through July 31. Walleye: No minimum size. Daily limit ten, of which no more than five may be greater than eighteen inches in length and one greater than twenty-four inches in length. Fishing from the north jetty is allowed during salmon season openings. Salmon: Open only August 1 through March 31. August 1 through September 30, daily limit 2 salmon. Release Chinook, chum, sockeye, wild coho, Chinook less than 24 inches in length, and coho less than 16 inches in length, except one Chinook may be retained August 22 through September 3. October 1 through December 31, daily limit 6 fish of which no more than 2 may be adult salmon and not more than one of which may be an adult Chinook salmon. Release chum, sockeye, and wild coho. January 1 through March 31, daily limit 6 fish of which no more than

2 may be adult salmon. Release chum, sockeye, wild coho and wild Chinook. Fishing from the north jetty for salmon open during both Area 1 and Buoy 10 fishery openings with barbed hooks allowed and the daily limit is the more liberal if both areas are open. Sturgeon: Release sturgeon May 1 through May 12 and July 5 through December 31. Minimum size when open to retain sturgeon is 42 inches January 1 through April 30 and 45 inches May 13 through July 4. Bottomfish: Daily limits, seasons, size restrictions and gear restrictions are the same as those in the adjacent portion of Marine Area 1.

From the Rocky Point - Tongue Point line to the I-5 Bridge: Trout: Release wild cutthroat. Release all trout April 1 through May 15. Walleye: No minimum size. Daily limit ten, of which no more than five may be greater than eighteen inches in length and one greater than twenty-four inches in length. Salmon: Open only May 16 through March 31. May 16 through June 15 daily limit 6 hatchery jack Chinook. June 16 through June 30, daily limit 6 fish of which no more than 2 may be adult salmon. Release sockeye. July 1 through July 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release sockeye and adult Chinook. August 1 through March 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release chum, sockeye, and wild coho. August 1 through December 31 the daily limit may contain not more than 1 adult Chinook, except release Chinook September 5 through September 30 downstream of boundary marker on lower end of Bachelor Island/Warrior Rock Lighthouse. Release wild Chinook January 1 through March 31. Sturgeon: (1) Release sturgeon May 1 through May 12 and July 5 through December 31 downstream from the Wauna powerlines. Minimum size when open to retain sturgeon is 42 inches January 1 through April 30 and 45 inches May 13 through July 4; (2) I-5 Bridge downstream to Wauna powerlines, lawful to retain sturgeon only on Thursdays, Fridays, and Saturdays from January 1 through July 31, and October 1 through December 31. Release sturgeon on other days and during other time periods.

From the I-5 Bridge to the Highway 395 Bridge at Pasco: Closed waters: (1) From the upstream line of Bonneville Dam to boundary markers located six hundred feet below the fish ladder, and closed to fishing from a floating device or fishing by any method except hand-casted gear from shore from Bonneville Dam downstream to a line from the Hamilton Island boat ramp to an Oregon boundary marker on Robins Island. (2) Waters from the upstream side of the Interstate Bridge at The Dalles to upper line of The Dalles Dam except that bank fishing is permitted up to the downstream navigation lock wall on the Washington shore. (3) From John Day Dam downstream about three thousand feet except that bank fishing is permitted up to four hundred feet below the fishway entrance on the Washington shore. (4) From McNary Dam downstream to a line across the river from the red and white marker on the Oregon shore on a line that intersects the downstream end of the wing wall of the boat lock near the Washington shore. August 1 through October 15: ~~((Non-buoyant lure restriction and night closure))~~ Antisnagging rule from Bonneville Dam to The Dalles Dam. Trout: Release wild cutthroat from I-5 Bridge to Bonneville Dam and release all cutthroat in the waters of Drano Lake. Release all trout

April 1 through June 15. Walleye: No minimum size. Daily limit ten, of which no more than five may be greater than eighteen inches in length and one greater than twenty-four inches in length. Snake River Confluence Protection Area: From the first powerline crossing the Columbia upstream of Sacajawea State Park to the railroad bridge between Burbank and Kennewick: All species: Daily limits, seasons, size restrictions and gear restrictions are the same as those in the adjacent portion of the Snake River. Sturgeon: (1) Sturgeon fishing is closed from Bonneville Dam to a line from a boundary marker on the Washington shore approximately 4,000 feet below the fish ladder to the downstream end of Cascade Island to an Oregon angling boundary on Bradford Island (the Cascade Island - Bradford Island line). (2) It is unlawful to fish for sturgeon from May 1 through July 31 from Cascade Island - Bradford Island line downstream to a line from navigation marker 85 on the Washington shore at a right angle to the thread of the river to the Oregon shore, from 400 feet below McNary Dam to the Highway 82 Bridge and from John Day Dam downstream to a line crossing the Columbia at a right angle to the thread of the river from the west end of the grain silo at Rufus, Oregon. (3) Cascade Island - Bradford Island line downstream to I-5 Bridge, lawful to retain sturgeon only on Thursdays, Fridays, and Saturdays from January 1 through July 31 and October 1 through December 31, except for May 1 - July 31 closure to the navigation marker 85 line and the closure to the Highway 82 Bridge. Release sturgeon on other days and during other time periods. (4) Release sturgeon August 1 through December 31 from the upstream line of Bonneville Dam and 400 feet below McNary Dam. (5) From the Hamilton Island boat launch (USACE boat restricted zone boundary) to Bonneville Dam, anglers must stop fishing for sturgeon once a daily limit has been retained. Salmon: From I-5 Bridge to Bonneville Dam: Open only June 16 through December 31 except closed November 1 through December 31 from Beacon Rock to Bonneville Dam. June 16 through June 30, daily limit 6 fish of which no more than 2 may be adult salmon. Release sockeye. July 1 through July 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release adult Chinook, and sockeye. August 1 through December 31, daily limit 6 fish of which no more than 2 may be adult salmon and of the adult fish, only 1 may be an adult Chinook. Release wild coho, sockeye, and chum. From Bonneville Dam to McNary Dam: Open only June 16 through December 31. Daily limit 6 fish of which only 2 may be adult salmon. Release sockeye. August 1 through December 31, release chum. August 1 through December 31, release wild coho from Bonneville Dam to Hood River Bridge. From McNary Dam to the Highway 395 Bridge at Pasco: Open only June 16 through December 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release sockeye.

From the Highway 395 Bridge at Pasco to the old Hanford townsite (wooden towers) powerline crossing, in Sec. 30, T13N, R28E except Ringold Hatchery waters: Closed waters: Ringold Springs Creek (Hatchery Creek). Trout: Release all trout except hatchery steelhead having both adipose and ventral fin clips October 1 through October 31. Release all trout except hatchery steelhead November 1 through March 31. Salmon: Open only June 16 through July

31 and August 16 through December 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release sockeye June 16 through July 31. Walleye: Daily limit 10 fish. No minimum size, no more than 5 fish over 18 inches in length. No more than 1 fish over 24 inches in length. Ringold Springs Rearing Facility waters (from WDFW markers 1/4 mile downstream from the Ringold wasteway outlet to WDFW markers 1/2 mile upstream from Spring Creek): Open only April 1 through April 15, except salmon, to fishing from the bank on the hatchery side of the river. Trout: Release all fish except hatchery steelhead. Salmon: Open only May 1 through May 31 to fishing from the bank on the hatchery side of the river. Daily limit two hatchery salmon. ~~((Night closure and nonbuoyant lure restriction.))~~ Antisnagging rule.

From the old Hanford townsite (wooden towers) powerline crossing in Sec. 30, T13N, R28E, to Vernita Bridge, (Highway 24): All species: February 1 through October 22 season. Trout: Release all trout. Walleye: Daily limit 10 fish. No minimum size, no more than 5 fish over 18 inches in length. No more than 1 fish over 24 inches in length. Salmon: Open only June 16 through July 31 and August 16 through October 22. Daily limit 6 fish of which no more than 2 fish may be adult salmon. Release sockeye June 16 through July 31.

From Vernita Bridge (Highway 24) to Priest Rapids Dam: Closed waters: (1) Priest Rapids Dam - waters between the upstream line of Priest Rapids Dam downstream to the boundary markers six hundred fifty feet below the fish ladders. (2) Jackson (Moran Creek or Priest Rapids Hatchery outlet) Creek - all waters of the Priest Rapids Hatchery system to the outlet on the Columbia River, extending to mid-stream Columbia between boundary markers located one hundred feet upstream and four hundred feet downstream of the mouth. Trout: Release all trout. Walleye: Daily limit 10 fish. No minimum size, no more than 5 fish over 18 inches in length. No more than 1 fish over 24 inches in length. Salmon: Open only June 16 through July 31 and August 16 through October 22. Daily limit 6 fish of which no more than 2 may be adult salmon. Release sockeye June 16 through July 31.

From Priest Rapids Dam to Chief Joseph Dam, including up to base of Washburn Pond outlet structure: Closed waters: (1) Wanapum Dam - waters between the upstream line of Wanapum Dam to the boundary markers seven hundred fifty feet downstream of the east fish ladder and five hundred feet downstream of the west fish ladder. (2) Rock Island Dam to boundary markers four hundred feet downstream of the fish ladders. (3) Rocky Reach Dam - waters between the upstream line of Rocky Reach Dam to boundary markers four hundred feet downstream of the fish ladders. (4) Wells Dam - waters between the upstream line of Wells Dam to boundary markers four hundred feet downstream of the spawning channel discharge (Chelan County) and fish ladder (Douglas County). (5) Chief Joseph Dam - closed to fishing from the Okanogan County shore between the dam and the Highway 17 Bridge. Closed to fishing from a floating device from the boundary marker to the Corps of Engineers safety zone marker. Trout: Release all trout. All species: Antisnagging rule from Rocky Reach Dam to Turtle Rock. Salmon: Open only July 1 through October 15. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho and sockeye. From

Wells Dam to Chief Joseph Dam, open only from Highway 173 Bridge at Brewster to Highway 17 Bridge at Bridgeport. Sturgeon: Release all sturgeon.

Above Chief Joseph Dam: See Lake Roosevelt and Rufus Woods Lake.

Colville River (Stevens County):

From mouth to bridge at Town of Valley: Year-round season. Trout: Daily limit five fish, not more than two of which may be brown trout October 1 through November 30. Walleye: Daily limit 8 fish. No minimum size. Not more than one walleye greater than 22 inches may be retained. Sturgeon: Unlawful to fish for or retain sturgeon. (~~Small mouth bass: Small mouth bass do not count as part of the bass daily limit. Small mouth bass 12 to 17 inches in length may be retained. No minimum size. Daily limit 10 bass of which not more than 1 may be greater than 14 inches in length.~~)

From bridge at Valley upstream and tributaries: Selective gear rules.

Conconully Lake (Okanogan County): Last Saturday in April through October 31 season.

Conconully Reservoir (Okanogan County): Last Saturday in April through October 31 season.

Conger Pond (Pend Oreille County): Last Saturday in April through October 31 season.

Connelly Creek and tributaries (Lewis County), from four hundred feet below the city of Morton Dam to its source: Closed waters.

Conner Lake (Okanogan County): Last Saturday in April through October 31 season.

Cooper River (Kittitas County): Mouth to Cooper Lake: Selective gear rules.

Coot Lake (Grant County): April 1 through September 30 season.

Copolis River (Grays Harbor County): June 1 through last day in February season. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through January 31 from mouth to Carlisle Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult Chinook.

Cottage Lake (King County): Last Saturday in April through October 31 season.

Cottonwood Creek (Lincoln County): Year-round season.

Cottonwood Creek (Walla Walla County): Closed waters.

Cougar Creek (tributary to Yale Reservoir) (Cowlitz County): June 1 through August 31 season.

Cougar Lake (near Winthrop) (Okanogan County): September 1 through March 31 season.

Coulter Creek (Kitsap/Mason counties): Trout: Minimum length fourteen inches.

County Line Ponds (Skagit County): Closed waters.

Coweeman River (Cowlitz County), from mouth to Mulholland Creek: June 1 through August 31 and November 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day. From Mulholland Creek upstream: June 1 through August 31 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Cowiche Creek (Yakima County): Selective gear rules.

Cowlitz Falls Reservoir (Lake Scanewa) (Lewis County): June 1 through last day in February season. The upstream boundary of the reservoir in the Cowlitz arm is the posted PUD sign on Peters Road. The upstream boundary of the reservoir in the Cispus arm is the posted markers at the Lewis County PUD kayak launch, approximately 1.5 miles upstream from the confluence of the Cowlitz and Cispus arms. Trout and salmon: Minimum length eight inches. Trout: Release cutthroat. Release rainbow trout except rainbow trout with a clipped adipose fin and a healed scar at the site of the clipped fin. Salmon: Daily limit 6 fish, of which not more than 2 may be adult salmon. Release wild coho. Release wild Chinook June 1 through July 31.

Cowlitz River (Lewis County):

From mouth to Mayfield Dam: Closed waters: (1) From 400 feet or posted markers below Cowlitz salmon hatchery barrier dam to boundary markers near the Cowlitz salmon hatchery water intake approximately 1,700 feet upstream of the Cowlitz salmon hatchery barrier dam((-and)). (2) From 400 feet below the Mayfield powerhouse upstream to Mayfield Dam. (3) Within a 100 foot radius of the new Cowlitz Trout Hatchery outfall structure except anglers who permanently use a wheelchair may fish within posted markers when adjacent waters are open. Year-round season except closed to fishing from south bank May 1 through June 15 from Mill Creek to the Cowlitz salmon hatchery barrier dam. Lawful to fish up to four hundred feet or the posted deadline at the Cowlitz salmon hatchery barrier dam. Lawful to fish up to Tacoma Power safety signs at Onion Rock below Mossyrock Dam. Lawful to fish up to Lewis County P.U.D. safety signs below Cowlitz Falls Dam. From the Cowlitz salmon hatchery barrier dam downstream to a line from the mouth of Mill Creek to a boundary marker on the opposite shore, it is unlawful to fish from any floating device. (~~Nonbuoyant lure restriction and night closure~~) Antisnagging rule April 1 through October 31 from mouth of Mill Creek to the Cowlitz salmon hatchery barrier dam. All game fish: Release all fish except steelhead April 1 through May 31. Trout: Daily limit five, minimum length twelve inches, no more than two over twenty inches. Release wild cutthroat. Release all steelhead missing right ventral fin. Salmon: Open year-round. January 1 through July 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release all salmon except hatchery Chinook and hatchery coho. August 1 through December 31, daily limit 6 fish of which no more than 2 may be adult Chinook. Release all salmon except Chinook and hatchery coho. Mill Creek to Blue Creek - release all Chinook October 1 through December 31. Highway 4 Bridge in Kelso downstream, release Chinook September 5 through September 30. Sturgeon: Seasons, days of the week, daily limits, and size

limits same as in adjacent waters of mainstem Columbia River.

From posted PUD sign on Peters Road to mouth of Ohanepecosh River and mouth of Muddy Fork: Trout: Release cutthroat. Additional November 1 through May 31 season. Trout: Release all ~~((fish))~~ trout except up to two hatchery steelhead may be retained per day. Salmon: Open year-round from upstream boundary of Lake Scanewa. Daily limit 6 fish of which no more than 2 may be adult salmon. Salmon minimum size 12 inches. Release wild coho. Release wild Chinook January 1 through July 31.

Cowlitz River, Clear and Muddy Forks (Lewis County): Selective gear rules. Trout: Release cutthroat.

Coyote Creek and Ponds (Adams County): April 1 through September 30 season.

Crab Creek (Adams/Grant counties):

From Highway 26 to Morgan Lake Road in Section 36: April 1 through September 30 season.

From Morgan Lake Road in Section 36 to O'Sullivan Dam (including Marsh Unit I and II impoundments): Closed waters.

Crab Creek (Lincoln/Grant counties) and tributaries: Year-round season. In those waters from Grant County Road 7 to the fountain buoy and shoreline markers or 150 feet downstream of the Alder Street fill March 1 through May 31 terminal gear restricted to one single hook measuring 3/4 inch or less point to shank. Year-round: Daily limits and size limits same as Moses Lake. From Moses Lake downstream to the confluence of the outlet streams March 1 through May 31 terminal gear restricted to one single-point hook measuring 3/4 inch or less point to shank. Year-round: Daily limits and size limits same as Potholes Reservoir.

Crabapple Lake (Snohomish County): Last Saturday in April through October 31 season.

Cranberry Creek (Mason County), mouth to Lake Limerick: Closed waters.

Crawfish Lake (Okanogan County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

Crescent Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Crescent Lake (Pierce County): Last Saturday in April through October 31 season.

Crocker Lake (Jefferson County): Closed waters.

Crystal Lake (Grant County): March 1 through July 31 season.

Cup Lake (Grant County): March 1 through July 31 season.

Curl Lake (Columbia County): Last Saturday in April through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Curley Creek (Kitsap County): June 1 through ~~((last day in February))~~ October 31 season. Trout: Minimum length fourteen inches.

~~((Cushman Reservoir (Mason County): Salmon: Land-locked salmon rules apply.))~~

Dakota Creek (Whatcom County): Salmon: Open only October 1 through December 31 from mouth to Giles Road Bridge. Daily limit 2 salmon.

Dalton Lake (Franklin County): Trout: No more than two over 13 inches in length may be retained.

Damon Lake (Grays Harbor County): June 1 through October 31 season.

Davis Lake (Ferry County): Last Saturday in April through October 31 season.

Davis Lake (Lewis County): Last Saturday in April to last day in February season.

Davis Lake (Okanogan County): April 1 through August 31: Selective gear rules. All species: Release all fish.

Davis Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Dayton Pond (Columbia County): Juveniles only. Trout: No more than 2 trout over 13 inches in length may be retained.

Deadman Lake (Adams County): April 1 through September 30 season.

De Coursey Pond (Pierce County): Last Saturday in April through November 30 season. Juveniles only. Salmon: Land-locked salmon rules apply.

Deep Creek (Clallam County): December 1 through last day in February season. All species: Release all fish except up to two hatchery steelhead may be retained per day.

Deep Creek (tributary to Bumping Lake) (Yakima County): Mouth to second bridge crossing on USFS Rd. 1808 (approximately 3.7 miles from junction of USFS Rds. 1800 and 1808): Closed waters.

Deep Lake (Grant County): Last Saturday in April through September 30 season.

Deep Lake (Stevens County): Last Saturday in April through October 31 season.

Deep Lake (Thurston County): Last Saturday in April through October 31 season.

Deep River (Wahkiakum County): Year-round season. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open year-round only from mouth to town bridge. January 1 through July 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release wild Chinook and wild coho. August 1 through December 31, daily limit 6 fish of which no more than 4 may be adult salmon, and of the adult salmon, no more than 2 may be adult Chinook. Release chum and wild coho. Sturgeon: Seasons, days of the week, daily limits, and size limits same as in adjacent waters of mainstem Columbia River.



Deer Creek (Mason County): Closed waters.

Deer Creek and Little Deer Creek (tributaries to North Fork Stillaguamish) (Skagit County): Closed waters.

Deer Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Deer Lake (Island County): Last Saturday in April through October 31 season.

Deer (Deer Springs) Lake (Lincoln County): Last Saturday in April through September 30 season.

Deer Lake (Mason County): Last Saturday in April through October 31 season.

Deer Lake (Stevens County): March 1 through October 31 season. Trout: No more than two over thirty inches in length may be retained. ~~((Small mouth bass: Small mouth bass are not included as part of the bass daily limit. No minimum size. Small mouth bass 12 to 17 inches in length may be retained. Daily limit 10 small mouth bass, not more than one of which may be greater than 14 inches in length.))~~

De Roux Creek (Yakima County): Mouth to the USFS Trail #1392 (De Roux Cr. Trail) stream crossing (approximately one river mile): Closed waters. Upstream of USFS Trail #1392 stream crossing: Selective gear rules.

Deschutes River (Thurston County): Closed waters: From 400 feet below lowest Tumwater Falls fish ladder to Old Highway 99 Bridge. From old U.S. Highway 99 Bridge near Tumwater to Henderson Boulevard Bridge near Pioneer Park: June 1 through March 31 season. ~~((Nonbuoyant lure restriction and night closure))~~ Antisnagging rule August 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

From Henderson Boulevard Bridge upstream: Year-round season. Selective gear rules. All game fish: Release all fish except hatchery steelhead. Salmon: Open only July 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

Devereaux Lake (Mason County): Last Saturday in April through October 31 season.

Devil's Lake (Jefferson County): Last Saturday in April through October 31 season.

Dewatto River (Mason County): Selective gear rules. Game fish: Release all fish. Salmon: Open only September 16 through October 31 mouth to Dewatto-Holly Road Bridge. Daily limit two coho. Release all salmon other than coho.

Diamond Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Dickey River (Clallam County): June 1 through April 30 season in mainstem Dickey outside Olympic National Park and East Fork Dickey upstream to D5200 road and June 1 through March 15 in East Fork Dickey upstream from D5200 road

and West Fork Dickey. Trout: Minimum length fourteen inches. December 1 through April 30, one wild steelhead per day may be retained. Salmon: Open only July 1 through November 30 from mouth to East Fork Dickey. Daily limit 6 fish of which no more than 2 may be adult salmon July 1 through August 31 and of which no more than 3 may be adult salmon September 1 through November 30. July 1 through August 31 release wild adult coho and wild adult Chinook. September 1 through October 31 the daily limit may contain no more than 2 adult Chinook, release wild coho, and selective gear rules. November 1 through November 30 the daily limit may contain no more than 2 adult Chinook or 2 adult wild coho or a combination of adult Chinook and adult wild coho.

Dillacort Creek (Klickitat County): Trout: Release all trout.

Dog Lake (Yakima County): Trout: Daily limit may contain not more than 1 fish over 14 inches in length.

Dosewallips River (Jefferson County), from mouth to Olympic National Park boundary about three-quarters mile downstream of falls: June 1 through August 31 season mouth to park boundary and November 1 through December 15 season mouth to Highway 101 Bridge. Selective gear rules June 1 through August 31. All species: Release all fish except salmon may be retained November 1 through December 15. Salmon: Open only November 1 through December 15 from mouth to Highway 101 Bridge. Daily limit 2 chum salmon.

Dot Lake (Grant County): March 1 through July 31 season.

Downs Lake (Lincoln/Spokane counties): ~~((Last Saturday in April))~~ March 1 through September 30 season. Crappie: Daily limit ten, minimum length nine inches.

Dry Creek (Walla Walla County): Upstream from the middle Waitsburg Road: Closed waters.

Dry Falls Lake (Grant County): April 1 through November 30 season. Selective gear rules. Trout: Daily limit one.

Duck Lake (Grays Harbor County): Crappie: Daily limit ten, minimum length nine inches.

Duckabush River (Jefferson County), from mouth to the Olympic National Park Boundary: June 1 through August 31 season mouth to park boundary and November 1 through December 15 season mouth to Mason County P.U.D. No. 1 overhead electrical distribution line. Selective gear rules June 1 through August 31. All species: Release all fish except salmon may be retained November 1 through December 15. Salmon: Open only November 1 through December 15 from mouth to Mason County P.U.D. No. 1 overhead electrical distribution line. Daily limit 2 chum salmon.

Dungeness River (Clallam County):

From mouth to junction of Gray Wolf and Dungeness rivers: October 16 through last day in February season. Trout: Minimum length fourteen inches. Salmon: Open only October 16 through December 31 from mouth to the hatchery intake pipe at river mile 11.3. Daily limit 4 coho salmon.

From junction of Gray Wolf River upstream to Gold Creek - Closed waters.

From junction of Gold Creek upstream to headwaters:  
Trout: Minimum length fourteen inches.

Dusty Lake (Grant County): March 1 through November 30 season. Selective gear rules. Trout: Daily limit one fish.

Early Winters Creek (Okanogan County): Closed waters.

East Little Walla Walla River (Walla Walla County): Closed waters.

East Twin River (Clallam County): Trout: Minimum length fourteen inches.

Easton Lake (Kittitas County): Saturday before Memorial Day through October 31 season. Trout: Daily limit five fish of which no more than 2 may be trout other than Eastern brook trout. Minimum length 8 inches.

Ebey Lake (Little Lake) (Snohomish County): Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one, minimum length eighteen inches.

Echo Lake (Snohomish County): Last Saturday in April through October 31 season.

Eightmile Lake (Chelan County): Trout: Daily limit five, not more than two mackinaw may be retained.

Elbow Lake (Stevens County): Last Saturday in April through October 31 season.

Elk River (Grays Harbor County), from the Highway 105 Bridge upstream: June 1 through last day in February season. Single point barbless hooks required August 16 through November 30 downstream of the confluence of the east and middle branches. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 30 from Highway 105 Bridge to the confluence of the East and Middle Branches. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult Chinook, and chum.

Ell Lake (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit one.

Ellen Lake (Ferry County): Last Saturday in April through October 31 season. All species: Catch and release except up to five rainbow trout may be retained.

Elochoman River (Wahkiakum County): Closed waters: Waters from 100 feet above the upper hatchery rack downstream to the Elochoman Hatchery Bridge located 400 feet below the upper hatchery rack; waters from a point 50 feet above to 100 feet below the outlet pipes from the most downstream Elochoman Hatchery rearing pond and extending 30 feet out from the south bank of the river; waters between the department of fish and wildlife temporary rack downstream to Foster (Risk) Road Bridge while rack is installed in the river; mainstem waters from the confluence of the west fork to source.

From mouth to West Fork: June 1 through March 15 season. ~~((Nonbuoyant lure restriction and night closure))~~  
Antisnagging rule September 1 through October 31. Stationary gear restriction September 1 through October 31. Trout:

Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open only September 1 through December 31. September 1 through October 15, daily limit 6 fish of which no more than 4 may be adult salmon, and of the adult fish, no more than 2 may be adult Chinook. Release chum and wild coho. October 1 through October 15 release Chinook upstream of Highway 4 Bridge. October 16 through December 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and wild coho. Release Chinook upstream of Highway 4 Bridge.

Eloika Lake (Spokane County): Crappie: Daily limit ten, minimum length nine inches.

Elwha River (Clallam County): Closed waters: From south spillway on Aldwell Dam downstream two hundred feet.

From mouth to two hundred feet below the south spillway on the Aldwell Dam: October 1 through last day in February season. Fishing from any floating device prohibited. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 15. Daily limit 6 coho salmon of which no more than 4 may be adult coho salmon.

From Lake Aldwell upstream to Olympic National Park boundary, including all tributaries except Indian Creek: Selective gear rules. Trout: Minimum length twelve inches.

Empire Lake (Ferry County): Last Saturday in April through October 31 season.

Enchantment Park Ponds (Chelan County): Juveniles only.

Entiat River (Chelan County), from mouth to Entiat Falls: December 1 through March 31 season. Whitefish gear rules apply. Above Entiat Falls: Selective gear rules. Trout: Daily limit 5 trout, not more than one of which may be greater than 12 inches in length. Eastern brook trout not included in trout daily limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Ephrata Lake (Grant County): Closed waters.

Erie Lake (Skagit County): Last Saturday in April through October 31 season.

Failor Lake (Grays Harbor County): Last Saturday in April through October 31 season. Trout: No more than two over 15 inches in length may be retained per day.

Fan Lake (Pend Oreille County): Last Saturday in April through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Fazon Lake (Whatcom County): Fishing from any floating device prohibited from first Friday in October through January 15. Channel catfish: Daily and possession limit two.

Fio Rito Lakes (Kittitas County): Fishing from a floating device equipped with an internal combustion motor prohibited.

Fish Lake (Chelan County): Trout: No more than two over fifteen inches in length may be retained.

Fish Lake (Ferry County): Last Saturday in April through October 31 season.

Fish Lake (Okanogan County): Last Saturday in April through October 31 season.

Fish Lake (Spokane County): Last Saturday in April through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Fisher Slough (Snohomish County):

From mouth to Highway 530 Bridge: Year-round season. Trout: Minimum length fourteen inches.

Upstream from Highway 530 Bridge: Trout: Minimum length fourteen inches.

Fishhook Pond (Walla Walla County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Fishtrap Creek (Whatcom County): From Koh Road to Bender Road: June 1 through October 31 season. Juveniles only.

Fishtrap Lake (Lincoln/Spokane counties): Last Saturday in April through September 30 season.

Forde Lake (Okanogan County): Last Saturday in April through October 31 season.

Fort Borst Park Pond (Lewis County): Last Saturday in April through last day in February season. Juveniles only.

Fortson Mill Pond # 2 (Snohomish County): Last Saturday in April through October 31 season. Juveniles only.

Fourth of July Lake (Adams/Lincoln counties): December 1 through March 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: No more than two over fourteen inches in length may be retained.

Franz Lake (Skamania County): Closed waters.

Frater Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Frenchman Hills Lake (Grant County): February 1 through September 30 season.

Gadwall Lake (Grant County): April 1 through September 30 season.

Garfield Juvenile Pond (Whitman County): Juveniles only.

George Lake (Grant County): March 1 through July 31 season.

Geneva Lake (King County): Last Saturday in April through October 31 season.

Germany Creek (Cowlitz County), from mouth to end of Germany Creek Road (approximately five miles): June 1 through August 31 and November 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Gibbs Lake (Jefferson County): Selective gear rules. Trout: Release all trout.

Gillette Lake (Stevens County): Last Saturday in April through October 31 season.

Gissberg Pond, North (Snohomish County): Juveniles only.

Gissberg Ponds (Snohomish County): Channel catfish: Daily limit 2, no minimum size.

Goat Creek (Okanogan County): Closed waters.

Gobar Creek (tributary to Kalama River) (Cowlitz County): June 1 through March 31 season. Selective gear rules. All species: Release all fish.

Gold Creek, Gold Creek Pond and Outlet Channel (tributary to Keechelus Lake) (Kittitas County): Closed waters.

Gold Creek (Okanogan County): From mouth to confluence north fork Gold Creek: Closed waters.

Goldsborough Creek (Mason County): Trout: Minimum length fourteen inches.

Golf Course Pond (Asotin County): Trout: No more than 2 trout over 13 inches in length may be retained.

Goodman Creek (Jefferson County) outside Olympic National Park: June 1 through last day in February season. Trout, minimum length fourteen inches. ~~((December 1 through last day in February, one wild steelhead per day may be retained.))~~

Goodwin Lake (Snohomish County): Chumming permitted.

Goose Creek (Lincoln County), within the city limits of Wilbur: Year around season. Juveniles and holders of disability licenses only.

Goose Lake, Lower (Adams County): Crappie: Daily limit ten, minimum length nine inches. Bluegill: Not more than five over six inches in length.

Gorst Creek (Kitsap County): Closed waters: From lower bridge on the old Belfair Highway upstream to source (including tributaries). From mouth upstream to lower bridge: Trout: Minimum length fourteen inches.

Gosnell Creek and tributaries (tributary to Lake Isabella) (Mason County): Trout: Minimum length fourteen inches.

Goss Lake (Island County): Last Saturday in April through October 31 season.

Grande Ronde River (Asotin County):

From mouth to County Road Bridge about two and one-half miles upstream: Year-round season. Selective gear rules September 1 through May 31. Trout: Minimum length ten inches, maximum length twenty inches. Bass: Fish twelve to seventeen inches in length may be retained. Up to but not more than 3 bass over fifteen inches in length may be retained. Daily limit five. Channel catfish: No daily limit.

From County Road Bridge upstream to Oregon state line and all tributaries: June 1 through October 31 season. Selective gear rules, June 1 through August 31 and barbless hooks required September 1 through October 31. Additional season

November 1 through April 15: Barbless hooks required. All tributaries: Closed waters. All species: Release all fish except whitefish and hatchery steelhead. Trout: Daily limit three hatchery steelhead.

Granite Creek and tributaries (Pend Oreille County): Closed waters.

Granite Lakes (near Marblemount) (Skagit County): Grayling: Release all grayling.

Grass Lake (Mason County): Last Saturday in April through October 31 season.

Gray Wolf River (Clallam County): From junction with Dungeness River to bridge at river mile 1.0 - Closed waters.

From bridge at river mile 1.0 upstream - selective gear rules. Trout: Minimum length fourteen inches.

Grays River (Wahkiakum County), from mouth to Highway 4 Bridge: September 1 through October 15 and November 15 through March 15 season; and from Highway 4 Bridge to mouth of South Fork: September 1 through October 15 and December 15 through March 15 season. (~~Nonbuoyant lure restriction, night closure~~) Antisnagging rule and stationary gear restriction September 1 through October 15. All game fish: Release all fish except hatchery steelhead. Salmon: Open only September 1 through October 15 from mouth to South Fork. Daily limit 6 hatchery coho of which no more than four may be adult coho. Release all salmon except hatchery coho.

Grays River, East Fork (Wahkiakum County): Selective gear rules. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Grays River, West Fork (Wahkiakum County), downstream from hatchery intake footbridge: June 1 - August 31 season. Trout: Additional December 15 through March 15 season downstream from hatchery intake footbridge. Release all fish other than hatchery steelhead. Salmon: Additional September 1 through October 15 season. (~~Nonbuoyant lure restriction, night closure~~) Antisnagging rule and stationary gear restriction. Daily limit 6 hatchery coho of which not more than 4 may be adult coho. Release all salmon except hatchery coho.

Green Lake (Okanogan County): April 1 through November 30: Selective gear rules, and all species: Release all fish.

Green Lake (Lower) (Okanogan County): April 1 through November 30: Selective gear rules, and all species: Release all fish.

Green River (Cowlitz County): Closed waters: All tributaries.

From mouth to 2800 Bridge: June 1 through November 30 season except closed from 400 feet above to 400 feet below the water intake at the upper end of the hatchery grounds during the period September 1 through November 30 and from 400 feet or posted signs above and below the salmon hatchery rack when the rack is installed in the river. (~~Nonbuoyant lure restriction and night closure~~) Antisnagging rule September 1 through October 31 from mouth to 400 feet below salmon hatchery rack. (~~All species: When non-~~

~~buoyant lure restriction in effect, only fish hooked inside the mouth may be retained.~~) Trout: Release all trout except hatchery steelhead. Salmon: Open August 1 through November 30. Daily limit 6 fish of which not more than four may be adult salmon, and of the adult salmon only 2 may be adult Chinook. Release chum and wild coho. Release Chinook October 1 through November 30.

From 2800 Bridge to source: Closed waters.

Green (Duwamish) River (King County):

From the First Avenue South Bridge to the northbound Interstate 5 bridge: June 1 through July 31 and September 1 through February 15 season. (~~Nonbuoyant lure restriction and night closure~~) Antisnagging rule September 1 through November 30. Fishing from any floating device prohibited November 1 through February 15. Trout: Minimum length fourteen inches. July 1 through July 31 and September 1 through November 30, one wild steelhead per day may be retained. Salmon: Open only September 1 through December 31. Daily limit 6 fish of which no more than 3 may be adult salmon and only 1 may be a Chinook.

From the northbound Interstate 5 bridge to SW 43rd Street/South 180th Street Bridge: June 1 through July 31 and September 16 through February 15 season. (~~Nonbuoyant lure restriction and night closure~~) Antisnagging rule September 16 through November 30. Fishing from any floating device prohibited November 1 through February 15. Trout: Minimum length fourteen inches. July 1 through July 31 and September 16 through November 30, one wild steelhead per day may be retained. Salmon: Open only September 16 through December 31. Daily limit 6 fish of which no more than 3 may be adult salmon. Release Chinook.

From the SW 43rd Street/South 180th Street Bridge to South 277th Street Bridge in Auburn: Open only June 1 through July 31 and October 1 through February 15. (~~Nonbuoyant lure restriction and night closure~~) Antisnagging rule October 1 through November 30. Fishing from any floating device prohibited November 1 through February 15. Trout: Minimum length fourteen inches. July 1 through July 31 and October 1 through November 30, one wild steelhead per day may be retained. Salmon: Open only October 1 through December 31. Daily limit 6 fish of which not more than 3 may be adult salmon. Release Chinook.

From the 277th Street Bridge to Auburn-Black Diamond Road Bridge: Open only June 1 through August 15 and October 16 through last day in February. (~~Nonbuoyant lure restriction and night closure~~) Antisnagging rule October 16 through November 30. Fishing from a floating device prohibited November 1 through last day in February. Trout, minimum length fourteen inches. July 1 through August 15 and October 16 through November 30, one wild steelhead per day may be retained. Salmon: Open only October 16 through December 31. Daily limit 6 fish of which no more than 3 may be adult salmon. Release Chinook.

From the Auburn-Black Diamond Road Bridge to the Tacoma Headworks Dam: June 1 through last day in February season. (~~Nonbuoyant lure restriction and night closure~~) Antisnagging rule August 1 through November 30. Closed waters: Within 150 feet of the Palmer Pond outlet rack and within 150 feet of the mouth of Keta Creek. Trout: Minimum length 14 inches. July 1 through November 30, one wild

steelhead per day may be retained. Salmon: Open only November 1 through December 31. Daily limit 2 chum.

Greenwater River (King County), from mouth to Greenwater Lakes: July 1 through October 31 season. Selective gear rules. Trout: Minimum length 14 inches.

Grimes Lake (Douglas County): June 1 through August 31 season. Selective gear rules. Trout: Daily limit one.

Grizzly Lake (Skamania County): Closed waters.

Halfmoon Lake (Adams County): April 1 through September 30 season.

Halfmoon Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Hamilton Creek (Skamania County): Trout: Release all fish except up to two hatchery steelhead may be retained per day. All tributaries downstream from the Highway 14 Bridge: Closed waters.

Hamma Hamma River (Mason County):

From mouth to four hundred feet below falls: June 1 through August 31 season. Selective gear rules. All species: Release all fish.

Hammersley Inlet Freshwater Tributaries (Mason County), except Mill Creek: Closed waters.

Hampton Lakes, Lower and Upper (Grant County): April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Hancock Lake (King County): Last Saturday in April through October 31 season. All tributary streams and the upper third of the outlet are closed waters.

Harvey Creek (tributary to Sullivan Lake) (Pend Oreille County):

From mouth to Bridge 4830 on county road (about one and one-half miles): Closed waters.

From Bridge 4830 upstream: Selective gear rules.

Harvey Creek (tributary to Stillaguamish River) (Snohomish County): Closed waters.

Hatch Lake (Stevens County): December 1 through March 31 season. All species: Catch and release except up to five rainbow trout may be retained.

Hatchery Lake (Mason County): Last Saturday in April through October 31 season.

Haven Lake (Mason County): Last Saturday in April through October 31 season.

Hawk Creek and tributaries (Lincoln County): Year-round season.

Hays Creek and Ponds (Adams County): April 1 through September 30 season.

Headgate Pond (Asotin County): Last Saturday in April through October 31 season. Juveniles, seniors and holders of disability licenses only.

Heart Lake (near Anacortes) (Skagit County): Last Saturday in April through October 31 season.

Heins Lake (Kitsap County): Closed waters.

Hemlock Lake (Trout Creek Reservoir) (Skamania County): Closed waters.

Hen Lake (Grant County): April 1 through September 30 season.

Heritage Lake (Stevens County): Last Saturday in April through October 31 season.

Herman Lake (Adams County): April 1 through September 30 season.

Hicks Lake (Thurston County): Last Saturday in April through October 31 season.

Hog Canyon Creek (Spokane County): Hog Canyon Dam to Scroggie Road: Year-round season.

Hog Canyon Lake (Spokane County): December 1 through March 31 season. Trout: No more than two over fourteen inches in length may be retained.

Hoh River (Jefferson County), outside of Olympic National Park: May 15 through April ((+5)) 30 season. May 15 through May 31, open Wednesday through Sunday downstream from Willoughby Creek only. Willoughby Creek upstream to park boundary closed through May 31. Selective gear rules June 1 through October 15 from Willoughby Creek to Morgan's Crossing Boat Launch, June 1 through November 30 from Morgan's Crossing Boat Launch to the mouth of south fork, and December 1 through April ((+5)) 30 from DNR Oxbow Campground Boat Launch to mouth of south fork. Trout: Minimum length fourteen inches. Catch and release during May, except up to two hatchery steelhead may be retained on open days. November 1 through February 15, daily limit three steelhead downstream from the Oxbow Campground Boat Launch. December 1 through April ((+5)) 30, downstream of DNR Oxbow Campground Boat Launch, one wild steelhead per day may be retained. Salmon: Open only May 16 through November 30 downstream of Willoughby Creek and October 16 through November 30 Willoughby Creek to Morgan's Crossing Boat Launch. Daily limit 6 fish of which no more than 2 may be adult salmon except May 15 through August 31 downstream of Willoughby Creek open Wednesday through Sunday only of each week and daily limit may contain no more than one adult salmon.

Hoh River South Fork (Jefferson County), outside Olympic National Park: June 1 through April ((+5)) 30 season. Selective gear rules. Trout: Minimum length fourteen inches.

Hoko River (Clallam County): From mouth to upper Hoko Bridge: Fly fishing only September 1 through October 31. Additional November 1 through March 15 season. Trout: Minimum length fourteen inches. December 1 through March 15, one wild steelhead per day may be retained.

From upper Hoko Bridge to Ellis Creek Bridge (river mile 18.5): June 1 through March 31 season. Fly fishing

only. All species: Release all fish except that up to two hatchery steelhead per day may be retained.

Homestead Lake (Grant County): Selective gear rules. Trout: Daily limit one fish.

Hoquiam River, including all forks (Grays Harbor County): June 1 through ~~((March 31))~~ last day of February season. Single point barbless hooks required August 16 through November 30. ~~((Selective gear rules and all species: Release all fish except up to two hatchery steelhead may be retained per day, from March 1 through March 31.))~~ Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 30 from mouth to bridge on Dekay Road on mainstem and East Fork mouth to mouth of Berryman Creek. Daily limit 6 fish of which no more than 2 may be adult salmon, except release adult Chinook, and chum.

Horseshoe Lake (Clark/Cowlitz counties): Trout: No more than 2 trout 20 inches or greater in length may be retained. Salmon: Landlocked salmon rules apply.

Horseshoe Lake (Jefferson County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit 1.

Horseshoe Lake (Kitsap County): Last Saturday in April through October 31 season. Salmon: Landlocked salmon rules apply.

Horseshoe Lake (Pend Oreille County): Last Saturday in April through October 31 season. Trout except kokanee: Daily limit five. Kokanee not counted in daily trout limit. Kokanee daily limit ten.

Horsethief Lake (Klickitat County): Last Saturday in April through October 31 season.

Hourglass Lake (Grant County): April 1 through September 30 season.

Howard Lake (Snohomish County): Last Saturday in April through October 31 season.

Howell Lake (Mason County): Last Saturday in April through October 31 season.

Hozomeen Lake (Whatcom County): July 1 through October 31 season.

Huff Lake (Pend Oreille County): Closed waters.

Humtulpis River (Grays Harbor County), from mouth to Highway 101 Bridge: June 1 through March 31 season except closed September 1 through October 15 mouth to Highway 101 Bridge. Night closure and single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open October 16 through January 31. Daily limit of 6 salmon, not more than two of which may be adult salmon. October 16 through November 30 the daily limit may contain no more than one adult Chinook and one wild adult coho. Release chum. December 1 through January 31 release adult Chinook, wild adult coho, and chum. From Highway 101 Bridge to forks: June 1 through last day in February season. Night closure and single point barbless hooks required August 16 through

November 30. Trout: Minimum length fourteen inches. Additional season March 1 through March 31. Selective gear rules. All species: Release all fish.

Humtulpis River, East Fork (Grays Harbor County), from mouth to concrete bridge on Forest Service Road between Humtulpis Guard Station and Griddale: ~~((Nonbuoyant lure restriction and night closure))~~ Antisnagging rule August 16 through November 30. Trout: Minimum length fourteen inches.

Humtulpis River, West Fork (Grays Harbor County), from mouth to Donkey Creek: June 1 through last day in February season. ~~((Nonbuoyant lure restriction and night closure))~~ Antisnagging rule August 16 through November 30. Trout: Minimum length fourteen inches. Additional season March 1 through March 31. Selective gear rules. All species: Release all fish.

Hutchinson Lake (Adams County): April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

I-82 Ponds, 1 through 7 (Yakima County): Fishing from vessels equipped with internal combustion motors prohibited.

Icehouse Lake (Skamania County): Trout: No more than 2 trout 20 inches or greater in length may be retained.

Icicle River (Creek) (Chelan County):

From mouth to four hundred feet below Leavenworth National Fish Hatchery rack: Closed waters. From Leavenworth National Fish Hatchery rack upstream to Leland Creek: Selective gear rules.

Indian Creek (tributary to Elwha River) (Clallam County), from mouth upstream to first Highway 101 crossing: Selective gear rules. Trout: Minimum length twelve inches.

Indian Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Indian Creek (Yakima County): From mouth to waterfall approximately ~~((5 and three quarters))~~ six miles upstream (including the portion of the creek that flows through the dry lakebed): Closed waters. Upstream of waterfall: Eastern brook trout do not count as part of trout daily limit. Eastern brook trout: No minimum size and no daily limit.

Indian Heaven Wilderness Lakes (Skamania County): Trout: Daily limit three.

Ingall's Creek (Chelan County): Mouth to Wilderness boundary: Closed waters.

Issaquah Creek (King County): June 1 through August 31 season. Juveniles only.

Jackson Lake (Pierce County): Last Saturday in April through October 31 season.

Jameson Lake (Douglas County): Last Saturday in April through July 4 and October 1 through October 31 seasons.

Jasmine Creek (Okanogan County): Year-round season. Juveniles only.

Jefferson Park Pond (Walla Walla County): Juveniles only. Trout: No more than 2 trout over 13 inches in length may be retained.

Jennings Park Pond (Snohomish County): Last Saturday in April through October 31 season. Juveniles only.

Jewitt Creek (Klickitat County): Juveniles only. Trout: Daily limit five, no minimum length.

Jimmy-Come-Lately Creek (Clallam County): June 1 through August 31 season. Trout: Minimum length fourteen inches.

Joe Creek (Grays Harbor County): Upstream from State Highway 109 Bridge to Ocean Beach Road Bridge: June 1 through November 30 season. Single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult Chinook, and chum.

Johns Creek (Mason County): Closed waters.

Johns River (Grays Harbor County): Mouth to Ballon Creek: June 1 through last day in February season. Single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult Chinook, and chum.

Ballon Creek upstream, including North and South Forks: June 1 through September 30 and December 1 through last day in February season. Trout: Minimum length 14 inches.

Johnson Creek (tributary to Cowlitz River) (Lewis County): Selective gear rules. Trout: Minimum length ten inches.

Johnson Creek (Whatcom County), from Northern Pacific Railroad tracks to the Lawson Street footbridge in Sumas: Juveniles only.

Jump-Off Joe Lake (Stevens County): Last Saturday in April through October 31 season.

Kachess Lake (Reservoir) (Kittitas County): Chumming permitted. Trout except kokanee: Daily limit two, minimum length twelve inches. Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Kachess River (Kittitas County): Lawful to fish to base of Kachess Dam. Selective gear rules. From Kachess Lake (Reservoir) upstream to waterfall approximately one-half mile above Mineral Creek: Closed waters.

Kalaloch Creek (Jefferson County), outside Olympic National Park: Closed waters: Those waters within the section posted as the Olympic National Park water supply June 1 through last day in February season. Selective gear rules. Trout: Minimum length fourteen inches.

Kalama River (Cowlitz County): Release wild cutthroat.

From mouth upstream to one thousand feet below fishway at upper salmon hatchery: Year-round season except during the period the temporary fish rack is installed. Waters from Modrow Bridge downstream to one thousand five hundred feet below the rack are closed waters when the rack is installed. (~~(Nonbuoyant lure restriction, night closure, and)~~) Antisnagging rule April 1 through October 31 from the mouth to the natural gas pipeline at Mahaffey's Campground and April 1 through August 31 from the pipeline to the posted deadline at the intake to the lower salmon hatchery. Stationary gear restriction September 1 through October 31 from mouth to the (~~(rack. All species: When nonbuoyant lure restriction in effect only fish hooked inside the mouth may be retained.)~~) natural gas pipeline at Mahaffey's Campground. Fishing from a floating device equipped with a motor prohibited upstream of Modrow Bridge. September 1 through October 31: Fly fishing only from the pipeline crossing to the posted deadline at the intake to the lower salmon hatchery. (~~(Trout)~~) All game fish: Release all (~~(trout)~~) fish year-round except up to two hatchery steelhead may be retained per day. Salmon: Open year-round. January 1 through July 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release wild Chinook and wild coho. August 1 through December 31, daily limit 6 fish of which no more than 4 may be adult salmon, and of the adult salmon only 2 may be adult Chinook. Release chum and wild coho. October 1 through December 31 release Chinook upstream from natural gas pipeline crossing.

From one thousand feet below to one thousand feet above the fishway at upper salmon hatchery: Closed waters.

From one thousand feet above the fishway at the upper salmon hatchery to Summers Creek: Year-round season. Fishing from a floating device equipped with a motor prohibited. Selective gear rules. All species: Release all fish.

From Summers Creek upstream to the 6420 Road at about one mile above the gate at the end of the county road: June 1 through March 31 season. Fishing from a floating device equipped with a motor prohibited. Fly fishing only. All species: Release all fish.

From 6420 Road to Kalama Falls: Closed waters.

Kalispell Creek and tributaries (Pend Oreille County): Last Saturday in April through October 31 season. Selective gear rules.

Keechelus Lake (Reservoir) (Kittitas County): Chumming permitted. Trout except kokanee: Daily limit two, minimum length twelve inches, additionally up to sixteen kokanee may be retained.

Kelsey Creek (tributary of Lake Washington) (King County): June 1 through August 31 season. Juveniles only.

Kennedy Creek (Thurston County), from mouth to four hundred feet below falls: June 1 through last day in February season. (~~(Nonbuoyant lure restriction and night closure)~~) Antisnagging rule October 1 through December 31. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 30 from mouth to northbound Highway 101 Bridge. Barbless hooks required. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho.

Kennedy Creek Pond (Thurston County): Last Saturday in April through October 31 season.

Kettle River (Stevens County):

June 1 through October 31 season. All species: Selective gear rules. Trout: Minimum length 12 inches. Sturgeon: Unlawful to fish for or retain sturgeon.

Additional season: November 1 through May 31. White-fish gear rules apply.

Ki Lake (Snohomish County): Last Saturday in April through October 31 season.

Kidney Lake (Skamania County): Last Saturday in April through last day in February season.

Kimball Creek (near Snoqualmie) (King County): Last Saturday in April through October 31 season. Juveniles only. Trout: No minimum length.

Kings Lake and tributaries (Pend Oreille County): Closed waters.

Kings Lake Bog (King County): Closed waters.

Kiwanis Pond (Kittitas County): Juveniles and holders of disability licenses only.

Klaus Lake (King County): Last Saturday in April through October 31 season. Closed waters: The inlet and outlet to first Weyerhaeuser spur.

Klickitat River (Klickitat County):

From mouth to Fisher Hill Bridge: April 1 through January 31 season. ~~((Nonbuoyant lure restriction and night closure))~~ Antisnagging rule May 1 through May 31. ~~((Nonbuoyant lure restriction))~~ Antisnagging rule August 1 through January 31 except night fishing allowed. Game fish: Closed December 1 through January 31. Release game fish other than steelhead April 1 through May 31. Trout: Minimum length twelve inches. Steelhead and salmon: April 1 through May 31 Mondays, Wednesdays and Saturdays only, daily limit 1 hatchery steelhead or 1 salmon. Release wild Chinook. Salmon: June 1 through January 31 daily limit 6 fish of which no more than 2 may be adult salmon. Release wild Chinook June 1 through July 31.

From Fisher Hill Bridge to four hundred feet above # 5 fishway: Closed waters.

From four hundred feet above # 5 fishway to the Yakama Indian Reservation boundary: June 1 through November 30 season, except waters from boundary markers above Klickitat salmon hatchery to boundary markers below hatchery are closed waters. Trout: Minimum length twelve inches. Salmon: Open only June 1 through November 30 from 400 feet above No. 5 Fishway to boundary markers below Klickitat Salmon Hatchery. June 1 through July 31: Daily limit 6 salmon. Release adult salmon and release wild Chinook. August 1 through November 30: Daily limit 6 fish of which no more than 2 may be adult salmon. Release Chinook November 1 through November 30. Additional December 1 through March 31 season. Whitefish gear rules apply.

From the Yakama Indian Reservation boundary upstream to source, including all tributaries: Closed waters.

Klinline Ponds (Clark County): Trout: No more than 2 trout 20 inches in length or greater may be retained.

Koeneman Lake (Fern Lake) (Kitsap County): Last Saturday in April through October 31 season. Selective gear rules. All species: Release all fish.

Kress Lake (Cowlitz County): Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: No more than 2 trout 20 inches in length or greater may be retained. Salmon: Landlocked salmon rules apply.

Lacamas Creek (Clark County): Lawful to fish upstream to the base of Lacamas Lake Dam.

Lacamas Creek, tributary of Cowlitz River (Lewis County): June 1 through last day in February season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Lake Creek (Okanogan County): Mouth to Black Lake: Closed waters. Black Lake to Three Prong Creek: ~~((Selective gear rules.))~~ Closed waters.

Langlois Lake (King County): Last Saturday in April through October 31 season.

Latah (Hangman) Creek (Spokane County): Year-round season.

Leader Lake (Okanogan County): Last Saturday in April through September 30 season.

Le Clerc Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Ledbetter Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Ledking Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Leech Lake (White Pass area) (Yakima County): Fly fishing only. Fishing prohibited from floating devices equipped with motors. Trout: No more than one over 14 inches in length.

Lemna Lake (Grant County): April 1 through September 30 season.

Lenice Lake (Grant County): March 1 through November 30 season. Selective gear rules. Trout: Daily limit one.

Lena Lake, Lower (Jefferson County): Closed waters: Inlet stream from mouth upstream to footbridge (about one hundred feet).

Lenore Lake (Grant County): Closed waters: Area within two hundred yard radius of trash rack leading to the irrigation pumping station (south end of lake) and area approximately one hundred yards beyond the mouth of inlet stream to State Highway 17. March 1 through May 31 season: Selective gear rules. All species: Release all fish. Additional season June 1



through November 30: Selective gear rules. Trout: Daily limit one.

Leo Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Lewis River (Clark County), from mouth to forks: Year-round season. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open year-round. January 1 through July 31, daily limit six fish of which not more than 2 may be adult salmon. Release sockeye, wild Chinook, and wild coho. August 1 through December 31, daily limit 6 fish of which no more than 4 may be adult salmon, and of the adult salmon only 2 may be adult Chinook. Release chum, sockeye, and wild coho. September 5 through September 30 release Chinook. Sturgeon: Seasons, days of the week, daily limits, and size limits same as in adjacent waters of mainstem Columbia River.

Lewis River, East Fork (Clark/Skamania counties): Closed waters: From the posted markers at the lower end of Big Eddy to one hundred feet above Lucia Falls; from four hundred feet below to four hundred feet above Molton Falls; from four hundred feet below Horseshoe Falls upstream including all tributaries above Horseshoe Falls.

Mouth to 400 feet below Horseshoe Falls: June 1 through March 15 season. Trout: Release all trout except up to two hatchery steelhead per day may be retained. Mouth to top boat ramp at Lewisville Park: Additional April 16 through May 31 season. Selective gear rules. Release all fish except up to two hatchery steelhead may be retained per day.

Lewis River, North Fork (Clark/Skamania counties):

From mouth to Colvin Creek: Year-round season except those waters shoreward of the cable buoy and corkline at the mouth of the Lewis River Salmon Hatchery fish ladder are closed waters. ~~((Nonbuoyant lure restriction and night closure))~~ Antisnagging rule April 1 through November 30 from Johnson Creek to Colvin Creek. ~~((When nonbuoyant lure restriction is in effect, only fish hooked inside the mouth may be retained.))~~ Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open year-round. January 1 through July 31, daily limit six fish of which not more than 2 may be adult salmon. Release sockeye, wild Chinook and wild coho. August 1 through December 31, daily limit 6 fish of which no more than 4 may be adult salmon, and of the adult salmon only 2 may be adult Chinook. Release chum, sockeye, and wild coho. September 5 through September 30 release Chinook downstream of the I-5 bridge. Sturgeon: Seasons, days of the week, daily limits, and size limits same as in waters of mainstem Columbia River adjacent to mouth of Lewis River.

From mouth of Colvin Creek to overhead powerlines at Merwin Dam: May 1 through September 30 and December 16 through April 30 season. ~~((Nonbuoyant lure restriction and night closure))~~ Antisnagging rule April 1 through September 30. ~~((When nonbuoyant lure restriction is in effect, only fish hooked inside the mouth may be retained.))~~ Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open only January 1 through September 30 and December 16 through December 30. January 1 through July 31, daily limit 6 fish of which no more than 2

may be adult salmon. Release sockeye, wild Chinook and wild coho. August 1 through September 30 and December 16 through December 31, daily limit 6 fish of which no more than 4 may be adult salmon, and of the adult salmon only 2 may be adult Chinook. Release chum and wild coho. Release sockeye August 1 through September 30. Sturgeon: Seasons, days of the week, daily limits, and size limits same as in waters of mainstem Columbia River adjacent to mouth of Lewis River.

From overhead powerlines at Merwin Dam to Merwin Dam: Closed waters.

From the cable crossing 1,300 feet below Yale Dam to Yale Dam: Closed waters.

Within Lewis River Power Canal: From the fishing pier to the access road at Swift Dam: Last Saturday in April through October 31 season. Fishing from a floating device prohibited. Trout: No minimum size, daily limit 5.

From Eagle Cliff Bridge to lower falls including all tributaries: Selective gear rules. All species: Release all fish.

Liberty Lake (Spokane County): ~~((Last Saturday in April))~~ March 1 through September 30 season.

Lilliwaup River (Mason County): Mouth to 200 feet below falls: June 1 through August 31 season. Selective gear rules. All species: Release all fish.

Lilly Lake (Chelan County): Last Saturday in April through October 31 season. July 5 through October 31, selective gear rules, and all species: Release all fish.

Limerick Lake (Mason County): Last Saturday in April through October 31 season.

Lincoln Pond (Clallam County): Juveniles only.

Lions Park Pond (Walla Walla County): Juveniles only. Trout: No more than 2 trout over 13 inches in length may be retained.

Little Ash Lake (Skamania County): Trout: No more than 2 trout 20 inches in length or greater may be retained.

Little Bear Creek (tributary of Sammamish River) (Snohomish/King counties): June 1 through August 31 season. Juveniles only.

Little Hoko River (Clallam County): Selective gear rules. All species: Release all fish.

Little Klickitat River (Klickitat County), within Goldendale city limits: Last Saturday in April through October 31 season. Juveniles only. Trout: Daily limit five, no minimum length.

Little Lost Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Little Naches River (Yakima County): Selective gear rules.

Little Nisqually River (Lewis County): Selective gear rules. Trout: Minimum length ten inches.

Little Pend Oreille River (Stevens County) from the Little Pend Oreille wildlife refuge boundary about 1 mile downstream from the refuge headquarters office to Crystal Falls:

Selective gear rules, and all species: Release all fish except up to five Eastern brook trout may be retained.

Little Quilcene River (Jefferson County), from mouth to the Little Quilcene River Bridge on Penny Creek Road, June 1 through ~~((last day in February))~~ October 31 season. All species: Selective gear rules and release all fish. Closed waters: Mouth to Highway 101 Bridge September 1 through October 31. ~~((Trout: Minimum length fourteen inches.))~~

Little Spokane River (Spokane County):

From mouth to SR 291 Bridge: Year-round season.

From SR 291 Bridge upstream to the West Branch: Last Saturday in April through October 31 season. Additional December 1 through March 31 season. Whitefish gear rules apply.

Upstream from bridge at Frideger Road: Closed waters: From the inlet to Chain Lake upstream one-quarter mile to the railroad crossing culvert. Trout: Release kokanee taken upstream from bridge.

Little Twin Lake (Okanogan County): Last Saturday in April ~~((+))~~ through ~~((November 30.))~~ October 31 season. Selective gear rules ~~((and all species: Release all fish.))~~. Trout: Daily limit one.

Little Twin Lake (Stevens County): Last Saturday in April through October 31.

Little Wenatchee River (Chelan County): From Lake Wenatchee to the falls below U.S. Forest Service Road 6700 Bridge at Riverside Campground: Closed waters.

Little White Salmon River (Skamania County): Closed waters: From the orange fishing boundary markers at Drano Lake upstream to the intake near the Little White Salmon National Fish Hatchery north boundary. Trout: Daily limit five. Drano Lake (waters downstream of markers on point of land downstream and across from Little White Salmon National Fish Hatchery): May 1 through March 31 season, except for hatchery steelhead and Chinook season in April, and except closed Wednesdays beginning the second Wednesday in April through May 31 and from 6 p.m. Tuesday through 6 p.m. Wednesday, October 1 through October 31. ~~((Night closure and nonbuoyant lure restriction))~~ Antisnagging rule May 1 through June 30. ~~((Nonbuoyant lure restriction))~~ Antisnagging rule August 1 through December 31 except night fishing allowed. March 16 through June 30 daily limit of two fish, of which one or both may be hatchery steelhead or one or both may be Chinook salmon. Release wild Chinook. Trout and salmon: May 1 through June 30 release all fish except hatchery steelhead and Chinook salmon. Trout: July 1 through March 15 release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open only August 1 through December 31. Daily limit six fish of which no more than two may be adult salmon. Release wild coho.

Lone Lake (Island County): Selective gear rules. Trout: Daily limit one, minimum length 18 inches.

Long Lake (Ferry County): Last Saturday in April through October 31 season. Fly fishing only. Unlawful to fish from floating devices equipped with motors.

Long Lake (Okanogan County): Last Saturday in April through September 30 season.

~~((Long Lake (Spokane River Reservoir) (Spokane County): Bass: Release all bass May 1 through June 30.))~~

Long Lake (Thurston County): Last Saturday in April through October 31 season.

Long's Pond (Thurston County): Juveniles only.

Loomis Lake (Pacific County): Last Saturday in April through October 31 season.

Loomis Pond (Grays Harbor County): Closed waters.

Loon Lake (Stevens County): Last Saturday in April through October 31 season. Trout except kokanee: Daily limit five, except no more than two over twenty inches in length may be retained. Kokanee not counted in daily trout limit. Kokanee daily limit ten.

Lost Lake (Kittitas County): Trout: Not more than 1 fish over 14 inches in length.

Lost Lake (Okanogan County): Unlawful to fish from a floating device equipped with an internal combustion engine.

Lost River (Okanogan County):

From mouth to mouth of Monument Creek: Closed waters.

From mouth of Monument Creek to outlet of Cougar Lake: Selective gear rules. Trout: Legal to retain Dolly Varden/Bull Trout as part of trout daily limit. Dolly Varden/Bull Trout daily limit two, minimum length fourteen inches.

Love Lake (Clark County): Closed waters.

Lucky Duck Pond (Stevens County): Juveniles only.

Ludlow Lake (Jefferson County): Last Saturday in April through October 31 season.

Lyle Lake (Adams County): April 1 through September 30 season.

Lyre River (Clallam County):

From mouth to falls near river mile 3: June 1 through last day in February season. Trout: Minimum length fourteen inches.

From falls to source: Selective gear rules. All species: Release all fish.

Mad River (Chelan County), from mouth upstream to Jimmy Creek: Closed waters.

Maggie Lake (Mason County): Last Saturday in April through November 30 season. Salmon: Landlocked salmon rules apply.

Margaret Lake (King County): Last Saturday in April through October 31 season.

Marshal Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Martha Lake (Grant County): March 1 through July 31 season.

Martha Lake (Snohomish County): Last Saturday in April through October 31 season.

Mashel River (Pierce County): July 1 through October 31 season. Selective gear rules. ~~((Trout: Minimum length fourteen inches.))~~ All species: Release all fish except up to two hatchery steelhead may be retained per day.

Mattoon Lake (Kittitas County): Fishing from a floating device equipped with an internal combustion engine prohibited.

May Creek (tributary of Lake Washington) (King County): June 1 through August 31 season. Juveniles only.

Mayfield Lake (Reservoir) (Lewis County): Mayfield Dam to 400 feet below Mossyrock Dam: Closed waters: Tacoma Power safety signs at Onion Rock Bridge to Mossyrock Dam. Trout and salmon: Minimum length eight inches. Trout: Release cutthroat. Release rainbow trout except rainbow trout with a clipped adipose fin and a healed scar at the site of the clipped fin. Salmon: Open only September 1 through December 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho.

McAllister Creek (Thurston County): ~~((Nonbuoyant lure restriction and night closure))~~ Antisnagging rule August 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through November 30 from mouth to Olympia - Steilacoom Road Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon.

McCabe Pond (Kittitas County): Fishing from any floating device prohibited. All species: Five fish daily limit for all species combined.

McDonald Creek (Clallam County): Trout: Minimum length fourteen inches.

McDowell Lake (Stevens County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. All species: Release all fish.

McIntosh Lake (Thurston County): Last Saturday in April through October 31 season.

McLane Creek (Thurston County), from a line 50 feet north of and parallel to the Mud Bay Road Bridge to a line 100 feet upstream and parallel to the south bridge on Highway 101: June 1 through November 30 season. ~~((Nonbuoyant lure restriction and night closure))~~ Antisnagging rule August 1 through November 30. Game fish: Release game fish November 1 through November 30. Trout: Minimum length fourteen inches upstream from the south bridge. Salmon: Open only September 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho.

From a line 100 feet upstream and parallel to the south bridge on Highway 101 upstream: ~~((Nonbuoyant lure restrictions and night closure))~~ Antisnagging rule August 1 through October 31. Trout: Minimum length fourteen inches.

McLane Creek Ponds (Thurston County): Last Saturday in April through October 31 season.

McManaman Lake (Adams County): April 1 through September 30 season.

McMurray Lake (Skagit County): Last Saturday in April through October 31. Salmon: Landlocked salmon rules apply.

Medical Lake (Spokane County): ~~((Last Saturday in April))~~ March 1 through ~~((September 30))~~ October 31 season. Selective gear rules except fishing from a floating device equipped with a motor prohibited. Trout: Daily limit two, minimum length fourteen inches.

Medical Lake, West (Spokane County): Last Saturday in April through September 30 season.

Melaney Creek (Mason County): Closed waters.

Melbourne Lake (Mason County): Last Saturday in April through October 31 season.

Mercer Creek (Kittitas County), that portion within Ellensburg city limits: Juveniles only. Trout: Daily limit five, no minimum length.

Mercer Slough (tributary of Lake Washington) (King County): June 1 through August 31 season. Juveniles only.

Merrill Lake (Cowlitz County): Fly fishing only. Unlawful to fish from a floating device equipped with an internal combustion engine. Trout: Daily limit two, maximum length twelve inches.

Merritt Lake (Chelan County): Trout: Daily limit sixteen.

Merry Lake (Grant County): March 1 through November 30 season. Selective gear rules. Trout: Daily limit one.

Merwin Lake (Reservoir) (Clark/Cowlitz County): Salmon: Landlocked salmon rules apply.

Methow River (Okanogan County):

Mouth to County Road 1535 (Burma Road) Bridge: Closed waters June 1 through October 31. County Road 1535 (Burma Road) Bridge to Foghorn Dam: June 1 through September 30 season: Selective gear rules. All species: Release all fish. Foghorn Dam to Weeman Bridge: June 1 through August 15 season. Selective gear rules. All species: Release all fish. Upstream from Weeman Bridge to the falls above Brush Creek: Closed waters June 1 through October 31. Additional season Gold Creek to falls above Brush Creek: December 1 through March 31. Whitefish gear rules apply.

Methow River tributaries not otherwise provided for: Selective gear rules. Trout: Maximum length twenty inches.

Middle Nemah Pond (Pacific County): June 1 through October 31 season.

Mill Creek (Chelan County): Closed waters.

Mill Creek (Cowlitz County): June 1 through August 31 and November 1 through March 15 seasons. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Mill Creek (Lewis County): Additional season December 1 through December 31, mouth to hatchery road crossing cul-

vert. (~~Nonbuoyant lure restriction and night closure.~~) Anti-snagging rule. All species: Release all fish except that up to two hatchery steelhead with intact ventral fins may be retained per day.

Mill Creek (Mason County): Trout: Minimum length fourteen inches.

Mill Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Mill Creek (Walla Walla County):

From mouth to Gose St. Bridge: June 1 through (~~April 15~~) March 31 season. All species: Barbless hooks required and release all fish except hatchery steelhead September 1 through (~~April 15~~) March 31. Trout: Daily limit three hatchery steelhead.

From Gose St. Bridge to Roosevelt St. Bridge, within city limits of Walla Walla: Closed waters.

From Roosevelt St. Bridge upstream, including all tributaries: All tributaries: Closed waters. Selective gear rules. Trout: Maximum length twenty inches.

Mill Creek Pond (Grays Harbor County): Juveniles only.

Mill Pond (Auburn) (King County): Last Saturday in April through October 31 season. Juveniles and holders of a senior license only.

Mill Pond (Pend Oreille County): Last Saturday in April through October 31 season.

Mineral Creek (tributary to upper Kachess River) (Kittitas County), from mouth to Wilderness Boundary: Closed waters.

Mineral Creek (tributary to Nisqually River), and Mineral Creek, North Fork (Lewis County): Selective gear rules. Trout: Minimum length twelve inches.

Mineral Lake (Lewis County): Last Saturday in April through September 30 season.

Minter Creek (Pierce/Kitsap counties): Closed waters: Area from department intake dam downstream to mouth June 1 through October 31. Trout: Minimum length fourteen inches. Salmon: Open only November 1 through December 31 from mouth to 50 feet downstream of the hatchery rack. Daily limit 4 chum.

Mirror Lake (Grant County): Last Saturday in April through September 30 season.

Mission Lake (Kitsap County): Last Saturday in April through October 31 season.

Moclips River (Grays Harbor County), from mouth to the Quinault Indian Reservation: June 1 through last day in February season. Trout: Minimum length fourteen inches.

Molson Lake (Okanogan County): Fishing from a floating device equipped with an internal combustion engine prohibited.

Monte Christo Lake (Snohomish County): June 1 through October 31 season. Selective gear rules.

Mooses Pond (Pacific County): June 1 through October 31 season.

Moran Slough (including inlet and outlet streams) (Grant County): Closed waters.

Morgan Lake (Adams County): April 1 through September 30 season.

Morse Creek (Clallam County), from mouth to Port Angeles Dam: December 1 through last day in February season. Trout: Minimum length fourteen inches.

Moses Lake (Grant County): Crappie: Daily limit ten, only crappie more than nine inches in length may be retained. Bluegill: Daily limit five, only bluegill more than eight inches in length may be retained. (~~Small mouth bass: Small mouth bass are not included as part of the bass daily limit. No minimum size. Small mouth bass 12 to 17 inches in length may be retained. Daily limit 10 small mouth bass, not more than one of which may be greater than 14 inches in length.~~) Walleye: Daily limit 8 walleye. Minimum length twelve inches. No more than one walleye over 22 inches in length may be retained. Yellow perch: Daily limit 25 yellow perch.

Mosquito Creek (Jefferson County), outside Olympic National Park: June 1 through last day in February season. Selective gear rules. Trout: Minimum length fourteen inches.

Mountain Lake (San Juan County): Trout: Daily limit may not contain more than one trout over 18 inches in length.

Muck Creek and tributaries (within Ft. Lewis Military Reservation) (Pierce County): Selective gear rules. Trout: Release all trout.

Mud Lake (Mason County): Last Saturday in April through October 31 season.

Mud Lake (Yakima County): Selective gear rules. Trout: Daily limit one.

Mudget Lake (Stevens County): Last Saturday in April through October 31 season.

Munn Lake (Thurston County): Last Saturday in April through October 31 season. Additional season March 1 through the last Friday in April. All species: Selective gear rules and release all fish.

Muskegon Lake (Pend Oreille County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit two.

Murray Creek (Pierce County): Closed waters.

Myron Lake (Yakima County): Selective gear rules. Trout: Daily limit one.

Mystic Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Naches River (Yakima/Kittitas counties):

From the mouth to Little Naches River: Selective gear rules. Trout: Minimum length twelve inches, maximum

length twenty inches. Release trout June 1 through October 31 from confluence with Tieton River to mouth of Rattle Snake Creek. Additional December 1 through March 31 season. Whitefish gear rules apply.

Naneum Creek (Kittitas County): Selective gear rules.

Naneum Pond (Kittitas County): Juveniles only.

Napeequa River (Chelan County): Mouth to Twin Lakes Creek: Closed waters.

Naselle River (Pacific/Wahkiakum counties), from Highway 101 Bridge upstream including all forks: Closed waters: Area from four hundred feet below falls in Sec. 6, T10N, R8W (Wahkiakum County) to falls. Waters from the North Valley Road Bridge (Big Hill Bridge) to Highway 4 closed August 16 through October 15.

Mainstem: June 1 through April 15 season, except sturgeon. Single point barbless hooks required August 16 through November 30 upstream from Highway 4 Bridge to Crown Main Line (Salme) Bridge. (~~Nonbuoyant lure restriction and night closure~~) Antisnagging rule August 16 through November 30 downstream from North Fork. Stationary gear restrictions above mouth of South Fork August 16 through November 30. Selective gear rules March 1 through April 15 above mouth of South Fork. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only August 1 through January 31 from Highway 101 Bridge to Highway 4 Bridge and October 16 through January 31 from the Highway 4 Bridge to the Crown Main Line Bridge. Daily limit 6 fish of which no more than 3 may be adult salmon and of these 3 adult fish no more than 1 may be a wild adult coho and not more than 2 may be adult Chinook. Release chum.

Sturgeon: Open year-round from mouth to Highway 4 Bridge.

From mouth of North Fork to source: Selective gear rules. All species: Release all fish except up to two hatchery steelhead per day may be retained.

South Fork, from mouth to Bean Creek: June 1 through last day in February season, except sturgeon. (~~Nonbuoyant lure restriction and night closure~~) Antisnagging rule August 16 through November 30. Game fish: Release game fish except up to two hatchery steelhead per day may be retained. Sturgeon: Open year-round.

Nason Creek (Chelan County): From the mouth upstream to Smith Brook: Closed waters.

From Smith Brook to Stevens Creek: Selective gear rules.

Negro Creek (Lincoln County): Year-round season from mouth at Sprague Lake to the fish barrier dam at Fishtrap Lake.

Negro Creek (Whitman County): Last Saturday in April through July 15 season.

Nemah River, North, Middle, and South: June 1 through March 31 season, except closed August 1 through September 30 on North Nemah from Highway 101 Bridge upstream to Nemah Hatchery. Single point barbless hooks required on

North Nemah upstream to the lower bridge on dead end lower Nemah Road October 1 through November 30, on Middle Nemah upstream to the Department of Natural Resources Bridge on Middle Nemah A-line Road August 16 through November 30, and on South Nemah upstream to confluence with Middle Nemah August 16 through November 30. Selective gear rules on Middle Nemah above DNR Bridge and South Nemah above confluence with Middle Nemah. Night closure August 16 through November 30 on South Nemah to the confluence with Middle Nemah and Middle Nemah and October 1 through November 30 on North Nemah. (~~Nonbuoyant lure restriction~~) Antisnagging rule on North Nemah upstream from bridge on dead end lower Nemah Road and the Middle Nemah from the DNR Bridge on A-line Road upstream August 16 through November 30. On the North Nemah from the mouth to the lower bridge on dead end lower Nemah Road, stationary gear restriction during the period August 16 through November 30. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only August 1 through January 31 on Middle Nemah from mouth to DNR Bridge and South Nemah from mouth to confluence with Middle Nemah and October 1 through January 31 on North Nemah from mouth to the lower bridge on dead end Lower Nemah Road. Middle and South Nemah: Daily limit 6 fish of which no more than 2 may be adult salmon and of the two adult fish no more than one may be a wild adult coho. Release chum. North Nemah: Daily limit 6 salmon of which not more than 3 may be adult salmon and of the adult fish no more than one may be a wild adult coho and no more than two may be adult Chinook. Release chum.

Newhalem Ponds (Whatcom County): Closed waters.

Newaukum River, main river and South Fork upstream to Highway 508 Bridge near Kearny Creek (Lewis County): June 1 through March 31 season. Night closure and single point barbless hooks required August 16 through November 30 from mouth to Leonard Road. Trout: Minimum length fourteen inches mouth to Highway 508 Bridge near Kearny Creek. Salmon: Open only October 16 through last day in February from mouth to Leonard Road. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult Chinook, and chum. December 1 through last day in February release wild adult coho.

Newaukum River, Middle Fork, mouth to Taucher Road Bridge (Lewis County): June 1 to March 31 season. Trout: Minimum length fourteen inches.

Newaukum River, North Fork (Lewis County):

From mouth to four hundred feet below Chehalis city water intake: June 1 through March 31 season. Trout: Minimum length fourteen inches.

From 400 feet below Chehalis city water intake upstream: Closed waters.

Niawiakum River (Pacific County): From Highway 101 Bridge to the South Bend/Palix Road Bridge: Night closure and single point barbless hooks required August 16 through November 30. All game fish: Release all fish. Salmon: Open only September 1 through November 30 from Highway 101

Bridge to South Bend/Palix Road Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon and of the adult fish not more than one may be a wild adult coho. Release adult Chinook, and chum.

Nile Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Nisqually River (Pierce County), from mouth to Military Tank Crossing Bridge: July 1 through January 31 season. ~~((Nonbuoyant lure restriction and night closure))~~ Antisnagging rule August 1 through November 30. Trout: Minimum length fourteen inches. All species: Release all species except salmon December 1 through January 31. Salmon: Open only July 1 through January 31 from mouth to Military Tank Crossing Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild adult Chinook.

From Military Tank Crossing Bridge to four hundred feet below LaGrande Falls: July 1 through October 31 season. Selective gear rules. ~~((Nonbuoyant lure restriction and night closure August 1 through October 31. Trout: Minimum length fourteen inches.))~~ All species: Release all fish except up to two hatchery steelhead may be retained per day. Selective gear rules.

Nooksack River (Whatcom County), from mouth to forks, Middle Fork to Dam and North Fork to Nooksack Falls: June 1 through last day in February season except closed June 1 through September 30 in mainstem from yellow marker at the FFA High School barn at Deming to confluence of the North and South Forks. Fishing from floating devices equipped with motors prohibited on the North and Middle Forks November 1 through last day in February. ~~((Nonbuoyant lure restriction and night closure))~~ Antisnagging rule August 1 through November 30 on mainstem and North Fork to Maple Creek. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through December 31 in mainstem from Lummi Indian Reservation boundary to yellow marker at the FFA High School barn in Deming. Open only October 16 through December 31 in mainstem from the FFA barn to the confluence of the North and South Forks, and October 1 through October 31 on the North Fork from confluence to Maple Creek. Daily limit 2 salmon, except release pink and wild coho, release wild Chinook from mouth to FFA barn, and release Chinook from FFA barn to forks and in North Fork.

Nooksack River, South Fork (Skagit/Whatcom counties): From mouth to Skookum Creek: June 1 through last day in February season except closed July 1 through October 15 from Saxon Road Bridge to mouth of Skookum Creek. Selective gear rules. Night closure August 1 through October 31. Trout: Minimum length fourteen inches. Salmon: Open only October 16 through December 31. Daily limit 2 salmon, except release Chinook, pink, and wild coho.

From Skookum Creek upstream: Closed waters.

No Name Lake (Pend Oreille County): Last Saturday in April through October 31 season.

North Creek (Okanogan County): From mouth to falls at river mile 0.8: ~~((Selective gear rules.))~~ Closed waters.

North Creek (tributary of Sammamish River) (Snohomish/King counties): June 1 through August 31 season. Juveniles only.

North Elton Ponds (Yakima County): December 1 through March 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited. Trout: Daily limit two.

North Lake (King County): Last Saturday in April through October 31 season.

North Potholes Reserve Ponds (Grant County): February 1 through the day before opening of waterfowl season. Fishing from any floating device prohibited, except float tubes permitted.

North River (Grays Harbor/Pacific counties), from Highway 105 Bridge upstream to Falls River: June 1 through last day in February season, except sturgeon. Night closure August 16 through November 30. Single point barbless hooks required August 16 through November 30 upstream to Salmon Creek. ~~((Nonbuoyant lure restriction))~~ Antisnagging rule from Salmon Creek to Falls River August 16 through November 30. All game fish: Release all fish except that up to two hatchery steelhead per day may be retained. Salmon: Open only September 1 through November 30 from Highway 105 Bridge to Salmon Creek. Daily limit 6 fish of which no more than 2 may be adult salmon and of the adult fish not more than one may be a wild adult coho. Release adult Chinook, and chum. Sturgeon: Open year-round from Highway 105 Bridge to Salmon Creek.

Upstream from Falls River: Selective gear rules. All species: Release all fish except up to two hatchery steelhead per day may be retained.

Northern State Hospital Pond (Skagit County): Last Saturday in April through October 31 season. Juveniles only.

Northwestern Reservoir (Klickitat/Skamania counties): Last Saturday in April through last day in February season.

Nunnally Lake (Grant County): March 1 through November 30 season. Closed waters: Outlet stream of Nunnally Lake. Selective gear rules. Trout: Daily limit one.

Oakland Bay freshwater tributaries (Mason County), except Goldsborough Creek (including Shelton Creek, Canyon Creek, Uncle John Creek, Campbell Creek, Melaney Creek, Deer Creek, John's Creek, and Cranberry Creek to Lake Limerick): Closed waters.

Ohanapecosh Creek (tributary to Cowlitz River) (Lewis/Pierce counties): Selective gear rules. Trout: Minimum length twelve inches.

Ohop Lake (Pierce County): Last Saturday in April through October 31 season.

Okanogan River (Okanogan County):

From the mouth to the highway bridge at Malott: Year-round season. Trout: Release all trout. Upstream from the highway bridge at Malott: June 1 through August 31 season. Trout: Release all trout. Salmon: Open only July 1 through October 15 from mouth to Highway 97 Bridge immediately

upstream of mouth. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho and sockeye. All species: Antisnagging rule July 1 through October 15.

Closed waters: From Zosel Dam downstream to first Highway 97 Bridge.

Old Fishing Hole Pond (Kent) (King County): Last Saturday in April through October 31 season. Juveniles only.

Old Mill Stream (Chelan County): Closed waters.

Olequa Creek (Lewis County): June 1 through last day in February season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Osborne Lake (Mason County): Last Saturday in April through October 31 season.

Outlet Creek (Klickitat County): Trout: Daily limit five.

Owens Pond (Pacific County): June 1 through October 31 season.

Packwood Lake (Lewis County): Closed waters: All inlet streams and outlet from log boom to dam. Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit five, minimum length ten inches.

Padden Lake (Whatcom County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Palix River, including all forks (Pacific County): June 1 through March 31 season, except sturgeon. Single point barbless hooks and night closure August 16 through November 30 upstream to the confluence of the South and Middle Forks. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Above the confluence of the South and Middle Forks: Selective gear rules. ~~((Non-buoyant lure restriction and night closure))~~ Antisnagging rule August 16 through November 30. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only September 1 through November 30 from the Highway 101 Bridge to the confluence of the South and Middle Forks. Daily limit 6 fish of which no more than 2 may be adult salmon and of the adult salmon not more than one may be a wild adult coho. Release adult Chinook, and chum. Sturgeon: Open year-round from the Highway 101 Bridge to the confluence of the South and Middle Forks.

Palouse River and tributaries, except Rock Creek (Whitman County): Year-round season. Mainstem from mouth to base of Palouse Falls. Trout: Daily limit 6 fish, minimum length 10 inches, no more than 3 trout over 20 inches may be retained, except release all trout April 1 through June 15 and release steelhead June 16 through August 31. Barbless hooks required when fishing for steelhead. Bass: Fish 12 to 15 inches in length may be retained, but not more than 3 bass over 15 inches in length may be retained. Daily limit 5. Walleye: Daily limit 10 fish, no minimum size. No more than 5 walleye over 18 inches in length may be retained, and no more than 1 walleye over 24 inches in length may be retained. Channel catfish: No daily limit.

Palouse River mainstem above Palouse Falls and tributaries except Rock Creek: Year-round season.

Pampa Pond (Whitman County): March 1 through September 30 season. Fishing from any floating device prohibited. Trout: No more than two over 13 inches in length may be retained.

Panhandle Lake (Mason County): Last Saturday in April through October 31 season.

Panther Creek (Chelan County): Closed waters.

Panther Creek (tributary to Wind River) (Skamania County): Closed waters.

Panther Lake (Kitsap/Mason counties): Last Saturday in April through October 31 season.

Para-Juvenile Lake (Adams/Grant counties): April 1 through September 30 season. Juveniles only.

Park Lake (Grant County): Last Saturday in April through September 30 season.

Parker Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Pass Lake (Skagit County): Fly fishing only. Fishing from a floating device equipped with a motor prohibited. All species: Release all fish.

Pataha Creek (Garfield County):

Within the city limits of Pomeroy: Juveniles only.

From city limits of Pomeroy upstream: Selective gear rules.

~~((Patterson Lake (Okanogan County): Last Saturday in April through October 31 season.))~~

Pattison Lake (Thurston County): Last Saturday in April through October 31 season.

Peabody Creek (Clallam County): Juveniles only.

Pearrygin Lake (Okanogan County): Last Saturday in April through September 30 season.

Pend Oreille River (Pend Oreille County): Year-round season. All sloughs within the boundaries of the Kalispell Reservation except Calispell Slough: Closed waters.

Perch Lake (Grant County): Last Saturday in April through September 30 season.

Percival Creek (Thurston County): Trout: Minimum length fourteen inches.

Peshastin Creek (Chelan County): Mouth to Ruby Creek: Closed waters.

Petit Lake (Pend Oreille County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Phalon Lake (Stevens County): Closed waters.

Pheasant Lake (Jefferson County): Last Saturday in April to October 31 season.

Phelps Creek (Chelan County): From mouth to falls at river mile 1: Selective gear rules.

Philippa Creek (tributary to N.F. Snoqualmie River) (King County): Closed waters.

Phillips Lake (Mason County): Last Saturday in April through October 31 season.

Phillips Lake (Stevens County): Last Saturday in April through October 31 season.

Pilchuck Creek (Snohomish County), mouth to Highway 9 Bridge: June 1 through November 30 season. Selective gear rules. Trout: Minimum length fourteen inches. Additional December 1 through last day in February season. Trout: Minimum length fourteen inches.

Pilchuck River (Snohomish County)

From its mouth to five hundred feet downstream from the Snohomish City diversion dam: December 1 through last day in February season. Fishing from any floating device prohibited. Trout: Minimum length fourteen inches.

From 500 feet below diversion dam upstream: Closed waters.

Pillar Lake (Grant County): April 1 through September 30 season.

Pine Lake (King County): Last Saturday in April through October 31 season.

Pine Lake (Mason County): Last Saturday in April through October 31 season.

Ping Pond (Grant County): Third Saturday in April through Labor Day season. Juveniles and holders of reduced fee disability licenses only. Game fish: Daily limit of five fish in the aggregate. No minimum or maximum size for any species.

Pioneer Ponds (tributary to Stillaguamish River) (Snohomish County): Closed waters.

Pipers (Carkeek) Creek (King County), from its mouth to its source, including tributaries: Closed waters.

Pit Lake (Douglas County): Juveniles only.

Pleasant Lake (Clallam County): Trout: Kokanee minimum length eight inches, maximum length twenty inches.

Plummer Lake (Lewis County): Last Saturday in April through last day in February season.

Poacher Lake (Grant County): April 1 through September 30 season.

Portage Creek (tributary to Stillaguamish River) (Snohomish County): Closed waters.

Potholes Reservoir (Grant County): Crappie: Minimum length nine inches. Crappie and bluegill: Combined daily limit twenty-five fish. Perch: Daily limit twenty-five fish. ~~((Small mouth bass: Small mouth bass are not included as part of the bass daily limit. No minimum size. Small mouth bass 12 to 17 inches in length may be retained. Daily limit 10 small mouth bass, not more than 1 of which may be greater than 14 inches in length.))~~ Walleye: Minimum size 12 inches

in length. Daily limit 8 walleye, not more than 1 of which may be greater than 22 inches in length.

Potter's Pond (Stevens County): Last Saturday in April through October 31 season.

Pratt River (tributary to Middle Fork Snoqualmie) (King County): Selective gear rules. All species: Release all fish.

Prices Lake (Mason County): ~~((Last Saturday in April through October 31 season.))~~ Selective gear rules. All species: Release all fish.

Promised Land Pond (Grays Harbor County): June 1 through October 31 season.

Purdy Creek (Mason County): June 1 through July 31 season. Selective gear rules. All species: Release all fish.

Puyallup River (Pierce County):

From mouth to the Electron power plant outlet: July 1 through last day in February season. Single point barbless hooks, ~~((nonbuoyant lure restriction and night closure))~~ anti-snagging rule August 1 through November 30 from the mouth to the Carbon River. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through December 31 from mouth to Carbon River. Daily limit 6 fish of which no more than 2 may be adult salmon, plus 2 additional adult pink salmon. Release wild adult Chinook.

From Electron power plant outlet upstream: July 1 through October 31 season. Selective gear rules. All species: Release all fish.

Pysht River (Clallam County): June 1 through last day in February season. Trout: Minimum length fourteen inches. December 1 through last day in February, one wild steelhead per day may be retained.

Pysht River South Fork (Clallam County): Trout: Minimum length fourteen inches.

Quail Lake (Adams County): Fly fishing only. Fishing from any floating device equipped with a motor prohibited. All species: Release all fish.

Quarry Pond (Walla Walla County): Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Quigg Lake (Grays Harbor County): June 1 through April 15 season. Trout: Daily limit 2. Minimum length fourteen inches. Salmon: Open only October 1 through January 31. Daily limit 6 hatchery coho salmon of which no more than 4 may be adult hatchery coho.

Quillayute River (Clallam County): Open year-round outside of Olympic National Park only. May 1 through May 31 release all game fish except up to two hatchery steelhead per day may be retained. Trout: Minimum length fourteen inches. November 1 through last day in February, daily limit three steelhead. December 1 through April 30, one wild steelhead per day may be retained. Salmon: Open only February 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon February 1 through August 31 and 3 may be adult salmon September 1 through November 30. September 1 through October 31 the daily limit may con-



tain no more than 2 adult Chinook, release wild coho, and selective gear rules. November 1 through November 30 the 3 adult salmon may contain no more than 2 adult Chinook or 2 adult wild coho or 1 adult Chinook and 1 adult wild coho. February 1 through August 31 release wild adult coho and wild adult Chinook.

Quinault River, Upper (Jefferson County), from mouth at upper end of Quinault Lake to the National Park boundary: June 1 through April 15 season. Trout: Minimum length fourteen inches. December 1 through April 15, one wild steelhead per day may be retained. Salmon: Open only July 1 through October 31. Daily limit 6 fish except release adult salmon.

Quincy Lake (Grant County): March 1 through July 31 season.

Radar Ponds (Pacific County): Salmon: Landlocked salmon rules apply.

Raging River (King County), from its mouth to the Highway 18 Bridge: June 1 through last day in February season. Trout: Minimum length fourteen inches.

Railroad Pond (Franklin County): Selective gear rules. Trout: Daily limit two.

Rainbow Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Rapjohn Lake (Pierce County): Last Saturday in April through October 31 season.

Rat Lake (Okanogan County): April 1 through November 30: Selective gear rules. All species: Release all fish.

Rattlesnake Creek (Yakima County): Selective gear rules. All species: Release all fish.

Rattlesnake Lake (King County): Last Saturday in April through October 31 season. Selective gear rules.

Ravensdale Lake (King County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit two, minimum length twelve inches.

Reflection Pond (Okanogan County): Last Saturday in April through October 31 season.

Renner Lake (Ferry County): Last Saturday in April through October 31 season.

Riffe Lake (Reservoir) (Lewis County): Mossyrock Dam to 400 feet below Cowlitz Falls Dam. Closed waters: Lewis County PUD safety signs approximately 800 feet below Cowlitz Falls Dam to Dam. Lawful to fish up to the base of Swofford Pond Dam. Salmon: Landlocked salmon rules apply.

Rigley Lake (Stevens County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit two, minimum length twelve inches.

Riley Lake (Snohomish County): Last Saturday in April through October 31 season.

Rimrock Lake (Reservoir) (Yakima County): Chumming permitted. Trout except kokanee: Daily limit five. Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Ringold Springs Creek (Hatchery Creek) (Franklin County): Closed waters.

Robbins Lake (Mason County): Last Saturday in April through October 31 season.

Rock Creek (Adams/Whitman counties): Mouth to Endicott Road year-round season.

Endicott Road to bridge on George Knott Road at Revere: Selective gear rules. All species: Release all fish.

Upstream from bridge on George Knott Road: Year-round season.

Rock Creek (Chelan County): Selective gear rules.

Rock Creek (Cedar River tributary below Landsburg Dam) (King County): Closed waters.

Rock Creek (Klickitat County): Mouth to the Army Corps of Engineers Park: Year-round season. Daily limits, size restrictions and gear restrictions are the same as those in the adjacent portion of the Columbia River.

Rock Creek (Skamania County): Mouth to falls: June 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Above falls, additional November 1 through March 15 season.

Rocky Ford Creek and Ponds (Grant County): Fly fishing only. Fishing from bank only (no wading). All species: Release all fish.

Rocky Lake (Stevens County): Last Saturday in April through October 31 season. June 1 through October 31 selective gear rules and all species: Release all fish.

Roesiger Lake (Snohomish County): Crappie: Daily limit ten, minimum length nine inches.

Roosevelt Lake (Ferry/Lincoln/Stevens counties): All species: Closed waters: (1) March 1 through May 31 from the Coulee Dam National Recreation Area boundary downstream of Onion Creek to the Canadian border; (2) January 1 through May 31 in San Poil arm upstream from outlet of French Johns Lake(♁); and (3) April 1 through May 31 in Kettle arm upstream to Barstow Bridge. Trout except kokanee: Daily limit five. No more than two over twenty inches in length. Kokanee daily limit two. Walleye: No minimum size. Daily limit 8 fish not more than one of which may be longer than 22 inches. Salmon: Landlocked salmon rules apply. Sturgeon: Unlawful to fish for or retain sturgeon from Roosevelt Lake and tributaries. Carp: Unlawful to fish for carp with bow and arrow. ~~((Small mouth bass: Small mouth bass do not count as part of the bass daily limit. Fish between 12 and 17 inches in length may be retained. No minimum size. Daily limit 10 bass, no more than one bass over 14 inches in length may be retained.))~~

Rose Lake (Mason County): Last Saturday in April through October 31 season.

Ross Lake (Reservoir) (Whatcom County): July 1 through October 31 season. Selective gear rules, except fishing from a floating device equipped with an internal combustion motor allowed. Trout: Daily limit three, possession limit six, minimum length thirteen inches.

Ross Lake tributary streams (Whatcom County), except Big Beaver Creek and Ruby Creek: Closed waters: From closed water markers near mouth upstream for one mile. Above closed water marker in tributaries not listed as closed: July 1 through October 31 season.

Round Lake (Okanogan County): Last Saturday in April through September 30 season.

Rowland Lakes (Klickitat County): Last Saturday in April through last day in February season.

Royal Lake (Adams County): Closed waters.

Royal Slough (including Marsh Unit IV impoundments) (Adams County): Closed waters.

Ruby Creek (tributary to Ross Lake) (Whatcom County): Closed waters.

Ruby Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Rufus Woods Lake (Douglas County): Chumming allowed. Trout: Daily limit two. Kokanee not included in daily trout limit. Kokanee daily limit 2. Sturgeon: Unlawful to fish for or retain sturgeon from Rufus Woods Lake and tributaries.

Sacheen Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Saddle Mountain Lake (Grant County): Closed waters.

Sago Lake (Grant County): April 1 through September 30 season.

Salmon Creek (Clark County), from mouth to 72nd Avenue N.E.: June 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Salmon Creek, including all forks (Jefferson County): Closed waters.

Salmon Creek, mainstem (Okanogan County): Closed waters.

Salmon Creek, North Fork and West Fork from mouth to South Fork (Okanogan County): Selective gear rules.

Salmon Creek (tributary of Naselle River) (Pacific County): June 1 through last day in February season. Selective gear rules. All species: Release all fish except up to two hatchery steelhead per day may be retained.

Salmon River (Jefferson County) outside of Olympic National Park and Quinault Indian Reservation: June 1 through last day in February season. Trout: Minimum length fourteen inches. Hatchery steelhead in this river are steelhead with a dorsal fin height of less than 2-1/8 inches or with an adipose or ventral fin clip. Salmon: Open only September 1 through November 30. Daily limit 6 fish of which no more than 3 may be adult salmon and of the adult salmon no more than 2 may be adult Chinook salmon.

Salt Creek (Clallam County): Trout: Minimum length fourteen inches.

From mouth to bridge on Highway 112: Additional November 1 through last day in February season. Trout: Minimum length fourteen inches.

Samish Lake (Whatcom County): Trout: Cutthroat trout daily limit two, minimum length fourteen inches.

Samish River (Whatcom County):

From its mouth to the Hickson Bridge: June 1 through March 15 season. From Highway 99 Bridge to department salmon rack: Closed waters. ~~((Nonbuoyant lure restriction and night closure))~~ Antisnagging rule August 1 through December 31.

Trout: Minimum length fourteen inches. Salmon: Open only July 1 through December 31 from mouth to Thomas Road Bridge and October 1 through December 31 from Thomas Road Bridge to I-5 Bridge. Daily limit two salmon.

Sammamish Lake (King County): Trout: Release all kokanee. Kokanee/sockeye under fifteen inches are kokanee while those fifteen inches and over are sockeye salmon. December 1 through June 30: Release all steelhead and rainbow trout over twenty inches in length. Salmon: Closed to salmon fishing within 100 yards of the mouth of Issaquah Creek. Open only August 16 through November 30. Daily limit two salmon. Release sockeye.

Sammamish River (Slough) (King County), from the 68th Avenue N.E. Bridge to Lake Sammamish: January 1 through August 31 season. Selective gear rules. Trout: Release all trout.

Sandyshore Lake (Jefferson County): Last Saturday in April to October 31 season.

San Poil River (Ferry County): Unlawful to fish for or retain sturgeon.

Sarge Hubbard Park Pond (Yakima County): Juveniles and holders of disability licenses only.

Satsop Lakes (Grays Harbor County): Last Saturday in April through October 31 season.

Satsop River(;) (Grays Harbor County): Trout: Minimum length 14 inches in mainstem and all forks. Mainstem and East Fork, single point barbless hooks and night closure August 16 through November 30 except only August 16 through October 31 on East Fork upstream from bridge at Schafer State Park. Middle and West forks downstream from Cougar Smith Road ~~((nonbuoyant lure restriction and night closure))~~ antisnagging rule August 16 through November 30. Middle and West Forks upstream from Cougar Smith Road

~~((night closure and nonbuoyant lure restriction))~~ antisnagging rule August 16 through October 31.

From mouth to bridge at Schafer Park: June 1 through March 31 season. Salmon: Open only October 1 through January 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult Chinook, and chum.

Middle Fork (Turnow Branch), from mouth to Cougar Smith Road: June 1 through last day in February season.

West Fork, from mouth to Cougar Smith Road: June 1 through last day in February season.

Sauk River (Skagit/Snohomish counties):

From mouth to the mouth of the White Chuck River: June 1 through last day in February season. ~~((Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.))~~ Selective gear rules. All species: Release all fish except up to two hatchery steelhead may be retained per day.

From the mouth of the White Chuck River to headwaters, including North Fork and South Fork upstream to Elliot Creek: Selective gear rules. ((Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.)) All species: Release all fish except up to two hatchery steelhead may be retained per day.

South Fork upstream from Elliot Creek: June 1 through August 31 season. Selective gear rules. All species: Release all fish except up to two hatchery steelhead may be retained per day.

From mouth to the Darrington Bridge: Additional March 1 through April 30 season. Selective gear rules. All species: Release all fish except up to two hatchery steelhead may be retained per day.

Sawyer, Lake (King County): Chumming permitted. Crappie: Daily limit ten, minimum length nine inches.

Schaefer Lake (Chelan County): Trout: Daily limit sixteen.

Sekiu River (Clallam County): All open periods: Trout: Minimum length fourteen inches.

From mouth to forks: Additional November 1 through last day in February season.

Serene Lake (Snohomish County): Last Saturday in April through October 31 season.

Shady Lake (King County): June 1 through October 31 season. Trout: No more than one over fourteen inches in length.

Shannon, Lake (Skagit County): Last Saturday in April through October 31 season. Chumming permitted. Trout: Minimum length six inches and maximum length eighteen inches.

Shellneck Creek (Yakima County): Closed waters.

Shelton Creek (Mason County): Closed waters.

Sherman Creek (Ferry County):

From the mouth at Lake Roosevelt upstream to four hundred feet above the water diversion dam for the hatchery: Closed waters, except December 1 through August 31 season from the mouth upstream to the hatchery boat dock.

Sherry Lake (Stevens County): Last Saturday in April through October 31 season.

Sherwood Creek (Mason County): Trout: Minimum length fourteen inches.

Sherwood Creek Mill Pond (Mason County): June 1 through October 31 season. Trout: Minimum length 14 inches, daily limit 2 fish.

Shiner Lake (Adams County): April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Shoe Lake (Mason County): Last Saturday in April through October 31 season.

Shoveler Lake (Grant County): April 1 through September 30 season.

Shye Lake (Grays Harbor County): June 1 through October 31 season.

Sidley Lake (Okanogan County): Trout: Daily limit two.

Siebert Creek (Clallam County): Trout: Minimum length fourteen inches.

Silent Lake (Jefferson County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

Silvas Creek (Klickitat County): Trout: Release all trout.

Silver Creek (tributary to Cowlitz River) (Lewis County), mouth to USFS Road 4778: Selective gear rules. Trout: Minimum length twelve inches.

Silver Lake (Cowlitz County): Crappie: Daily limit ten crappie. Minimum size nine inches in length.

Silver Lake (Pierce County): Last Saturday in April through October 31 season.

Silver Lake (Spokane County): Crappie: Daily limit ten, minimum length nine inches.

Silver Lake, North (Spokane County): March 1 through September 30 and November 1 through December 31 season. Selective gear rules. March 1 through September 30: Trout: Daily limit 2 fish, minimum length 14 inches, except release fish with clipped adipose fin. November 1 through December 31: All species: Release all fish.

Silver Lake (Whatcom County): Last Saturday in April through October 31 season.

~~((Silvermail))~~ Silver Nail Lake (Okanogan County): Juveniles only.

Similkameen River (Okanogan County):

From mouth to Enloe Dam: December 1 through March 31 season. Whitefish gear rules apply.

From Enloe Dam to Canadian border: Additional December 1 through March 31 season. Whitefish gear rules apply.

Sinlahekin Creek (Okanogan County), from Palmer Lake to Cecile Creek bridge: June 1 through August 31 season. Selective gear rules. Additional December 1 through March 31 season. Whitefish gear rules apply.

Sixteen Lake (Skagit County): Last Saturday in April through October 31 season.

Skagit River (Skagit/Whatcom counties):

From mouth to the Memorial Highway Bridge (Highway 536 at Mt. Vernon): Year-round season. Selective gear rules March 1 through May 31 except lawful to fish from a floating device equipped with an internal combustion motor. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only September 1 through December 31. Daily limit 2 salmon except release Chinook and pink.

From Memorial Highway Bridge (Highway 536 at Mt. Vernon) upstream to Gilligan Creek: June 1 through March 15 season. (~~Night closure and nonbuoyant lure restriction~~) Antisnagging rule July 1 through November 30. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only September 1 through December 31. Daily limit 2 salmon except release Chinook and pink.

From Gilligan Creek to Cascade River: June 1 through March 15 season except closed June 1 through June 30 and August 1 through August 31 between a line 200 feet above the east bank of the Baker River to a line 200 feet below the west bank of the Baker River. (~~Nonbuoyant lure restriction and night closure~~) Antisnagging rule July 1 through November 30. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches. Salmon: Open only September 16 through December 31 Gilligan Creek to the Dalles Bridge at Concrete. Daily limit 2 salmon except release Chinook and pink.

From the Dalles Bridge at Concrete to the Highway 530 Bridge at Rockport - Salmon open July 1 through July 31 except closed 12:01 a.m. July 5 until 2:00 p.m. July 6 and 12:01 a.m. July 10 until 2:00 p.m. July 11, and, except closed from 200 feet above the mouth of the Baker River to the Cascade River. Daily limit two sockeye salmon. Release all salmon except sockeye salmon. Salmon open September 16 through December 31. Daily limit 2 salmon except release Chinook and pink. Additional season: March 16 through April 30. Selective gear rules except lawful to fish from a floating device equipped with an internal combustion motor. Unlawful to fish from a floating device while under power. All species: Release all fish.

From the Highway 530 Bridge at Rockport to the Cascade River - Salmon open June 1 through July 8. (~~Nonbuoyant lure restriction and night closure~~) Antisnagging rule June 1 through November 30. Daily limit two salmon. Release all salmon except hatchery Chinook. Salmon open September 16 through December 31. Daily limit 2 salmon. Release Chinook and pink. Additional season: March 16 through April 30. Selective gear rules except lawful to fish from a floating device equipped with an internal combustion motor. Unlawful to fish from a floating device while under power. All species: Release all fish.

ful to fish from a floating device while under power. All species: Release all fish.

From Cascade River to Gorge Powerhouse: June 1 through March 15 season. (~~Nonbuoyant lure restriction and night closure July 1 through November 30. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches.~~) Selective gear rules. All species: Release all fish except up to two hatchery steelhead may be retained per day.

From the Gorge Powerhouse to Gorge Dam: Closed waters.

Skamokawa Creek (Wahkiakum County), mouth to forks just below Oatfield and Middle Valley Road: November 1 through March 15 season. All species: Release all fish other than steelhead. Trout: Minimum length twenty inches.

Skate Creek (tributary to Cowlitz River) (Lewis County): Trout: Daily limit five, no more than one over twelve inches in length. Release cutthroat. Release rainbow trout except rainbow trout having a clipped adipose fin and a healed scar at the site of the clipped fin.

Skokomish River (Mason County), mouth to forks: (~~Night closure, nonbuoyant lure restriction~~) Antisnagging rule and (~~single point~~) barbless hooks required August 1 through November 30 mouth to Highway 101. June 1 through July 31 and October 31 through December 15 season from mouth to Highway 101 Bridge. June 1 through October 31 season from Highway 101 Bridge to forks. All game fish: Release all fish. Selective gear rules from Highway 101 Bridge to forks. Salmon: Open only August 1 through December 15 mouth to Highway 101 Bridge. Terminal gear restricted to no closer than 25 feet of a tribal gill net. Daily limit 1 salmon August 1 through September 30. Release chum salmon. Daily limit 6 salmon October 1 through December 15, except daily limit may contain no more than 4 adult fish and release Chinook. October 1 through October 15 release chum salmon.

Skokomish River, North Fork (Mason County):

From mouth to lower dam: June 1 through October 31 season. All species: Release all fish. Selective gear rules.

Above Lake Cushman, mouth to Olympic National Park boundary: June 1 through August 31 season. Selective gear rules. Trout: Release all fish.

Skokomish River, South Fork (Mason County):

From mouth to mouth of Church Creek: June 1 through October 31 season. All species: Release all fish. Selective gear rules.

From mouth of Church Creek to mouth of Rule Creek: Closed waters.

From mouth of Rule Creek to headwaters: Selective gear rules. Trout: Minimum length twelve inches.

Skookum Creek (Mason County): Trout: Minimum length fourteen inches.

Skookum Lakes, North and South (Pend Oreille County): Last Saturday in April through October 31 season.

Skookumchuck Creek (Klickitat County): Trout: Release all trout.

Skookumchuck Reservoir (Thurston County): June 1 through October 31 season. Trout: Daily limit two, minimum length twelve inches.

Skookumchuck River (Thurston County):

From mouth to four hundred feet below the outlet of the PP&L/WDFW steelhead rearing pond located at the base of the Skookumchuck Dam: June 1 through April 30 season. Single point barbless hooks and night closure August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only October 16 through last day in February. Daily limit 6 fish of which no more than 2 may be adult salmon, except December 1 through the last day in February release wild adult coho. Release adult Chinook, and chum.

From Skookumchuck Reservoir upstream and all tributaries: Selective gear rules. Trout: Minimum length twelve inches.

Skykomish River (Snohomish County):

From mouth to mouth of Wallace River: June 1 through last day in February season. (~~Nonbuoyant lure restriction and night closure~~) Antisnagging rule August 1 through November 30 mouth to Lewis Street Bridge in Monroe and June 1 through November 30 from Lewis Street Bridge in Monroe to Wallace River. Fishing from any floating device prohibited November 1 through last day in February from the boat ramp below Lewis Street Bridge at Monroe downstream two thousand five hundred feet. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open June 1 through July 31 Lewis Street Bridge in Monroe to Wallace River. Daily limit 2 hatchery Chinook. In years ending in even numbers, open September 1 through December 31 mouth to Wallace River. Daily limit 2 salmon. Release Chinook and pink. In years ending in odd numbers, open August 16 through December 31 mouth to Lewis Street Bridge in Monroe and open September 1 through December 31 Lewis Street Bridge to Wallace River. Daily limit 2 salmon plus 2 additional pink. Release Chinook.

From the mouth of the Wallace River to the forks: June 1 through last day in February season, except closed June 1 to 8:00 a.m. August 1 in those waters one thousand five hundred feet upstream and one thousand feet downstream of the outlet at Skykomish Rearing Ponds. (~~Nonbuoyant lure restriction and night closure~~) Antisnagging rule August 1 through November 30. Fishing from any floating device prohibited in the area one thousand five hundred feet upstream and one thousand feet downstream of the outlet at Skykomish Rearing Ponds August 1 through last day in February. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only September 1 through December 31. In years ending in even numbers, daily limit 2 salmon. Release Chinook and pink. In years ending in odd numbers, daily limit 2 salmon plus 2 additional pink. Release Chinook.

Skykomish River, North Fork (Snohomish County):

From mouth to one thousand feet downstream from Bear Creek Falls: June 1 through last day in February season.

(~~Nonbuoyant lure restriction and night closure~~) Antisnagging rule August 1 through November 30. Trout: Minimum length fourteen inches.

From one thousand feet below Bear Creek Falls to Deer Falls: Closed waters.

Skykomish River, South Fork (King/Snohomish counties):

From mouth to six hundred feet downstream from the Sunset Falls Fishway: June 1 through last day in February season. (~~Nonbuoyant lure restriction and night closure~~) Antisnagging rule August 1 through November 30. Trout: Minimum length fourteen inches.

From a point six hundred feet downstream of the Sunset Falls Fishway to the Sunset Falls Fishway: Closed waters.

From Sunset Falls to source: June 1 through November 30 season. Selective gear rules. Trout: Minimum length fourteen inches. Whitefish: Additional December 1 through last day in February season. Release all fish other than whitefish.

Slate Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Smith Creek (near North River) (Pacific County): June 1 through last day in February season, except sturgeon. Single point barbless hooks, and night closure August 16 through November 30 upstream to the Highway 101 Bridge. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only September 1 through November 30 from mouth to Highway 101 Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon and of the adult salmon not more than one may be an adult wild coho. Release adult Chinook. Sturgeon: Open year-round from mouth to Highway 101 Bridge.

Snake River: Year-round season. Closed to the taking of all trout April 1 through June 15. Trout: Daily limit six, minimum length ten inches, no more than three over twenty inches. Release all steelhead June 16 through August 31. Barbless hooks required when fishing for steelhead. Sturgeon: Unlawful to retain sturgeon in mainstem and tributaries upstream from Lower Granite Dam. Bass: Fish twelve to seventeen inches in length may be retained. Up to but not more than 3 bass over fifteen inches in length may be retained. Daily limit 5. Walleye: Daily limit 10 fish. No minimum size. No more than 5 fish over 18 inches in length. No more than 1 fish over 24 inches in length. Channel catfish: No daily limit.

Closed waters: Within four hundred feet of the base of any dam and within a four hundred foot radius around the fish ladder entrance at Lyons Ferry Hatchery, within a two hundred foot radius upstream of the fish ladder exit above Lower Granite Dam, and within an area one thousand two hundred feet downstream from the base of the west lock gate at Little Goose Dam on the south bank of the Snake River and one hundred feet out into the river from said river bank.

Snipe Lake (Grant County): April 1 through September 30 season.

Snohomish River (Snohomish County), including all channels, sloughs, and interconnected waterways, but excluding all tributaries: June 1 through last day in February season, except sturgeon. ~~((Nonbuoyant lure restriction and night closure))~~ Antisnagging rule August 1 through November 30. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: In years ending in even numbers, open only September 1 through December 31. Daily limit 2 salmon. Release Chinook and pink. In years ending in odd numbers: Open only August 16 through December 31. Daily limit 2 salmon plus 2 additional pink. Release Chinook. Sturgeon: Open year-round from mouth to Highway 2 Bridge.

Snoqualmie River (King County):

From mouth to the falls: June 1 through last day in February season, except waters within the Puget Power tunnel at the falls and within fifty feet of any point on Puget Power's lower Plant # 2 building (north bank) are closed waters. June 1 through November 30 selective gear rules, except fishing from a floating device equipped with an internal combustion motor allowed. Fishing from any floating device prohibited November 1 through last day in February from the mouth of Tokul Creek downstream to the boat ramp at Plumb access, about one-quarter mile. Night closure September 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through December 31. Daily limit 2 fish. Release Chinook and pink.

From Snoqualmie Falls upstream, including the North and South Forks: Selective gear rules. Trout: Minimum length ten inches. Additional November 1 through May 31 season. Selective gear rules. All species: Release all fish.

Snoqualmie Middle Fork from mouth to source including all tributaries except Pratt and Taylor rivers: Year-round season. Selective gear rules. All species: Release all fish.

Snow Creek (Jefferson County), including all tributaries: Closed waters.

Snyder Creek (Klickitat County): Trout: Release all trout.

Sol Duc River (Clallam County): Open year-round. May 1 through May 31 release all game fish except up to two hatchery steelhead per day may be retained. Selective gear rules from the concrete pump station at the Sol Duc Hatchery to the Highway 101 Bridge downstream of Snider Creek November 1 through April 30, and from the Highway 101 Bridge downstream of Snider Creek to Olympic National Park June 1 through October 31. Trout: Minimum length fourteen inches. November 1 through last day in February, daily limit three steelhead from mouth to concrete pump station at Sol Duc Hatchery. December 1 through April 30, from mouth to the concrete pump station at the Sol Duc Hatchery, one wild steelhead per day may be retained. Salmon: Open only February 1 through November 30 from mouth to concrete pump station. Daily limit 6 fish of which no more than 2 may be adult salmon February 1 through August 31 and of which no more than 3 may be adult salmon September 1 through November 30. February 1 through August 31 release wild adult coho and wild adult Chinook. September 1 through October 31 the daily limit may contain no more than 2 adult

Chinook, release wild coho, and selective gear rules. November 1 through November 30 the daily limit may contain no more than 2 adult Chinook or 2 adult wild coho or 1 adult Chinook and 1 adult wild coho.

Sooes River (Suez River) (Clallam County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Soos Creek (King County), from mouth to bridge near hatchery residence: June 1 through August 31 season except salmon. Trout: Minimum length fourteen inches. Salmon: Open only October 16 through November 30 to fishing by juveniles only. Night closure October 16 through November 30. Terminal gear restricted to one single point hook. Daily limit two coho salmon.

Bridge near hatchery residence to Salmon hatchery rack: June 1 through August 31 season. Trout: Minimum length fourteen inches.

South Bend Mill Pond (Pacific County): Juveniles only.

South Prairie Creek (Pierce County), mouth to Page Creek: Closed waters.

Spada Lake (Reservoir) (Snohomish County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Maximum length twelve inches.

Spada Lake (Reservoir) tributaries (Snohomish County): Closed waters.

Spanaway Lake and Spanaway Lake outlet downstream to the dam (approximately 800 feet) (Pierce County): Year-round season.

Spearfish Lake (Klickitat County): Last Saturday in April through last day in February season.

Spectacle Lake (Okanogan County): April 1 through September 30 season.

Spirit Lake (Skamania County): Closed waters.

Spokane River (Spokane County):

From SR 25 Bridge upstream to the upstream boundary at Plese Flats Day Use Area (Riverside State Park), except Long Lake, formed by Long Lake Dam (see also Long Lake): Year-round season except walleye. Trout: Daily limit five, no more than two over twenty inches in length. Walleye: Daily limit eight, no minimum length, no more than one over twenty-two inches in length. April 1 through May 31 release all walleye. Salmon: Landlocked salmon rules apply. Sturgeon: Unlawful to fish for or retain sturgeon. ~~((Small mouth bass: Small mouth bass do not count as part of the bass daily limit. Small mouth bass 12 to 17 inches in length may be retained. No minimum size. Daily limit 10 bass, no more than one bass greater than 14 inches in length may be retained.))~~

From the upstream boundary at Plese Flats Day Use Area (Riverside State Park) upstream to the Monroe Street Dam: ~~((Year-round))~~ June 1 through March 15 season. Selective gear rules. Trout: Daily limit one. Release wild trout. Salmon: Landlocked salmon rules apply. Sturgeon: Unlawful to fish for or retain sturgeon.

From Monroe Street Dam upstream to Upriver Dam: Year-round season. Salmon: Landlocked salmon rules apply.

From Upriver Dam upstream to the Idaho/Washington state line: June 1 through March 15 season. Selective gear rules, except fishing from a floating device equipped with an internal combustion motor permitted. All species: Release all fish.

Sprague Lake (Adams/Lincoln counties):

Waters south of the lakeside edge of the reeds and waters of Cow Creek south to Danekas Road: July 1 through September 15 season. Trout: No more than two over twenty inches in length may be retained. Crappie and bluegill: Combined daily limit ((ten-) twenty-five fish. Crappie: Minimum length nine inches. ((Walleye: Minimum size 12 inches in length. Daily limit 8 walleye, not more than 1 of which may be greater than 22 inches in length.))

Spring Creek (Klickitat County): Trout: Daily limit five.

Spring Hill Reservoir (Black Lake, Lower Wheeler Reservoir) (Chelan County): Last Saturday in April through October 31 season. July 5 through October 31, selective gear rules, and all species: Release all fish.

Spring Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Spring Lakes (Grant County): March 1 through July 31 season.

Squalicum Lake (Whatcom County): Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit two.

Stan Coffin Lake (Grant County): Bass: Release all bass.

Starvation Lake (Stevens County): Last Saturday in April through May 31 season. Additional June 1 through October 31 season. Selective gear rules. All species: Release all fish.

Steel Lake (King County): Last Saturday in April through October 31 season.

Stehekin River (Chelan County), from the mouth to Agnes Creek: July 1 through October 31 season. Selective gear rules. Trout: Minimum length fifteen inches. Release cut-throat. Additional March 1 through June 30 season. Selective gear rules. All species: Release all fish.

Stetattle Creek (Whatcom County), from its mouth to mouth of Bucket Creek (one and one-half miles upstream): Closed waters.

Stevens Creek (Grays Harbor County), mouth to Highway 101 Bridge: June 1 through September 30 and December 1 through last day in February season. Trout: Minimum length fourteen inches.

Stevens, Lake (Snohomish County): Chumming permitted. Kokanee: Kokanee not included in trout daily limit. Kokanee daily limit ten fish.

Steves Lake (Mason County): Last Saturday in April through October 31 season.

Stickney Lake (Snohomish County): Last Saturday in April through October 31 season.

Stillaguamish River (Snohomish County):

From mouth to Marine Drive, including all sloughs: Year-round season. (~~Nonbuoyant lure restriction and night closure~~) Antisnagging rule August 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through December 31. In years ending in even numbers, daily limit 2 salmon. Release Chinook and pink salmon. In years ending in odd numbers, daily limit 2 salmon plus 2 additional pink. Release Chinook.

From Marine Drive to the forks, except from the barrier dam (downstream of I-5) downstream two hundred feet which is closed waters: June 1 through last day in February season. Night closure August 1 through November 30. Selective gear rules June 1 through November 30 except fishing from a floating device equipped with an internal combustion motor allowed. Game fish: June 1 through November 30 release all fish except up to two hatchery steelhead per day may be retained. Trout: Minimum length fourteen inches December 1 through last day in February. Salmon: Open only September 1 through December 31. In years ending in even numbers, daily limit 2 salmon. Release Chinook and pink salmon. In years ending in odd numbers, daily limit 2 salmon plus 2 additional pink. Release Chinook.

Stillaguamish River, North Fork (Snohomish County), from mouth to Swede Heaven Bridge: June 1 through last day in February season. (~~Nonbuoyant lure restriction and night closure~~) Antisnagging rule August 1 through November 30. Fishing from any floating device prohibited upstream of the Highway 530 Bridge at mile post 28.8 (Cicero Bridge). Fishing from any floating device equipped with a motor prohibited downstream from the Highway 530 Bridge. June 1 through November 30: All species: Release all fish except hatchery steelhead. June 1 through November 30 fly fishing only. December 1 through last day in February: Trout: Minimum length fourteen inches.

Stillaguamish River, South Fork (Snohomish County):

From mouth to four hundred feet downstream of the outlet to fishway at Granite Falls: June 1 through last day in February season. (~~Nonbuoyant lure restriction and night closure~~) Antisnagging rule August 1 through November 30. Trout: Minimum length fourteen inches.

From four hundred feet below the outlet of the end of the fishway to Mt. Loop Highway bridge above Granite Falls: Closed waters.

From Mt. Loop Highway Bridge above Granite Falls to source: June 1 through November 30 season. (~~Nonbuoyant lure restriction and night closure~~) Antisnagging rule August 1 through November 30.

Storm Lake (Snohomish County): Last Saturday in April through October 31 season.

Stratford/Brook Lake (Grant County): February 1 through September 30 season.

Stump Lake (Mason County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

Suiattle River (Skagit County): Trout: Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

Sullivan Creek (Pend Oreille County), from Mill Pond upstream and tributaries: Selective gear rules. Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Sullivan Lake (Pend Oreille County): Trout: Daily limit 2 trout, except kokanee not counted in daily trout limit. Kokanee daily limit ten.

Sultan River (Snohomish County), from its mouth to a point four hundred feet downstream from the diversion dam at river mile 9.7: June 1 through last day in February season. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

Sultan River, North and South Forks (Snohomish County): Closed waters.

Summit Lake (Stevens County): Last Saturday in April through October 31 season.

Summit Lake (Thurston County): Last Saturday in April through October 31 season.

Sunday Creek (tributary to N.F. Snoqualmie River) (King County): Closed waters.

Sutherland Lake (Clallam County): Chumming permitted.

Swale Creek (Klickitat County): Trout: Release all trout.

Swamp Creek (tributary to Sammamish River) (Snohomish/King counties): June 1 through August 31 season. Juveniles only.

Swan Lake (Ferry County): Last Saturday in April through October 31 season.

Swan's Mill Pond (Stossel Creek) (King County): June 1 through October 31 season.

Swauk Creek (Kittitas County): Selective gear rules.

Swift Reservoir (Skamania County): Last Saturday in April through October 31 season. From posted markers below Eagle Cliff Bridge to Bridge: Selective gear rules except fishing from a floating device equipped with an internal combustion motor allowed. Salmon: Landlocked salmon rules apply.

Swofford Pond (Lewis County): Fishing from a floating device equipped with an internal combustion motor prohibited.

Sylvia Lake (Grays Harbor County): Trout: No more than two over 15 inches in length may be retained per day.

Tacoma Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other

than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Tahuya River (Mason County): Selective gear rules and release all fish except salmon. Salmon: Open only September 16 through October 31 mouth to marker one mile above North Shore Road Bridge. Daily limit 2 coho salmon.

Taneum Creek (Kittitas County): Selective gear rules.

Tanwax Lake (Pierce County): Last Saturday in April through October 31 season. Crappie: Daily limit ten, minimum length nine inches.

Tapps Lake (Reservoir) and Tapps Lake (Reservoir) intake canal (Pierce County), to within four hundred feet of the screen at Dingle Basin: Year-round season.

Tarboo Lake (Jefferson County): Last Saturday in April through November 30 season. Fishing from a floating device equipped with an internal combustion engine prohibited. Salmon: Landlocked salmon rules apply.

Tate Creek (tributary to N.F. Snoqualmie River) (King County): Closed waters.

Taylor River (tributary to the Middle Fork Snoqualmie) (King County): Selective gear rules. All species: Release all fish.

Teal Lakes (North and South) (Grant County): April 1 through September 30 season.

Teal Lake (Jefferson County): ~~((Last Saturday in April to August 31 season.))~~ Fishing from a floating device equipped with an internal combustion engine prohibited. ~~((Additional September 1 through March 30 season.))~~ Selective gear rules. ~~((All species: Release all fish.))~~ Trout daily limit one fish.

Teanaway River ~~((, including North Fork))~~ (Kittitas County): Selective gear rules. Trout: Release all trout.

Teanaway River, North Fork (Kittitas County): Mouth to Beverly Creek including all tributaries: Selective gear rules. Trout: Release all trout. Beverly Creek to impassable waterfall at the end of USFS Road 9737 (about 8 river miles): Closed waters.

Tenas Lake (Mason County): Last Saturday in April through October 31 season.

Tennant Lake (Whatcom County): Fishing from any floating device prohibited from first Friday in October through January 15.

Terrell, Lake (Whatcom County): Fishing from any floating device prohibited the first Saturday after Labor Day through the following Friday and from October 1 through January 31 except fishing from floating dock permitted.

Thomas Lake (Stevens County): Last Saturday in April through October 31 season.

Thornton Creek (tributary to Lake Washington) (King County): June 1 through August 31 season. Juveniles only.



Thread Lake (Adams County): April 1 through September 30 season.

Tibbetts Creek (tributary to Lake Sammamish) (King County): June 1 through August 31 season. Juveniles only.

Tieton River (Yakima County): Lawful to fish to base of Tieton (Rimrock) Dam. Selective gear rules June 1 through October 31. Additional December 1 through March 31 season: Whitefish gear rules apply.

Tieton River, North Fork (Yakima County), upstream from Rimrock Lake: Closed waters: ~~((Spillway channel))~~ From Rimrock Lake to Clear Lake Dam including that portion of the river that flows through the dry lakebed. June 1 through August 15 season.

Tieton River, South Fork (Yakima County): From ~~((mouth))~~ the bridge on USFS Road 1200 to bridge on USFS Rd. 1070 (approximately 12.5 miles): Closed waters.

Tiger Lake (Kitsap/Mason counties): Last Saturday in April through October 31 season.

Tilton River (Lewis County), from mouth to West Fork: June 1 through March 31 season. Trout: Daily limit five, no more than one over twelve inches in length. Release cutthroat. Release rainbow trout except rainbow trout having a clipped adipose fin and a healed scar at the site of the clipped fin. Salmon: Open only June 1 through December 31. Daily limit 6 fish of which no more than 2 may be adult fish. Release wild coho.

Tilton River, East, North, South and West Forks (Lewis County): Selective gear rules. Trout: Minimum length twelve inches.

Toad Lake (Whatcom County): Last Saturday in April through October 31 season.

Tokul Creek (King County):

From mouth to the Fish Hatchery Road Bridge: December 1 through last day in February season, closed 5:00 p.m. to 7:00 a.m. daily. ~~((Nonbuoyant lure restriction))~~ Antisnagging rule except night fishing allowed. Trout: Minimum length fourteen inches.

From Fish Hatchery Road Bridge to posted cable boundary marker located approximately four hundred feet downstream of the hatchery intake: January 15 through last day in February season, closed 5:00 p.m. to 7:00 a.m. daily. ~~((Nonbuoyant lure restriction))~~ Antisnagging rule except night fishing allowed. Trout: Minimum length 14 inches.

From the posted cable boundary marker located approximately four hundred feet downstream of the hatchery intake to the railroad trestle: Closed waters.

Tolt River (King County):

From mouth to the USGS trolley cable near the confluence of the North and South Forks: June 1 through last day in February season. June 1 through November 30, selective gear rules. Trout: Minimum length fourteen inches.

From the USGS trolley cable to the falls in Sec. 21, Twp 26N., R 8 E. on the North Fork, and to the dam on the South Fork: Closed waters.

From falls upstream on North Fork: Selective gear rules. All species: Release all fish.

From dam upstream on South Fork: Selective gear rules. Trout: Minimum length ten inches.

Touchet River (Columbia/Walla Walla counties):

Bass: Bass 12 to 17 inches in length may be retained. Up to but not more than 3 greater than 15 inches may be retained as part of the daily limit. Daily limit 5.

From confluence of north and south forks upstream, including Robinson and Wolf Forks: Selective gear rules. Bass: Statewide rules apply. Trout: Release all steelhead. Tributaries other than North Fork, South Fork, Robinson Fork, and Wolf Fork: Closed waters.

North Fork: Upstream of Spangler Creek June 1 through August 31 season.

South Fork: Upstream from Griffin Creek June 1 through August 31 season.

Wolf Fork: Upstream from Coates Creek June 1 through August 31 season.

From mouth to confluence of north and south forks: Additional season: November 1 through ~~((April 15))~~ March 31. Barbless hooks required. All species: Release all fish except hatchery steelhead and brown trout. Trout: Daily limit three fish.

Toutle River (Cowlitz County):

From mouth to forks, and North Fork from the mouth to the posted deadline below the fish collection facility: June 1 through November 30 season. ~~((Nonbuoyant lure restriction and night closure))~~ Antisnagging rule September 1 through October 15 on North Fork from confluence with South Fork to mouth of Green River. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only August 1 through November 30. Daily limit 6 fish of which no more than 4 may be adult salmon and of the adult salmon only 2 may be adult Chinook. Release chum and wild coho. Release all Chinook October 1 through November 30 in North Fork upstream from Kidd Valley Bridge.

From the posted deadline below the fish collection facility upstream to the headwaters, including all tributaries, but excepting Castle and Coldwater Lakes: Closed waters.

Toutle River, South Fork (Cowlitz County), mouth to source: Closed waters: All tributaries. June 1 through November 30 season. All species: Release all fish except hatchery steelhead. Trout: Minimum length twenty inches. Mouth to 4100 Road Bridge: Additional December 1 through March 31 season. Selective gear rules. All species: Release all fish except hatchery steelhead.

Trapper Lake (Chelan County): Trout: Daily limit two.

Trout Creek (tributary to Wind River) (Skamania County): Closed waters.

Trout Lake (Ferry County): Last Saturday in April through October 31 season.

Trout Lake (tributary to Big White Salmon River) (Klickitat County): June 1 through October 31 season.

Tucannon River (Columbia/Walla Walla counties): Closed waters: All tributaries.

From the mouth upstream to Turner Road Bridge: Additional November 1 through ~~((April 15))~~ March 31 season. Barbless hooks required. All species: Release all fish except hatchery steelhead and whitefish. Trout: Daily limit three hatchery steelhead.

From the Turner Road Bridge upstream to the Tucannon Hatchery Bridge: Selective gear rules June 1 through October 31. Additional season November 1 through ~~((April 15))~~ March 31. Barbless hooks required. All species: Release all fish except hatchery steelhead and whitefish. Trout: Daily limit three hatchery steelhead.

From the Tucannon Hatchery Bridge upstream to 500 feet above the Rainbow Lake intake: Closed waters.

From 500 feet above the Rainbow Lake intake to the Cow Camp Bridge: Selective gear rules. Release steelhead.

From Cow Camp Bridge upstream: Closed waters.

Tucquala Lake (Kittitas County): June 1 through October 31 season.

Tunnel Lake (Skamania County): Trout: No more than 2 trout 20 inches in length or greater may be retained.

Twin Lake (Jefferson County): Last Saturday in April through October 31 season.

Twin Lakes (Chelan County) and tributaries and outlet stream to junction with the Napeequa River: Closed waters.

Twisp River (Okanogan County), from mouth to War Creek: June 1 through August 15 season. Selective gear rules. All species: Release all fish. War Creek to South Fork Twisp River: Closed waters.

Tye River (King County): Foss River to Alpine Falls June 1 through October 31 season: Selective gear rules. Trout: Minimum length fourteen inches. Whitefish: Additional November 1 through last day in February season. Release all fish other than whitefish. From Alpine falls upstream: Trout: Minimum size ten inches.

U Lake (Mason County): Last Saturday in April through October 31 season.

Umtanum Creek (Kittitas County): Selective gear rules.

Uncle John Creek (Mason County): Closed waters.

Union Creek (Yakima County): From mouth upstream to falls (approximately 1/4 mile): Closed waters.

Union River (Mason County): Mouth to North Shore Road Bridge. All species: Release all fish except sturgeon.

From North Shore Road Bridge to lower bridge on Old Belfair Highway: June 1 through August 15 season. Selective gear rules. All species: Release all fish except sturgeon.

From lower bridge on Old Belfair Highway upstream to watershed boundary: Selective gear rules. All species: Release all fish except sturgeon.

From watershed boundary to source, including all tributaries: Closed waters.

Upper Wheeler Reservoir (Chelan County): Closed waters.

Valley Creek (Clallam County): Juveniles only.

Vance Creek (Mason County): Trout: Minimum length fourteen inches.

Vance Creek/Elma Ponds (Grays Harbor County): Pond One: Last Saturday in April through November 30 season. Juveniles, holders of a senior license and holders of a department disability license only. Trout: No more than two over 15 inches in length may be retained per day. Salmon: Land-locked salmon rules apply. Pond Two: Last Saturday in April through November 30 season. Trout: No more than two over 15 inches in length may be retained per day. Salmon: Land-locked salmon rules apply.

Vancouver Lake and all other waters west of Burlington-Northern Railroad from Columbia River drawbridge near Vancouver downstream to Lewis River (Clark County): Closed waters: April 1 through May 30 the Vancouver Lake flushing channel is closed and it is closed to fishing from the lake shoreline within 400 feet east and west of the channel exit. Chumming permitted. Trout: Daily limit two, minimum length twelve inches. Sturgeon: Seasons, days of the week, daily limits, and size limits same as in adjacent waters of mainstem Columbia River.

Vanes Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Van Winkle Creek (Grays Harbor County): Mouth to 400 feet below outlet of Lake Aberdeen Hatchery: Game fish: Minimum length 14 inches. Salmon: Open only September 1 through January 31. Daily limit 6 fish of which not more than 2 may be adult fish. Release chum, adult Chinook and wild adult coho.

Vic Meyers (Rainbow) Lake (Grant County): Last Saturday in April through September 30 season.

Vogler Lake (Skagit County): Last Saturday in April through October 31 season. Fly fishing only. All species: Release all fish.

Voight Creek (Pierce County): From mouth to Highway 162 Bridge: Closed waters.

Wagners Lake (Snohomish County): Last Saturday in April through October 31 season.

Wahkiacus Creek (Klickitat County): Trout: Release all trout.

Waitts Lake (Stevens County): Last Saturday in April through last day in February season.

Walker Lake (King County): Last Saturday in April through October 31 season.

Wallace River (Snohomish County):

From its mouth to 200 feet upstream of the water intake of the salmon hatchery: June 1 through last day in February season. Closed waters: From 363rd Avenue S.E./Reece Road to a point two hundred feet upstream of the water intake of the salmon hatchery during the period June 1 through August 31. Fishing from any floating device prohibited November 1 through last day in February. Trout except Dolly Varden/Bull

Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only September 1 through November 30. Daily limit 2 coho.

From 200 feet upstream of the water intake of the salmon hatchery to mouth of Olney Creek: November 1 through last day in February season. Fishing from any floating device prohibited. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

Walla Walla River (Walla Walla County):

From mouth to the Touchet River: Year-round season. Trout: Barbless hooks required when fishing for steelhead. Trout: Release trout April 1 through May 31. Daily limit three hatchery steelhead. Bass: No minimum or maximum size. No more than three fish over fifteen inches in length may be retained. Daily limit 5. Channel catfish: No daily limit.

From the Touchet River upstream to state line: Trout: All tributaries except Mill Creek, maximum length twenty inches. (~~Bass~~) No minimum or maximum size. No more than three fish over fifteen inches in length may be retained. Daily limit 5. Channel catfish: No daily limit. Additional season November 1 through (~~April 15~~) March 31. All species: Barbless hooks required and release all fish except hatchery steelhead. Trout: Daily limit three hatchery steelhead.

Walupt Lake (Lewis County): Closed waters: All inlet streams. Last Saturday in April through October 31 season. Selective gear rules except fishing from a floating device equipped with an internal combustion motor allowed. Trout: Minimum length ten inches.

Wannacut Lake (Okanogan County): Last Saturday in April through October 31 season.

Wapato Lake (Chelan County): Last Saturday in April through October 31 season. From August 1 through October 31: Selective gear rules except fishing from a device equipped with an internal combustion motor permitted. Trout: Release all trout.

Wapato Lake (Pierce County): Juveniles only.

Ward Lake (Ferry County): Last Saturday in April through October 31 season.

Ward Lake (Thurston County): Last Saturday in April through October 31 season.

Warden Lake and Warden Lake, South (Grant County): Last Saturday in April through September 30 season.

Washburn Island Pond (Okanogan County): April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Washburn Lake (Okanogan County): Last Saturday in April through October 31 season. Trout: Daily limit two.

Washington, Lake, including that portion of the Sammamish River from the 68th Avenue N.E. Bridge downstream (King

County): Fishing from floating device prohibited one hundred yards either side of the floating bridges. Chumming permitted. Trout: December 1 through last day in February, daily limit 5, no minimum length. Release steelhead and rainbow trout over twenty inches in length. March 1 through June 30, daily limit 5, minimum length twelve inches. Release steelhead and rainbow trout over twenty inches in length. Kokanee/sockeye under fifteen inches are kokanee while those fifteen inches and over are sockeye salmon. Salmon: Open only September 16 through October 31 north of Highway 520 Bridge and east of Montlake Bridge. Daily limit two coho salmon.

Washington, Lake, Ship Canal (King County) (waters east of a north-south line 400 feet west of the fish ladder at the Chittenden Locks and west of a north-south line at the eastern ends of the concrete abutments east of the Montlake Bridge): West of Fremont Bridge: Fishing from floating device prohibited. East of Fremont Bridge: Chumming permitted.

From west boundary to a north-south line 400 feet east of the eastern end of the northern wing wall of Chittenden Locks: Closed waters.

From 400 feet east of the eastern end of the northern wing wall of Chittenden Locks to the east boundary: Open year-round. Trout: December 1 through last day in February daily limit five, no minimum length. Release steelhead and rainbow trout over twenty inches in length. March 1 through June 30, daily limit five, minimum length twelve inches. Release steelhead and rainbow trout over twenty inches in length. July 1 through November 30, daily limit five, no minimum length. Kokanee/sockeye less than fifteen inches in length are kokanee and fifteen inches and over in length are sockeye salmon.

Washougal River (Clark County): Night closure year-round.

From mouth to bridge at Salmon Falls: June 1 through March 15 season. (~~Nonbuoyant lure restriction~~) Antisnagging rule and stationary gear restriction July 1 through October 31. (~~When nonbuoyant lure restriction is in effect, only fish hooked inside the mouth may be retained.~~) Trout: Release all trout except up to 2 hatchery steelhead per day may be retained. Salmon: Open only August 1 through March 15. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and wild coho. Upstream of Little Washougal River, release Chinook October 1 through November 30.

From mouth to Mt. Norway Bridge: Additional April 16 through May 31 season. Selective gear rules. Trout: Release all trout except up to 2 hatchery steelhead per day may be retained.

From bridge at Salmon Falls to its source, including tributaries: Closed waters.

Washougal River, West (North) Fork (Clark/Skamania counties):

From mouth to the water intake at the department hatchery: Closed waters.

From intake at department hatchery to source: June 1 through March 15 season. Trout: Release all trout except up to 2 hatchery steelhead per day may be retained.

Watson Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Wauhop Lake (Pierce County): Salmon: Landlocked salmon rules apply.

Wenas Lake (Yakima County): Trout: Daily limit five, of which not more than two may be brown trout.

Wenaha River tributaries within Washington: June 1 through August 31 season. Selective gear rules. Trout: Release all steelhead.

Wenatchee Lake (Chelan County): Selective gear rules except fishing from a floating device equipped with an internal combustion motor allowed. Trout except kokanee: Daily limit two, minimum length twelve inches. Release kokanee. Kokanee/sockeye under sixteen inches will be considered kokanee while those sixteen inches and over will be considered sockeye salmon.

Wenatchee River, including Lake Jolanda (Chelan County):  
December 1 through March 31 season, from mouth to Highway 2 Bridge at Leavenworth only. Whitefish gear rules apply.

Wentworth Lake (Clallam County): Unlawful to fish from a floating device equipped with a motor.

West Evans Pond (Asotin County): Trout: No more than 2 trout over 13 inches in length may be retained.

West Twin River (Clallam County): June 1 through October 31 season. Trout: Minimum length fourteen inches.

Whatcom Creek (Whatcom County):

From mouth to stone bridge at Whatcom Falls Park: June 1 through last day in February season. ~~((Nonbuoyant lure restriction and night closure))~~ Antisnagging rule August 1 through December 31. Closed waters: Woburn Street Bridge upstream to the stone bridge. Trout: Minimum length fourteen inches. Salmon: Open only August 1 through December 31 from mouth to markers below Dupont Street. Daily limit 6 fish of which not more than 2 may be adult salmon.

From stone bridge at Whatcom Falls Park upstream to Lake Whatcom: Last Saturday in April through October 31 season. Juveniles only. ~~((Nonbuoyant lure restriction and night closure))~~ Antisnagging rule August 1 through October 31. Trout: No minimum length.

Whatcom, Lake (Whatcom County): Last Saturday in April through October 31 season, except those waters between the Electric Avenue Bridge and the outlet dam are closed waters: Trout: Release cutthroat trout.

Whatcom, Lake, tributaries (Whatcom County): Closed waters.

Wheeler Creek (Klickitat County): Trout: Release all trout.

White River (Chelan County), from mouth upstream to White River Falls: Closed waters.

White (Stuck) River (Pierce County):

From mouth to R Street Bridge in Auburn: October 1 through last day in February season: ~~((Nonbuoyant lure restriction and night closure))~~ October 1 through October 31 all species: Fly fishing only and release all fish. November 1 through ((November 30)) last day in February. Trout: Minimum length fourteen inches. Antisnagging rule November 1 through November 30.

From R Street Bridge to Highway 410 Bridge at Buckley: October 1 through October 31 season. Closed waters: Puget Power canal, including the screen bypass channel, above the screen at Dingle Basin. ~~((Nonbuoyant lure restriction and night closure.))~~ Antisnagging rule. Trout: 14 inch minimum size.

From the Weyerhaeuser 6000 Road Bridge (Bridge Camp) to its source: July 1 through October 31 season. ~~((Nonbuoyant lure restriction and night closure))~~ Antisnagging rule October 1 through October 31. Selective gear rules July 1 through October 31. Trout: Minimum length fourteen inches. Whitefish: Additional November 1 through January 31 season. Whitefish gear rules apply.

Whitechuck River (Snohomish County): Trout: Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

White Salmon River (Klickitat/Skamania counties):

From mouth to powerhouse: Open year-round. Bank fishing only downstream from the Highway 14 Bridge. August 1 through December 31: ~~((Nonbuoyant lure restriction.))~~ Antisnagging rule except night fishing allowed. Trout: Minimum length fourteen inches. Salmon and steelhead: Open April 1 through June 30, daily limit two fish, one or both of which may be salmon or hatchery steelhead. Release all fish except salmon or hatchery steelhead. Release wild coho and wild Chinook. Salmon: Open July 1 through March 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho. October 1 through December 31 release Chinook upstream from posted markers upstream of Highway 14 Bridge.

From powerhouse to within four hundred feet of Northwestern Dam: November 16 to April 30 season except salmon and steelhead. Trout: Minimum length fourteen inches. Release trout April 1 through April 30. Salmon: Open November 16 through March 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho. November 16 through December 31 release Chinook. Salmon and steelhead: Open April 1 through June 30, daily limit two fish, one or both of which may be salmon or hatchery steelhead. Release all fish except salmon or hatchery steelhead. Release wild coho and wild Chinook.

From gas pipeline crossing above Northwestern Lake to Gilmer Creek: Selective gear rules. Trout: Minimum length twelve inches.

Wide Hollow Creek (Yakima County): Trout: Daily limit five, no minimum length.

Widgeon Lake (Grant County): April 1 through September 30 season.

Wildberry Lake (Mason County): Last Saturday in April through October 31 season.

Wildcat Lake (Kitsap County): Last Saturday in April through October 31 season.

Wilderness Lake (King County): Last Saturday in April through October 31 season. Salmon: Landlocked salmon rules apply.

Willame Lake (Lewis County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit two, minimum length fifteen inches.

Willapa River (Pacific County): Mouth to Highway 6 Bridge: June 1 through March 31 season. All game fish: Release all game fish except that up to two hatchery steelhead may be retained per day. All species: August 16 through November 30 night closure and single point barbless hooks required. August 16 through November 30 above the WDFW access at the mouth of Ward/Wilson Creek stationary gear restriction. ~~((Fishing from a floating device prohibited November 1 through March 31 from the bridge on Willapa Road to Fork Creek.))~~ Highway 6 Bridge to Fork Creek: June 1 through July 15 and October 16 through March 31 season. Night closure, single point barbless hooks, and stationary gear restriction October 16 through November 30. ~~((November 1 through March 31 fishing from any floating device prohibited from the bridge on Willapa Road to Fork Creek.))~~

All game fish: Release all fish except that up to two hatchery steelhead may be retained. Salmon: Open only August 1 through January 31 from mouth to Highway 6 Bridge approximately 2 miles below mouth of Trap Creek and open October 16 through January 31 from Highway 6 Bridge to Fork Creek. Daily limit 6 fish of which no more than 3 may be adult salmon and of the adult salmon not more than one may be a wild adult coho and not more than two may be adult Chinook. Release chum.

Sturgeon: Open year round from mouth to Highway 6 Bridge.

Upstream from Fork Creek: Selective gear rules. August 16 through October 31, ~~((nonbuoyant lure restriction and night closure))~~ antisnagging rule. All species: Release all fish except up to two hatchery steelhead per day may be retained.

South Fork: June 1 through last day in February season. Selective gear rules June 1 through October 31. ~~((Nonbuoyant lure restriction and night closure))~~ Antisnagging rule August 16 through November 30. All species: Release all fish except up to two hatchery steelhead may be retained.

Williams Creek (Pacific County): June 1 through last day in February season. Selective gear rules. All species: Release all fish except up to two hatchery steelhead per day may be retained.

Williams Lake (Spokane County): Last Saturday in April through September 30 season.

Williams Lake (Stevens County): December 1 through March 31 season. All species: Catch and release except up to five rainbow trout may be retained.

Wilson Creek (two branches within Ellensburg city limits) (Kittitas County): Open year-round. Juveniles only. Trout: Daily limit five, no minimum length.

Winchester Wasteway (Grant County): Within Winchester Game Reserve: February 1 through September 30 season.

Wind River (Skamania County):

Mouth to four hundred feet below Shipherd Falls: July 1 through March 15 season, except salmon and steelhead. May 1 through June 30: ~~((Nonbuoyant lure restriction and night closure.))~~ Antisnagging rule. August 1 through October 31: ~~((Nonbuoyant lure restriction. When nonbuoyant lure restriction is in effect, only fish hooked inside the mouth may be retained.))~~ Antisnagging rule. Salmon and steelhead: Open March 16 through June 30 daily limit 2 fish, one or both of which may be a salmon or hatchery steelhead. Release all fish except salmon and hatchery steelhead. Release wild coho and wild Chinook. Trout: Minimum length fourteen inches. Salmon: Open August 1 through October 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho. Release Chinook from Burlington-Northern Railroad Bridge upstream.

From four hundred feet below to one hundred feet above Shipherd Falls fish ladder: Closed waters.

From one hundred feet above Shipherd Falls to source, including all tributaries: May 1 through June 30 season. Closed waters: From 400 feet below to 100 feet above the Coffey Dam and from a boundary marker approximately 800 yards downstream from Carson National Fish Hatchery upstream, including all tributaries. ~~((Night closure and nonbuoyant lure restriction. When nonbuoyant lure restriction is in effect, only fish hooked inside the mouth may be retained.))~~ Antisnagging rule. Salmon and steelhead: Daily limit 2 fish, one or both of which may be a salmon or hatchery steelhead. Release all fish except salmon and hatchery steelhead. Additional season September 16 through November 30. Selective gear rules. All species: Release all fish.

Winston Creek (tributary to Cowlitz River) (Lewis County): Selective gear rules. Trout: Minimum length ten inches.

Wishkah River (Grays Harbor County), including all forks: Closed waters: From dam at Wishkah Rearing Ponds (formerly Mayr Bros.) downstream to ~~((400))~~ 200 feet below outlet channel ~~((, except open during salmon season to within 200 feet of dam))~~. Trout: Minimum length fourteen inches. ~~((Release wild cutthroat.))~~ Mouth to West Fork: June 1 through March 31 season. Single point barbless hooks required August 16 through November 30. Selective gear and all species: Release all fish except up to two hatchery steelhead may be retained per day, March 1 through March 31. Salmon: Open only October 1 through December 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult Chinook, and chum.

From the West Fork to four hundred feet below outlet: June 1 through March 31 season. Selective gear rules. All species: Release all fish except up to two hatchery steelhead may be retained per day March 1 through March 31. Salmon: Open only October 1 through December 31 to 200 feet below the weir at the Long Live the Kings/Mayr Brothers facility. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult Chinook, and chum.

Wolf Creek, mouth to mouth of south fork (Okanogan County): Closed waters.

Wood Lake (Mason County): Last Saturday in April through October 31 season.

Woodland Creek (Thurston County): Trout: Minimum length fourteen inches.

Wooten Lake (Mason County): Last Saturday in April through October 31 season.

Wye Lake (Kitsap County): Last Saturday in April through October 31 season.

Wynoochee River (Grays Harbor County): Trout: Minimum length fourteen inches. Mouth to 7400 line bridge above mouth of Schafer Creek: June 1 through March 31 season. Single point barbless hooks required August 16 through November 30. Salmon: Open only October 1 through January 31. Daily limit 6 fish of which no more than 2 may be adult salmon, except daily limit may contain no more than 1 wild adult coho December 1 through January 31. Release adult Chinook, and chum.

7400 line bridge upstream: Additional December 1 through March 31 season. Selective gear rules. Fishing from a floating device prohibited. All species: Release all fish except up to two hatchery steelhead may be retained per day.

Wynoochee Reservoir (Grays Harbor County): June 1 through October 31 season. Trout: Daily limit two, minimum length twelve inches. Salmon: Landlocked salmon rules apply.

Yakima River (Yakima County): Release all steelhead in mainstem and tributaries. Channel catfish: No daily limit.

From mouth to 400 feet below Prosser Dam: March 1 through October 22 season. Closed waters: From the WDFW white markers 200 feet downstream of the USBR Chandler Powerhouse/Pumping Station spillway chute to the powerline crossing immediately upstream of the powerhouse September 1 through October 22. Chumming permitted. Trout: Release all trout. Salmon: Open only September 1 through October 22. Daily limit 6 fish of which not more than 2 may be adult salmon. ~~((Nonbuoyant lure restriction and night closure.))~~ All species: Antisnagging rule September 1 through October 22.

From Prosser Dam to Highway 223 Bridge: May 1 through October 31 season. Trout: Release all trout.

From mouth to Highway 223 Bridge: Bass: Bass 12 to 17 inches in length may be retained. No daily limit for bass, but not more than 3 bass greater than 15 inches in length may be retained.

From Highway 223 Bridge to 400 feet below Sunnyside Dam: Salmon: Open only September 1 through October 22. Daily limit 6 fish of which not more than 2 may be adult salmon. ~~((Nonbuoyant lure restriction and night closure.))~~ All species: Antisnagging rule September 1 through October 22.

From mouth to thirty-five hundred feet below Roza Dam: Year-round season. Closed waters: From Yakima Avenue-Terrace Heights Bridge upstream 400 feet. March 1 through November 30, closed from thirty-five hundred feet below Roza Dam to Roza Dam. Trout: Minimum length twelve inches and maximum length twenty inches. Release all trout April 1 through May 31. Thirty-five hundred feet

below Roza Dam to four hundred feet below Roza Dam: December 1 through last day in February season. Whitefish gear rules apply.

From Roza Dam to four hundred feet below Easton Dam and from Lake Easton to the base of Keechelus Dam: Year-round season. Fishing from floating devices equipped with motors allowed only from the U.S. Bureau of Reclamation restricted area signs at Roza Dam upstream to the boat launch ramp on the Roza Access Area (approximately one-half mile). Selective gear rules except bait and one single point barbed hook three-sixteenths or smaller point to shank may be used December 1 through last day in February. Trout: From Roza Dam to 400 feet below Easton Dam: Release all trout. Lake Easton to the base of Keechelus Dam. Release all trout except eastern brook trout. Eastern brook trout: No daily limit and no minimum size.

Yakima Sportsmen's Park Ponds (Yakima County): Juveniles only.

Yale Reservoir (Cowlitz County): Trout: Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Yellowhawk Creek (Walla Walla County): Closed waters.

Yellowjacket Creek (tributary to Cispus River) (Lewis County): Selective gear rules. Trout: Minimum length twelve inches.

Yokum Lake (Pend Oreille County): Last Saturday in April through October 31 season.