

WSR 16-09-079
EXPEDITED RULES
DEPARTMENT OF
FISH AND WILDLIFE
 [Filed April 18, 2016, 4:26 p.m.]

Title of Rule and Other Identifying Information: WAC 220-20-010 General rules—Fish and 220-56-235 Possession limits—Bottomfish.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Scott Bird, Rules Coordinator, Washington Department of Fish and Wildlife (WDFW), 600 Capitol Way North, Olympia, WA 98501-1091, AND RECEIVED BY June 20, 2016.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of this rule change is to clarify Washington Administrative Codes regarding recreational bottomfish and shellfish possession limits. These changes will make it clear that bottomfish and shellfish caught in the Pacific Ocean, and landed into a Washington port are subject to Washington personal use fishing regulations including possession limits. This change is particularly important for areas where management lines include ocean waters adjacent to both Oregon and Washington, where differential fishing regulations may be in place. Through the Pacific Fishery Management Council's (PFMC) biennial groundfish management process, specific management measures were developed through a public process that included stakeholder input, to regulate groundfish mortality to specific harvest limits for Washington state. Harvest limits and regulations are often different in each. Catch landed into Washington is attributed to Washington's harvest limits and if regulations allow for landings from a state (such as Oregon) with more liberal limits, Washington could be at risk for exceeding harvest levels that ensure that overharvest is not occurring.

Reasons Supporting Proposal: This rule change conforms to regulations adopted by PFMC and implemented into federal regulation by the National Marine Fisheries Service. Input from Washington recreational fishermen was gathered during the PFMC public process and during public meetings sponsored by WDFW.

Statutory Authority for Adoption: RCW 77.04.020, 77.12.045, and 77.12.047.

Statute Being Implemented: RCW 77.04.020, 77.12.045, and 77.12.047.

Rule is necessary because of federal law, C.F.R. Title 50, Part 660.

Name of Proponent: [WDFW], governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Heather Reed, Montesano, Washington,

(360) 249-1202; and Enforcement: Mike Cenci, 1111 Washington Street S.E., Olympia, WA, (360) 902-2938.

April 11, 2016
 Scott Bird
 Rules Coordinator

AMENDATORY SECTION (Amending WSR 13-03-153, filed 1/23/13, effective 2/23/13)

WAC 220-20-010 General rules—Fish. (1) It is unlawful to take, fish for, possess or transport fish, shellfish, or fish or shellfish parts, in or from any waters or land within the jurisdiction of the state of Washington, or from the waters of the Pacific Ocean, except as provided by department rule. Specifically, persons delivering fish or shellfish caught in Pacific Ocean waters into Washington are subject to all Washington personal use fishing, possession, and licensing regulations.

(2) It is unlawful for any person who takes or possesses fish or shellfish taken from any of the waters or beaches of the Columbia River, the state of Washington, or the Pacific Ocean, for any purpose, to fail to submit the fish or shellfish for inspection by authorized department personnel. Violation of this subsection is punishable under RCW 77.15.360((;-)) Unlawful interfering in department operations—Penalty.

(3) It is unlawful for the owner or operator of any fishing gear to refuse to submit to inspection of the gear in any manner specified by a fish and wildlife officer. Violation of this subsection is punishable under RCW 77.15.470.

(4) It is unlawful for any person to fish for fish or shellfish while in possession in the field of fish or shellfish that are in violation of the rules for the area fished. This subsection does not apply to vessels in transit. Violation of this subsection is punishable under RCW 77.15.380 or RCW 77.15.550, depending on the circumstances of the violation.

(5) It is unlawful to take, fish for, possess, injure, kill, or molest fish in any fishway, fish ladder, fish screen, holding pond, rearing pond, or other fish protective device, or to interfere with the proper operation of a fish protective device in any way. Violation of this subsection is punishable under RCW 77.15.370 or 77.15.380, depending on the circumstances of the violation.

(6) It is unlawful to take or possess any fish or shellfish smaller or larger than the minimum or maximum size limits or in excess of catch or possession limits prescribed by department rule. A person must immediately return to the water any fish or shellfish snagged, hooked, netted or gilled that do not conform to department size requirements or are in excess of catch or possession limits with the least possible injury to the fish or shellfish. Violation of this subsection is a misdemeanor punishable under RCW 77.15.380 or 77.15.550, depending on the circumstances of the violation.

(7) It is unlawful for any person or entity licensed by the department or bringing fish or shellfish into the state to fail to comply with the directions of authorized department personnel related to the collection of sampling data or material from fish or shellfish. It is also unlawful for any person or entity to fail to relinquish to the department, upon request, any part of a salmon or other fish containing coded-wire tags including,

but not limited to, the snouts of salmon with clipped adipose fins.

(8) For the purposes of this section "delivery" means transportation by a private or commercial recreational fishing vessel. Delivery in Washington is complete when, within the state, the vessel anchors, moors, ties to a float or pier, or is placed or attempted to be placed on a boat trailer. Delivery is also complete if the fish or shellfish are offloaded from the vessel within state waters.

AMENDATORY SECTION (Amending WSR 15-15-012, filed 7/2/15, effective 8/2/15)

WAC 220-56-235 Possession limits—Bottomfish. It is unlawful to fish for, retain, or possess sixgill, sevengill, or thresher sharks. It is unlawful for any person to take in any day more than the following quantities of bottomfish for personal use. The possession limit at any time may not exceed the equivalent of two daily limits in fresh, frozen or processed form. Unless otherwise provided, bottomfish fishing is open the entire year.

(1) Coastal (Catch Record Card Areas 1 through 4): Limit 12 fish total, except limit 10 fish total east of the Bonilla-Tatoosh line, of all species and species groups of bottomfish, which may include no more than:

(a) Lingcod: 2 fish. Minimum length is 22 inches in Catch Record Card Areas 1 through 4.

(b) Rockfish: 10 fish(~~-Release all~~) in aggregate except the possession limit for canary rockfish and yelloweye rockfish is 0. In Marine Area 4 east of the Bonilla-Tatoosh line: 6 fish. Only black or blue rockfish may be retained.

(c) Wolf-eel: 0 fish from Catch Record Card Area 4.

(d) Cabezon:

(i) Marine Areas 1 through 3: 2 fish.

(ii) Marine Area 4: 1 fish; the minimum size limit is 18 inches.

(2) Inner Puget Sound (Catch Record Card Areas 5 through 13):

(a) Catch Record Card Areas 5 and 6: 15 fish total for all species and species groups of bottomfish, which may include no more than:

| | |
|-------------------------------------|---|
| Rockfish in Marine Area 5 except | 1 fish May 1 through September 30. Only black or blue rockfish may be retained. |
| in Marine Area 5 west of Slip Point | 3 fish. Only black or blue rockfish may be retained. |
| in Marine Area 6. | 0 fish |
| Surfperch | 10 fish |
| Pacific cod | 2 fish |
| Pollock | 2 fish |
| Flatfish (except halibut) | 15 fish |
| Lingcod | 1 fish |
| Wolf-eel | 0 fish |

| | |
|--------------|--------|
| Cabezon | 1 fish |
| Pacific hake | 2 fish |

(b) Catch Record Card Area 7: 15 fish total for all species of bottomfish, which may include no more than:

| | |
|---------------------------|---------|
| Rockfish | 0 fish |
| Surfperch | 10 fish |
| Pacific cod | 2 fish |
| Flatfish (except halibut) | 15 fish |
| Lingcod | 1 fish |
| Wolf-eel | 0 fish |
| Cabezon | 1 fish |
| Pollock | 2 fish |
| Pacific hake | 2 fish |

(c) Catch Record Card Areas 8-1 through 11 and 13: 15 fish total for all species and species groups of bottomfish, which may include no more than:

| | |
|---------------------------|---------|
| Rockfish | 0 fish |
| Surfperch | 10 fish |
| Pacific cod | 0 fish |
| Pollock | 0 fish |
| Flatfish (except halibut) | 15 fish |
| Lingcod | 1 fish |
| Wolf-eel | 0 fish |
| Cabezon | 1 fish |
| Pacific hake | 0 fish |

(d) Catch Record Card Area 12: 15 fish total for all species and species groups of bottomfish, which may include no more than:

| | |
|---------------------------|---------|
| Rockfish | 0 fish |
| Surfperch | 0 fish |
| Pacific cod | 0 fish |
| Pollock | 0 fish |
| Flatfish (except halibut) | 15 fish |
| Lingcod | 0 fish |
| Wolf-eel | 0 fish |
| Cabezon | 0 fish |
| Pacific hake | 0 fish |

(e) It is unlawful to possess lingcod taken by angling that are under 26 inches in length or over 36 inches in length. It is unlawful to possess lingcod taken by spear fishing that are over 36 inches in length.

(f) In Marine Areas 5 through 11 and 13, the minimum size limit for cabezon is 18 inches. All cabezon must be released in Catch Record Card Areas 5 through 11 and 13 from December 1 through April 30.

(g) In Catch Record Card Area 5, the daily limit for rockfish is the first legal rockfish caught, except that west of Slip Point, the daily limit for rockfish is the first three legal rockfish caught. Only black or blue rockfish may be retained. After the daily limit of rockfish is caught, all subsequent rockfish must be released.

(h) In Catch Record Card Area 5, it is unlawful to take rockfish by spear fishing except when this area is open to spear fishing for lingcod.

WSR 16-09-093
EXPEDITED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed April 19, 2016, 11:27 a.m.]

Title of Rule and Other Identifying Information: Factory assembled structures (FAS) rules, chapter 296-150V WAC, Conversion vendor units and medical units.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Maggie Leland, Rules Coordinator, Department of Labor and Industries, P.O. Box 44001, Olympia, WA 98504-4001, AND RECEIVED BY June 20, 2016.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The FAS program is proposing amendments to chapter 296-150V WAC, Conversion vendor units and medical units, as a result of SHB 2443 (chapter 167, Laws of 2016), which passed the legislature in 2016. The bill requires used conversion vending units (food trucks) and medical units that are manufactured in other states and have been used for six months or more to comply with the applicable permitting, inspection, and plan review requirements administered by the program. Rule making is necessary to amend the rules for clarity and consistency with the new statutory requirements.

As directed by SHB 2443, the department will be convening an advisory committee of industry representatives and associations by July 1, 2016, to identify any additional conversion vending units to exempt from plan review under RCW 43.22.360(1). The department will work with the advisory committee and other stakeholders on reviewing the rules under chapter 296-150V WAC.

Reasons Supporting Proposal: Rule changes are required to implement chapter 167, Laws of 2016 (SHB 2443).

Statutory Authority for Adoption: Chapter 43.22 RCW.

Statute Being Implemented: Chapter 167, Laws of 2016 (SHB 2443).

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: Dean Simpson, Program Manager, Tumwater, Washington, (360) 902-5571; Implementation and Enforcement: José Rodriguez, Assistant Director, Tumwater, Washington, (360) 902-6348.

April 19, 2016

Joel Sacks

Director

AMENDATORY SECTION (Amending WSR 05-23-002, filed 11/3/05, effective 12/4/05)

WAC 296-150V-0020 What definitions apply to this chapter? "Alteration" is the replacement, addition, modification, or removal of any equipment or installation that affects the construction for concentrated floor loads, fire and life safety, or the plumbing, mechanical, and electrical systems of a conversion vendor unit or medical unit.

The following are not considered alterations:

- Repairs with approved parts;
- Modifications of a fuel-burning appliance according to the listing agency's specifications; or
- Adjustment and maintenance of equipment.

"Approved" is approved by the department of labor and industries.

"Consumer" is a person or organization, excluding a manufacturer or dealer of conversion vendor units or medical units, who buys or leases a conversion vendor unit or medical unit.

"Conversion vendor unit" or "Conversion vending unit" means a motor vehicle or other structure that has been converted or built for the purpose of being used for commercial sales at temporary locations. The units must be 8 feet 6 inches or less in width (exterior floor measurement) in the set-up position, and the inside working area must be less than 40 feet in length (interior floor measurement). Conversion vendor units:

- Are transported in only one section;
- Are designed for highway use;
- Are temporarily occupied for distribution of items, e.g., food;
- Are built on a permanent chassis; and
- Include at least one of the following systems: Plumbing, mechanical or 120 and/or 240 volt electrical.

Note: The conversion vendor unit may NOT include a dining area.

"Damaged in transit" means damage that affects the integrity of a concentrated floor load design or any of the systems.

"Dealer" is a person, company, or corporation whose business is leasing, selling, offering for lease or sale, buying, or trading conversion vendor units, or medical units.

"Department" is the department of labor and industries. The department may be referred to as "we" or "us" in this chapter. Note: You may contact us at: Department of Labor

and Industries, Specialty Compliance, P.O. Box 44440, Olympia, WA 98504-4440.

"Design plan" is a plan for the construction or alteration of a conversion vendor unit or medical unit or conversion of a vehicle to a conversion vendor unit or medical unit including floor plans, specifications, or test results necessary for a complete evaluation of the design, if applicable.

"Design option" is a design that a manufacturer may use as an option to its conversion vendor unit or medical unit design plan.

"Educational facility" is a building or portion of a building used primarily for educational purposes by six or more persons at one time for twelve hours per week or four hours in any one day. Educational occupancy includes: Schools (preschool through grade twelve), colleges, academies, universities, and trade schools.

"Equipment" is all material, appliances, devices, fixtures, fittings, or accessories used in the manufacture, assembly, conversion to, or alteration of a conversion vendor unit or medical unit.

"Factory assembled structure (FAS) advisory board" is a board authorized to advise the director of the department regarding the issues and adoption of rules relating to conversion vendor units and medical units.

"Health or personal care facilities" are buildings or parts of buildings that contain, but are not limited to, facilities that are required to be licensed by the department of social and health services or the department of health (e.g., hospitals, nursing homes, private alcoholism hospitals, private psychiatric hospitals, boarding homes, alcoholism treatment facilities, maternity homes, birth centers or childbirth centers, residential treatment facilities for psychiatrically impaired children and youths, and renal hemodialysis clinics) and medical, dental or chiropractic offices or clinics, outpatient or ambulatory surgical clinics, and such other health care occupancies where patients who may be unable to provide for their own needs and safety without the assistance of another person are treated. (Further defined in WAC 296-46B-010.)

"Insignia" is a label that we attach to a conversion vendor unit or medical unit to verify that the structure meets the requirements of this chapter and the applicable codes.

"Install" is to erect, construct, assemble, or set a conversion vendor unit or medical unit in place.

"Institutional facility" is a building or portion of a building used primarily for detention and correctional occupancies where some degree of restraint or security is required for a time period of twenty-four or more hours. Such occupancies include, but are not restricted to: Penal institutions, reformatories, jails, detention centers, correctional centers, and residential-restrained care.

"Labeled" is to bear the department's insignia.

"Listed" is a piece of equipment or apparatus that has been approved by a testing agency to the appropriate standard.

"Local enforcement agency" is an agency of city or county government with power to enforce local regulations governing the installation of a conversion vendor unit or medical unit.

"Medical unit" is a type of self-propelled unit used to provide medical examinations, treatments, and medical and

dental services or procedures, not including emergency response vehicles, and which:

- Is transportable;
- Is temporarily placed and used;
- Is built on a permanent chassis;
- Includes at least one system;
- Is for temporary use only.

"One-year design plan" is a design plan that expires one year after approval or when a new state building code has been adopted.

"System" is part of a conversion vendor unit or medical unit designed to serve a particular function. Examples include plumbing, electrical, or mechanical systems.

AMENDATORY SECTION (Amending WSR 99-18-069, filed 8/31/99, effective 10/1/99)

WAC 296-150V-0200 Who must obtain conversion vendor unit or medical unit insignia? (1) You must obtain an insignia from us for each conversion vendor unit or medical unit manufactured, sold, leased, or used in Washington state.

(2) You do not need an insignia for a conversion vendor unit or medical unit(=

~~(a) When a unit has been used outside of the state for six months before being brought into Washington state (see RCW 43.22.380); or~~

~~(b))~~ if a unit was manufactured prior to July 1, 1968. (See RCW 43.22.370.)

(3) You must obtain an insignia when conversion vendor units or medical units are altered in Washington state.

(4) You must obtain an alteration insignia when a conversion vendor unit or medical unit is damaged in transit after leaving the manufacturing location or during an on-site installation and an alteration or repair is necessary. The insignia indicates the conversion vendor unit or medical unit was altered or repaired.

(5) You must have an approved design plan and pass our inspection before we will attach an insignia.

Note: All conversion vendor units and medical units must have insignia if they are altered; this includes the exceptions in subsection (2)(a) and (b) of this section.

AMENDATORY SECTION (Amending WSR 99-18-069, filed 8/31/99, effective 10/1/99)

WAC 296-150V-0210 What are the insignia requirements? (1) If you are applying for insignia, you must have your design plan approved when required by WAC 296-150V-0300 and your conversion vendor unit or medical unit inspected and approved by us.

(2) If you are a manufacturer, dealer, or owner applying for an alteration insignia, your alteration must be inspected and approved by us. Approval of the design plan may also be required.

(3) We will attach the insignia to your conversion vendor unit or medical unit after:

(a) We receive from you the required forms and fees listed in WAC 296-150V-3000; and

(b) Your conversion vendor unit or medical unit has passed final inspection.

AMENDATORY SECTION (Amending WSR 99-18-069, filed 8/31/99, effective 10/1/99)

WAC 296-150V-0230 What are the insignia application requirements? (1) If you are requesting insignia for conversion vendor units or medical units (~~(that you intend to manufacture under a new design plan;)~~) your completed application must include:

(a) A completed design plan approval request form when required by WAC 296-150V-0300;

(b) When required by WAC 296-150V-0300, one complete set of design plans, specifications, engineering analysis and test procedures and results (when applicable), plus one additional set for each manufacturing location where the design plan will be used;

(c) For medical units at least one set of design plans must have an original wet stamp from a professional engineer or architect licensed in Washington state. For conversion vendor units a professional engineer or architect stamp is only required on the structural load test or calculations required by WAC 296-150V-0930. We will retain the set with the original wet stamp; and

(d) A one-time initial filing fee, the design plan fee when required by WAC 296-150V-0300, and the fee for each insignia (see WAC 296-150V-3000).

(2) If you are requesting insignia under an approved design plan, your completed application must include:

(a) A completed insignia application form; and

(b) The fee for each conversion vendor unit or medical unit insignia (see WAC 296-150V-3000).

AMENDATORY SECTION (Amending WSR 99-18-069, filed 8/31/99, effective 10/1/99)

WAC 296-150V-0240 What documentation do you need to perform an alteration inspection? If you alter a conversion vendor unit or medical unit, we must inspect the alteration.

(1) Before we perform an alteration inspection and attach an alteration insignia, you must send us:

(a) Description of the proposed alteration;

(b) The plan review fee;

(c) The inspection fee; and

(d) The insignia application and fee.

(2) A design plan review is not required if the alteration can be made without altering any of the existing structure and if the alteration does not involve one or more of the systems listed in WAC 296-150V-0300.

Note: All fees are listed in WAC 296-150V-3000 at the end of this chapter.

AMENDATORY SECTION (Amending WSR 99-18-069, filed 8/31/99, effective 10/1/99)

WAC 296-150V-0300 When is design-plan approval required? Design plans for conversion vendor units and medical units are required for units that are sold, leased, or used in Washington state and must be approved when:

(1) ~~(You build a new unit;~~

~~(2) You modify)~~ Conversion vendor units that contain one or more of the following components:

(a) Concentrated loads exceeding five hundred pounds (see WAC 296-150V-0930);

(b) Fuel gas piping systems and equipment;

(c) Solid fuel burning equipment;

(d) Fire suppression systems;

(e) Commercial hoods;

(f) Electrical systems and equipment in excess of 30 amps/120 volts;

(g) Electrical systems with more than five circuits;

(h) Electrical systems incorporating photovoltaic energy, fuel cell energy, or other alternative energy systems;

(i) Plumbing drainage systems conveying solid or bodily waste.

(2) Medical units.

(3) Modification of an approved design plan through addendums;

~~((3) You add)~~ (4) Addition of options to an approved design plan through addendums.

AMENDATORY SECTION (Amending WSR 99-18-069, filed 8/31/99, effective 10/1/99)

WAC 296-150V-0580 Must I obtain an insignia for used conversion vendor units or medical units? All used conversion vendor units or medical units that are to be installed on a building site or used in Washington state must have an insignia of approval from us ~~(with the exception of those in WAC 296-150V-0200(2)).~~

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 296-150V-0205 Can I obtain an exempt vendor/medical insignia?

WSR 16-09-094
EXPEDITED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed April 19, 2016, 11:30 a.m.]

Title of Rule and Other Identifying Information: Implementation of HB 2444 (chapter 168, Laws of 2016), eliminating the reference to the standard industrial classification (SIC) system in the worker and community right to know fund, WAC 296-63-005 Selected industries.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING

AND THEY MUST BE SENT TO Maggie Leland, Rules Coordinator, Department of Labor and Industries, P.O. Box 44001, Olympia, WA 98504-4001, AND RECEIVED BY June 20, 2016.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: In order to comport with HB 2444 (chapter 168, Laws of 2016), the division of occupational safety and health (DOSH) is amending the rules for the right to know fee assessment rules under WAC 296-63-005 to remove the reference to the SIC system to determine which industries are to be assessed a fee to support the right to know program. In its place the system used by the Bureau of Labor Statistics will be used.

Reasons Supporting Proposal: Rule changes are required to implement chapter 168, Laws of 2016 (HB 2444).

Statutory Authority for Adoption: Chapters 49.17 and 49.70 RCW.

Statute Being Implemented: Chapter 168, Laws of 2016 (HB 2444).

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

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

Name of Agency Personnel Responsible for Drafting: Chris Miller, Tumwater, (360) 902-5516; Implementation and Enforcement: Anne Soiza, Tumwater, (360) 902-5090.

April 19, 2016
Joel Sacks
Director

AMENDATORY SECTION (Amending WSR 86-23-003, filed 11/6/86)

WAC 296-63-005 Selected industries. Fees shall only be assessed to employers engaged in business operations (~~having a standard industrial classification, as designated in the standard industrial classification manual prepared by the federal Office of Management and Budget, within the following major groups:~~

~~(1) Numbers 01 through 08 (agriculture and forestry industries);~~

~~(2) Numbers 10 through 14 (mining industries);~~

~~(3) Numbers 15 through 17 (construction industries);~~

~~(4) Numbers 20 through 39 (manufacturing industries);~~

~~(5) Numbers 41, 42, and 44 through 49 (transportation, communications, electric, gas, and sanitary services);~~

~~(6) Number 75 (automotive repair services, and garages);~~

~~(7) Number 76 (miscellaneous repair services);~~

~~(8) Number 80 (health services);~~

~~(9) Number 82 (educational services))) in the following industries, as classified by the current industry classification system used by the bureau of labor statistics:~~

~~(1) Agriculture and forestry industries.~~

~~(2) Mining, quarrying, and oil and gas extraction.~~

~~(3) Construction industries.~~

~~(4) Manufacturing industries.~~

~~(5) Transportation, pipeline, communications, electric, gas, and sanitary services.~~

~~(6) Automotive repair, services, and garages.~~

(7) Miscellaneous repair services.

(8) Health services.

(9) Educational services.