

Washington State Register

OCTOBER 2, 1991

OLYMPIA, WASHINGTON

ISSUE 91-19



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filed not later than September 18, 1991

CITATION

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

PUBLIC INSPECTION OF DOCUMENTS

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

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CERTIFICATE

Pursuant to RCW 34.08.040, the publication of rules or other information in this issue of the Washington State Register is hereby certified to be a true and correct copy of such rules or other information, except that headings of public meeting notices have been edited for uniformity of style.

DENNIS W. COOPER
Code Reviser

STATE MAXIMUM INTEREST RATE

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

NOTICE: FEDERAL LAW PERMITS FEDERALLY INSURED FINANCIAL INSTITUTIONS IN THE STATE TO CHARGE THE HIGHEST RATE OF INTEREST THAT MAY BE CHARGED BY ANY FINANCIAL INSTITUTION IN THE STATE. THE MAXIMUM ALLOWABLE RATE OF INTEREST SET FORTH ABOVE MAY NOT APPLY TO A PARTICULAR TRANSACTION.

The maximum allowable retail installment contract service charge applicable for calendar year 1991 pursuant to RCW 63.14.130(1)(a) is thirteen point seven five percent (13.75%).

The maximum allowable retail installment contract service charge for the purchase of a motor vehicle pursuant to RCW 63.14.130(2)(a) is eleven point seven five percent (11.75%) for the fourth calendar quarter of 1991.

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

WASHINGTON STATE REGISTER

(ISSN 0164-6389) is published twice each month by the Statute Law Committee, Office of the Code Reviser, Olympia, WA 98504, pursuant to RCW 34.08.020. Subscription rate is \$161.85 per year, sales tax included, post-paid to points in the United States. Second-class postage paid at Olympia, Washington.

POSTMASTER: SEND ADDRESS CHANGES TO:

WASHINGTON STATE REGISTER
Code Reviser's Office
Legislative Building
Olympia, WA 98504

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

Raymond W. Haman
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STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

Documents are arranged within each issue of the Register according to the order in which they are filed in the code reviser's office during the pertinent filing period. The three part number in the heading distinctively identifies each document, and the last part of the number indicates the filing sequence within an issue's material.

2. PROPOSED, ADOPTED, AND EMERGENCY RULES OF STATE AGENCIES AND INSTITUTIONS OF HIGHER EDUCATION

The three types of rule-making actions taken under the Administrative Procedure Act (chapter 34.05 RCW) may be distinguished by the size and style of type in which they appear.

- (a) **Proposed rules** are those rules pending permanent adoption by an agency and are set forth in eight point type.
- (b) **Adopted rules** have been permanently adopted and are set forth in ten point type.
- (c) **Emergency rules** have been adopted on an emergency basis and are set forth in ten point oblique type.

3. PRINTING STYLE—INDICATION OF NEW OR DELETED MATERIAL

RCW 34.05.395 requires the use of certain marks to indicate amendments to existing agency rules. This style quickly and graphically portrays the current changes to existing rules as follows:

- (a) In amendatory sections—
 - (i) underlined material is new material;
 - (ii) deleted material is (~~lined out and bracketed between double parentheses~~);
- (b) Complete new sections are prefaced by the heading NEW SECTION;
- (c) The repeal of an entire section is shown by listing its WAC section number and caption under the heading REPEALER.

4. EXECUTIVE ORDERS, COURT RULES, NOTICES OF PUBLIC MEETINGS

Material contained in the Register other than rule-making actions taken under the APA does not necessarily conform to the style and format conventions described above. The headings of these other types of material have been edited for uniformity of style; otherwise the items are shown as nearly as possible in the form submitted to the code reviser's office.

5. EFFECTIVE DATE OF RULES

- (a) Permanently adopted agency rules normally take effect thirty days after the rules and the agency order adopting them are filed with the code reviser's office. This effective date may be delayed or advanced and such an effective date will be noted in the promulgation statement preceding the text of the rule.
- (b) Emergency rules take effect upon filing with the code reviser's office unless a later date is provided by the agency. They remain effective for a maximum of one-hundred-twenty days from the date of filing.
- (c) Rules of the state Supreme Court generally contain an effective date clause in the order adopting the rules.

6. EDITORIAL CORRECTIONS

Material inserted by the code reviser's office for purposes of clarification or correction or to show the source or history of a document is enclosed in [brackets].

7. INDEX AND TABLES

A combined subject matter and agency index and a table of WAC sections affected may be found at the end of each issue.

1991 - 1992

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Closing Dates ¹			Distribution Date	First Agency Hearing Date ³
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS ² or 10 p. max. Non-OTS		
For Inclusion in—	File no later than—			Count 20 days from—	For hearing on or after
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¹All documents are due at the code reviser's office by 5:00 p.m. on or before the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-21-040.

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

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

WSR 91-19-001
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed September 5, 1991, 2:37 p.m.]

The department is withdrawing WSR 91-18-049, chapter 388-11 WAC, and will schedule for hearing in the near future with a text more consistent with the anticipated permanent adoption.

Leslie F. James, Director
 Administrative Services

WSR 91-19-002
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed September 5, 1991, 2:49 p.m.]

Original Notice.

Title of Rule: Chapter 388-91 WAC, Medical care—Drugs.

Purpose: To incorporate the OBRA 90 changes in the prescription drug rules.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: Manufacturers who have a contract with the Federal Department of Health and Human Services may provide drugs to recipients.

Reasons Supporting Proposal: This rule is necessary to implement changes in federal law.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance, 586-0529.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, Omnibus Budget Reconciliation Act 1990, 42 U.S.C. 1396.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on October 22, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805, Olympia, Washington 98504, by October 22, 1991.

Date of Intended Adoption: November 5, 1991.

September 5, 1991
 Leslie F. James, Director
 Administrative Services

NEW SECTION

WAC 388-91-005 DRUGS. In accordance with the department's rules and regulations, the department shall pay for drugs necessary

and essential to the medical care of recipients eligible for medical care programs.

AMENDATORY SECTION (Amending Order 2320, filed 12/18/85)

WAC 388-91-010 DRUGS—~~(PERSONS ELIGIBLE)~~ **NOT REQUIRING PRIOR AUTHORIZATION.** (1) ~~((A drug formulary will list all drug preparations which may be provided without prior approval. It will include a description of program limitations, rules, policies, and penalties))~~ The department shall publish a list of all drugs not requiring prior approval. The medical assistance administration may make changes to this list based on the recommendations of the drug review advisory committee providing that action is in compliance with regulations governing the drug program and with acceptable management policies.

(2) The department's decision not to ((place drugs in the division of medical assistance program drug formulary)) require authorization for drug preparations is based on these criteria:

(a) The drug ~~((must))~~ shall be established as a part of necessary and essential care for the condition for which it is ~~((to be))~~ used~~((:));~~

(b) The drug ~~((must))~~ shall be in general use by ~~((the))~~ physicians practicing in Washington~~((:));~~

(c) The drug ~~((must))~~ shall be of moderate cost. The department shall use generic forms ((will be used)) when the drug is listed under ((DSHS)) the department or federal maximum allowable cost (MAC) programs. When two preparations of equal effectiveness but disparate costs are presented, the department shall select the less expensive ((one will be selected for the formulary:)) drug;

(d) ~~((Drugs must not be classified "less than effective" by))~~ The food and drug administration(:) shall not have classified the drug as "less than effective";

(e) The drug ~~((must))~~ shall not be experimental.

~~((2))~~ (3) The department shall use the following process ((is used)) to determine ((the acceptability of)) when a drug preparation ((for possible listing in the formulary)) requires prior authorization:

(a) Review objective, scientific information and utilization data ((is reviewed)) for appropriateness according to the criteria in subsection ((+)) (2) of this section(:); or(:)

(b) ~~((The secretary may appoint))~~ Provide for the potential appointment of an advisory committee by the secretary in accordance with RCW 43.20A.360 to review and advise the ((division of)) medical assistance ((on the acceptability of the drug preparation:)) administration whether the drug preparation requires prior authorization;

(c) ~~((The division of medical assistance may))~~ Make appropriate changes in the ((formulary)) need to not prior authorize a drug preparation when consistent with subsection ((+)) (2) of this section, and may accept recommendations of the advisory committee providing that action is in compliance with regulations governing the program and with acceptable management policies.

~~((+))~~ Acceptable drugs will be included in the next subsequent edition of the formulary.

(3) In accordance with the department's rules and regulations drugs are provided for the necessary and essential medical care of recipients of medical assistance, medical care services and the limited casualty program)) (4) The department shall comply with federal Medicaid laws to not require prior authorization for any new biological or drug that the federal Food and Drug Administration approves for a period of six months after such approval.

AMENDATORY SECTION (Amending Order 2233, filed 5/15/85)

WAC 388-91-013 DRUGS—PHYSICIAN'S IDENTIFICATION REQUIRED ON PRESCRIPTIONS. The prescription claim, Form 525-106~~((, must))~~ or the equivalent electronic billing claim format, shall bear the prescribing physician's name or Medicaid provider identification ~~((provider))~~ number.

NEW SECTION

WAC 388-91-015 DRUGS—PAYMENT. (1) In order for the department to pay for a covered outpatient drug, the drug shall be made by a manufacturer who has an agreement with the federal Department of Health and Human Services, except when the:

(a) Department determines that the drug is essential to the health of a recipient;

(b) Department identifies the drug as payable to a non-contract manufacturer; and

(c) Recipient's pharmacist has received approval before dispensing the drug.

(2) The department shall approve drugs for unusual conditions only under WAC 388-91-020.

(3) The department may pay an established fee to a physician for a drug (oral or by injection) incidental to an office call. The fee is on the basis of the acquisition cost of the drug in addition to the office call fee. In the event the cost of the drug given the patient exceeds this fee, the physician may include on his invoice for his professional services to the patient the actual cost of the drug indicating name of manufacturer, strength and dosage.

AMENDATORY SECTION (Amending Order 2320, filed 12/18/85)

WAC 388-91-016 ~~DRUGS—((LIMITATIONS TO))~~ NON-PAYMENT. (1) The department ~~((does))~~ shall not ~~((provide))~~ pay for:

(a) Any drug regularly supplied as an integral part of program activity by other public agencies such as the United States Veterans' Administration, United States Department of Health and Human Services, Division of Indian Health, local health departments, etc.;

(b) Drugs, biologicals, supplies, appliances, and equipment furnished by an extended care facility under Title XVIII of the Social Security Act;

(c) ~~((drugs ordered for a hospitalized patient. These are to be furnished by the hospital;~~

~~((d))~~ Drugs provided to ((individuals who have elected to be)) persons enrolled in a special group medical coverage contract which includes the provision of drugs as a part of the contract((-e));

(d) Drugs listed in the federal register as "less than effective." Payment ((with)) shall not be made for such prescriptions under any circumstances;

(e) Drugs ordered for a recipient and used to replace drugs drawn from the doctor's stock for treatment of such recipient;

(f) Experimental or controversial medications; or

(g) Over-the-counter preparations unless medical necessity exists. The provisions of WAC 388-91-020 shall then apply.

~~(2) ((Prescribed nonformulary drugs will be allowed for unusual conditions only when approved by the department see WAC 388-91-020.~~

~~(3) The physician who provides a drug (oral or by injection) incidental to an office call may include a fee established by the department on the basis of the acquisition cost of the drug in addition to his office call fee. In the event the cost of the drug given the patient exceeds this fee, the physician may include on his invoice for his professional services to the patient the actual cost of the drug indicating name of manufacturer and strength of dosage.~~

~~(4) Payment shall not be made for a prescription ordered for an individual recipient and used to replace drugs drawn from the doctor's stock for the treatment of such recipient. Payment shall not be allowed for experimental or controversial medications)) The term "covered outpatient drug" does not include any drug, biological product, or insulin provided as part of or as incident to and in the same setting as, any of the following:~~

~~(a) Inpatient hospital services;~~

~~(b) Hospice services;~~

~~(c) Dental services, except as authorized under the state plan;~~

~~(d) Physicians' services;~~

~~(e) Outpatient hospital services emergency room visits;~~

~~(f) Other laboratory and x-ray services; or~~

~~(g) Renal dialysis.~~

~~(3) The department shall not pay for:~~

~~(a) A drug when the drug is used for the following reasons:~~

~~(i) Agents when used for anorexia or weight gain;~~

~~(ii) Agent when used to promote fertility;~~

~~(iii) Agents when used for cosmetic purposes or hair growth;~~

~~(iv) Agents when used to promote smoking cessation;~~

~~(v) Prescription vitamins and mineral products in the absence of a condition that is clinically recognized to produce a deficiency state, except prenatal vitamins and fluoride preparations; or~~

~~(b) The following drugs:~~

~~(i) Outpatient nonprescription drugs;~~

~~(ii) Covered outpatient drugs for which the manufacturer seeks to require as a condition of sale that associated tests or monitoring services be purchased exclusively from the manufacturer or its designee;~~

~~(iii) Described in section 107 (c)(3) of the Drug Amendments of 1962 and identical similar, or related drugs (DESI drugs).~~

AMENDATORY SECTION (Amending Order 2320, filed 12/18/85)

WAC 388-91-020 ~~((NONFORMULARY PRESCRIPTION))~~ DRUGS—REQUIRING AUTHORIZATION. (1) The pharmacist shall make a request to the department for ((nonformulary)) drugs ((must be submitted by the attending physician to the department for prior approval)) requiring prior authorization before dispensing the drug. The request ((must)) shall be supported by the medical diagnosis and include proper justification for the ((nonformulary)) drug.

(2) Payment may be made for ~~((nonformulary))~~ drugs requiring prior authorization which are prescribed without prior ((approval)) authorization only in an acute emergency, and if the physician can substantiate that a ((nonformulary)) drug is mandatory. ((Justification must be received by)) The department shall receive justification within seventy-two hours for consideration.

AMENDATORY SECTION (Amending Order 2320, filed 12/18/85)

WAC 388-91-030 DRUGS—PRESCRIPTION CLAIM((; FORM 525-106 (PHARMACY STATEMENT)). (1) Pharmacist, when billing, shall use the department's official prescription((-;)) form ((525-106, must be used by the pharmacist. A supply may be obtained from provider services, division of medical assistance)) or the department's electronic billing specifications, if billing electronically.

~~(2) ((Only four prescriptions may be entered on Form 525-106. Each prescription must bear specified unit and interval dosage.~~

~~(3) Only prescriptions for formulary drugs may be refilled at the discretion and choice of the prescribing physician.)) The department prohibits the use of presigned prescription blanks ((to be)) filled out by the nursing ((home)) facility operators or pharmacists ((is prohibited)). The department shall consider this practice ((shall be considered)) sufficient grounds for cancelling the vendor agreement of participating providers involved.~~

~~((4) To assure prompt payment, a coupon from the recipient's medical care identification booklet, Form DSHS 13-30, should be attached by the pharmacist to the individual's prescriptions. When a coupon is not available the provider may submit a billing without this coupon although the processing by the department may be somewhat slower. Payment will be made for all appropriate goods and/or services provided to eligible recipients.~~

~~(5) Accurate recording of) (3) The department requires that all data on the pharmacy statement ((is essential. Any error or lack of clarity in the prescription national drug code (NDC) number or number of units dispensed will delay payment. Typed prescriptions are preferred and expedite payment)) be recorded accurately.~~

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 2233, filed 5/15/85)

WAC 388-91-035 DRUGS—PHARMACIST'S AGREEMENT. (1) Core Provider Agreement, Form DSHS 9-48 ((must)) provided by the department shall be filed with the Department of Social and Health Services, Olympia, Washington 98504. ((Forms may be obtained from the department's Office of Provider Services LG 11, Olympia, WA 98504.))

(2) To participate in this program, a licensed pharmacy ((must)) shall agree to furnish goods and services in accordance with the department's rules, regulations, and payment procedures. The department shall establish fees and rates ((established by the department according to WAC 388-91-020(3)) which shall constitute the full and complete charge for approved medical care and goods and services ((provided)) the vendors or providers provide to recipients ((by the vendor or providers)).

(3) All pharmacists and pharmacies agreeing to render goods and services to eligible persons shall submit such charges as agreed upon between the department and the ((individual)) person or firm ((monthly and)). Effective July 28, 1991, all pharmacists and pharmacies shall present their final charges ((not more than one hundred twenty days after the termination of their)) within twelve months from the date of service or as otherwise provided by state law. ((Bills presented after the required one hundred twenty-day period shall be a charge against the state only when a written extension has been given by the division of medical assistance before the one hundred twenty-

~~day period ends~~) For services rendered before July 28, 1991, all pharmacist and pharmacies shall present their final charges not more than one hundred twenty days from the date of service.

(4) Sale or transfer of ownership will automatically cancel this agreement. ~~(New application should indicate whether "high," "mid," or "low" volume provider in accordance with previous owner's volume.)~~

AMENDATORY SECTION (Amending Order 2320, filed 12/18/85)

WAC 388-91-040 DRUGS—PRICING STANDARDS. (1) The department shall determine maximum cost allowed for all drugs, including generic drugs~~(, will be determined by the department).~~

(2) The department shall not ~~((be charged))~~ pay more than the amount charged to the general public. In defining the charge to the general public, the department and pharmacist shall consider pricing practices such as granting discounts, special commissions, fees, etc., to patients, institutions, or corporations ~~((shall be taken into account by the department and the pharmacist in defining the charge to the general public)).~~

(3) There shall be no differential in pricing prescriptions issued in less than manufacturer's size.

(4) The department ~~((with))~~ shall not pay more than the lower of ingredient cost plus a dispensing fee or the provider's usual and customary charge to the public. Ingredient cost ~~((with))~~ shall be set at the estimated acquisition cost, which is the department's best estimate of the price providers generally are paying for a drug. The dispensing fee ~~((with))~~ shall be set by taking into account the results of surveys and the costs of pharmacy operation. Reimbursement may also be made through exclusive service contracts for the provision of prescription drugs for nursing ~~((home))~~ facility patients.

(5) True unit dose systems recognized by the department require each patient's medication to be delivered to the facility a minimum of five days a week or delivery of medical carts every other day with daily service available.

(6) Modified unit dose systems (also known as blister packs, "bingo" or punch cards) recognized by the department require each patient's medication be delivered in individually sealed single or multiple dose packages, and in quantities sufficient to meet specified minimums or one month's supply. Providers shall be paid a special dispensing fee per prescription. This special fee shall not apply to creams, ointments, ophthalmic/otic preparations, and oral liquids.

AMENDATORY SECTION (Amending Order 2320, filed 12/18/85)

WAC 388-91-050 OUT-OF-STATE PRESCRIPTIONS. (1) The department shall authorize drugs provided to residents of the state of Washington who are temporarily out of the state as defined ~~((in))~~ under WAC 388-26-060 ~~(and 388-30-055 shall be authorized)~~ as part of medical care within the scope of WAC 388-86-115. Border situations as described by WAC 388-82-130 are not subject to out-of-state rules and are to be considered as care provided in the state of Washington.

(2) Drugs provided by out-of-state pharmacists (bordering cities excepted) shall require the approval of the department before payment can be made.

WSR 91-19-003
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3242—Filed September 5, 1991, 2:50 p.m., effective September 6, 1991, 12:01 a.m.]

Date of Adoption: September 5, 1991.

Purpose: To incorporate the OBRA 90 changes in the prescription drug sales.

Citation of Existing Rules Affected by this Order:
Amending chapter 388-91 WAC.

Statutory Authority for Adoption: RCW 74.08.090.

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

Reasons for this Finding: This rule is necessary to implement changes in federal law.

Effective Date of Rule: September 6, 1991, 12:01 a.m.

September 5, 1991
Leslie F. James, Director
Administrative Services

NEW SECTION

WAC 388-91-005 DRUGS. In accordance with the department's rules and regulations, the department shall pay for drugs necessary and essential to the medical care of recipients eligible for medical care programs.

AMENDATORY SECTION (Amending Order 2320, filed 12/18/85)

WAC 388-91-010 DRUGS—~~((PERSONS ELIGIBLE))~~ NOT REQUIRING PRIOR AUTHORIZATION. (1) ((A drug formulary will list all drug preparations which may be provided without prior approval. It will include a description of program limitations, rules, policies, and penalties)) The department shall publish a list of all drugs not requiring prior approval. The medical assistance administration may make changes to this list based on the recommendations of the drug review advisory committee providing that action is in compliance with regulations governing the drug program and with acceptable management policies.

(2) The department's decision not to ~~((place drugs in the division of medical assistance program drug formulary))~~ require authorization for drug preparations is based on these criteria:

(a) The drug ~~((must))~~ shall be established as a part of necessary and essential care for the condition for which it is ~~((to be))~~ used~~((:));~~

(b) The drug ~~((must))~~ shall be in general use by ~~((the))~~ physicians practicing in Washington~~((:));~~

(c) The drug ~~((must))~~ shall be of moderate cost. The department shall use generic forms ~~((will be used))~~ when the drug is listed under ~~((DSHS))~~ the department or federal maximum allowable cost (MAC) programs. When two preparations of equal effectiveness but disparate costs are presented, the department shall select the less expensive ~~((one will be selected for the formulary.))~~ drug.

(d) ~~((Drugs must not be classified "less than effective" by))~~ The food and drug administration~~((:))~~ shall not have classified the drug as "less than effective";

(e) The drug ~~((must))~~ shall not be experimental.

~~((2))~~ (3) The department shall use the following process ~~((is used))~~ to determine ~~((the acceptability of))~~ when a drug preparation ~~((for possible listing in the formulary))~~ requires prior authorization:

(a) Review objective, scientific information and utilization data ~~((is reviewed))~~ for appropriateness according

to the criteria in subsection ~~((f))~~ (2) of this section ~~(;);~~ or ~~(;)~~

~~(b) ((The secretary may appoint)) Provide for the potential appointment of an advisory committee by the secretary in accordance with RCW 43.20A.360 to review and advise the ((division of)) medical assistance ((on the acceptability of the drug preparation.)) administration whether the drug preparation requires prior authorization;~~

~~(c) ((The division of medical assistance may)) Make appropriate changes in the ((formulary)) need to not prior authorize a drug preparation when consistent with subsection ~~((f))~~ (2) of this section, and may accept recommendations of the advisory committee providing that action is in compliance with regulations governing the program and with acceptable management policies.~~

~~((d) Acceptable drugs will be included in the next subsequent edition of the formulary.~~

~~(3) In accordance with the department's rules and regulations drugs are provided for the necessary and essential medical care of recipients of medical assistance, medical care services and the limited casualty program))~~

~~(4) The department shall comply with federal Medicaid laws to not require prior authorization for any new biological or drug that the federal Food and Drug Administration approves for a period of six months after such approval.~~

AMENDATORY SECTION (Amending Order 2233, filed 5/15/85)

WAC 388-91-013 DRUGS—PHYSICIAN'S IDENTIFICATION REQUIRED ON PRESCRIPTIONS. The prescription claim, Form 525-106~~((; must))~~ or the equivalent electronic billing claim format, shall bear the prescribing physician's name or Medicaid provider identification ~~((provider))~~ number.

NEW SECTION

WAC 388-91-015 DRUGS—PAYMENT. (1) In order for the department to pay for a covered outpatient drug, the drug shall be made by a manufacturer who has an agreement with the federal Department of Health and Human Services, except when the:

(a) Department determines that the drug is essential to the health of a recipient;

(b) Department identifies the drug as payable to a non-contract manufacturer, and

(c) Recipient's pharmacist has received approval before dispensing the drug.

(2) The department shall approve drugs for unusual conditions only under WAC 388-91-020.

(3) The department may pay an established fee to a physician for a drug (oral or by injection) incidental to an office call. The fee is on the basis of the acquisition cost of the drug in addition to the office call fee. In the event the cost of the drug given the patient exceeds this fee, the physician may include on his invoice for his professional services to the patient the actual cost of the drug indicating name of manufacturer, strength and dosage.

AMENDATORY SECTION (Amending Order 2320, filed 12/18/85)

WAC 388-91-016 DRUGS—~~((LIMITATIONS TO))~~ NONPAYMENT. (1) The department ~~((does))~~ shall not ~~((provide))~~ pay for:

(a) Any drug regularly supplied as an integral part of program activity by other public agencies such as the United States Veterans' Administration, United States Department of Health and Human Services, Division of Indian Health, local health departments, etc.;

(b) Drugs, biologicals, supplies, appliances, and equipment furnished by an extended care facility under Title XVIII of the Social Security Act;

~~(c) ((drugs ordered for a hospitalized patient. These are to be furnished by the hospital;~~

~~(d))~~ Drugs provided to ~~((individuals who have elected to be))~~ persons enrolled in a special group medical coverage contract which includes the provision of drugs as a part of the contract ~~((-e))~~;

(d) Drugs listed in the federal register as "less than effective." Payment ~~((with))~~ shall not be made for such prescriptions under any circumstances;

(e) Drugs ordered for a recipient and used to replace drugs drawn from the doctor's stock for treatment of such recipient;

(f) Experimental or controversial medications; or

(g) Over-the-counter preparations unless medical necessity exists. The provisions of WAC 388-91-020 shall then apply.

~~(2) ((Prescribed nonformulary drugs will be allowed for unusual conditions only when approved by the department see WAC 388-91-020.~~

~~(3) The physician who provides a drug (oral or by injection) incidental to an office call may include a fee established by the department on the basis of the acquisition cost of the drug in addition to his office call fee. In the event the cost of the drug given the patient exceeds this fee, the physician may include on his invoice for his professional services to the patient the actual cost of the drug indicating name of manufacturer and strength of dosage.~~

~~(4) Payment shall not be made for a prescription ordered for an individual recipient and used to replace drugs drawn from the doctor's stock for the treatment of such recipient. Payment shall not be allowed for experimental or controversial medications)) The term "covered outpatient drug" does not include any drug, biological product, or insulin provided as part of or as incident to and in the same setting as, any of the following:~~

(a) Inpatient hospital services;

(b) Hospice services;

(c) Dental services, except as authorized under the state plan;

(d) Physicians' services;

(e) Outpatient hospital services emergency room visits;

(f) Other laboratory and x-ray services; or

(g) Renal dialysis.

~~(3) The department shall not pay for:~~

~~(a) A drug when the drug is used for the following reasons:~~

- (i) Agents when used for anorexia or weight gain;
- (ii) Agent when used to promote fertility;
- (iii) Agents when used for cosmetic purposes or hair growth;
- (iv) Agents when used to promote smoking cessation;
- (v) Prescription vitamins and mineral products in the absence of a condition that is clinically recognized to produce a deficiency state, except prenatal vitamins and fluoride preparations; or
- (b) The following drugs:
 - (i) Outpatient nonprescription drugs;
 - (ii) Covered outpatient drugs for which the manufacturer seeks to require as a condition of sale that associated tests or monitoring services be purchased exclusively from the manufacturer or its designee;
 - (iii) Described in section 107 (c)(3) of the Drug Amendments of 1962 and identical similar, or related drugs (DESI drugs).

AMENDATORY SECTION (Amending Order 2320, filed 12/18/85)

WAC 388-91-020 ((NONFORMULARY PRESCRIPTION)) DRUGS—REQUIRING AUTHORIZATION. (1) The pharmacist shall make a request to the department for ((nonformulary)) drugs ((must be submitted by the attending physician to the department for prior approval)) requiring prior authorization before dispensing the drug. The request ((must)) shall be supported by the medical diagnosis and include proper justification for the ((nonformulary)) drug.

(2) Payment may be made for ((nonformulary)) drugs requiring prior authorization which are prescribed without prior ((approval)) authorization only in an acute emergency, and if the physician can substantiate that a ((nonformulary)) drug is mandatory. ((Justification must be received by)) The department shall receive justification within seventy-two hours for consideration.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 2320, filed 12/18/85)

WAC 388-91-030 DRUGS—PRESCRIPTION CLAIM((; FORM 525-106 (PHARMACY STATEMENT))). (1) Pharmacist, when billing, shall use the department's official prescription((;)) form ((525-106, must be used by the pharmacist. A supply may be obtained from provider services, division of medical assistance)) or the department's electronic billing specifications, if billing electronically.

(2) ((Only four prescriptions may be entered on Form 525-106. Each prescription must bear specified unit and interval dosage.

(3) Only prescriptions for formulary drugs may be refilled at the discretion and choice of the prescribing physician.)) The department prohibits the use of presigned prescription blanks ((to be)) filled out by the

nursing ((home)) facility operators or pharmacists ((is prohibited)). The department shall consider this practice ((shall be considered)) sufficient grounds for cancelling the vendor agreement of participating providers involved.

((4) To assure prompt payment, a coupon from the recipient's medical care identification booklet, Form DSHS 13-30, should be attached by the pharmacist to the individual's prescriptions. When a coupon is not available the provider may submit a billing without this coupon although the processing by the department may be somewhat slower. Payment will be made for all appropriate goods and/or services provided to eligible recipients.

((5) Accurate recording of)) (3) The department requires that all data on the pharmacy statement ((is essential. Any error or lack of clarity in the prescription national drug code (NDC) number or number of units dispensed will delay payment. Typed prescriptions are preferred and expedite payment)) be recorded accurately.

AMENDATORY SECTION (Amending Order 2233, filed 5/15/85)

WAC 388-91-035 DRUGS—PHARMACIST'S AGREEMENT. (1) Core Provider Agreement, Form DSHS 9-48 ((must)) provided by the department shall be filed with the Department of Social and Health Services, Olympia, Washington 98504. ((Forms may be obtained from the department's Office of Provider Services LG 11, Olympia, WA 98504.))

(2) To participate in this program, a licensed pharmacy ((must)) shall agree to furnish goods and services in accordance with the department's rules, regulations, and payment procedures. The department shall establish fees and rates ((established by the department according to WAC 388-91-020(3))) which shall constitute the full and complete charge for approved medical care and goods and services ((provided)) the vendors or providers provide to recipients ((by the vendor or providers)).

(3) All pharmacists and pharmacies agreeing to render goods and services to eligible persons shall submit such charges as agreed upon between the department and the ((individual)) person or firm ((monthly and)). Effective July 28, 1991, all pharmacists and pharmacies shall present their final charges ((not more than one hundred twenty days after the termination of their)) within twelve months from the date of service or as otherwise provided by state law. ((Bills presented after the required one hundred twenty-day period shall be a charge against the state only when a written extension has been given by the division of medical assistance before the one hundred twenty-day period ends)) For services rendered before July 28, 1991, all pharmacist and pharmacies shall present their final charges not more than one hundred twenty days from the date of service.

(4) Sale or transfer of ownership will automatically cancel this agreement. ((New application should indicate whether "high," "mid," or "low" volume provider in accordance with previous owner's volume.))

AMENDATORY SECTION (Amending Order 2320, filed 12/18/85)

WAC 388-91-040 DRUGS—PRICING STANDARDS. (1) The department shall determine maximum cost allowed for all drugs, including generic drugs (~~(; will be determined by the department)~~).

(2) The department shall not ~~((be charged))~~ pay more than the amount charged to the general public. In defining the charge to the general public, the department and pharmacist shall consider pricing practices such as granting discounts, special commissions, fees, etc., to patients, institutions, or corporations ((shall be taken into account by the department and the pharmacist in defining the charge to the general public)).

(3) There shall be no differential in pricing prescriptions issued in less than manufacturer's size.

(4) The department ~~((with))~~ shall not pay more than the lower of ingredient cost plus a dispensing fee or the provider's usual and customary charge to the public. Ingredient cost ~~((with))~~ shall be set at the estimated acquisition cost, which is the department's best estimate of the price providers generally are paying for a drug. The dispensing fee ~~((with))~~ shall be set by taking into account the results of surveys and the costs of pharmacy operation. Reimbursement may also be made through exclusive service contracts for the provision of prescription drugs for nursing ~~((home))~~ facility patients.

(5) True unit dose systems recognized by the department require each patient's medication to be delivered to the facility a minimum of five days a week or delivery of medical carts every other day with daily service available.

(6) Modified unit dose systems (also known as blister packs, "bingo" or punch cards) recognized by the department require each patient's medication be delivered in individually sealed single or multiple dose packages, and in quantities sufficient to meet specified minimums or one month's supply. Providers shall be paid a special dispensing fee per prescription. This special fee shall not apply to creams, ointments, ophthalmic/otic preparations, and oral liquids.

AMENDATORY SECTION (Amending Order 2320, filed 12/18/85)

WAC 388-91-050 OUT-OF-STATE PRESCRIPTIONS. (1) The department shall authorize drugs provided to residents of the state of Washington who are temporarily out of the state as defined ~~((in))~~ under WAC 388-26-060 ~~((and 388-30-055 shall be authorized))~~ as part of medical care within the scope of WAC 388-86-115. Border situations as described by WAC 388-82-130 are not subject to out-of-state rules and are to be considered as care provided in the state of Washington.

(2) Drugs provided by out-of-state pharmacists (bordering cities excepted) shall require the approval of the department before payment can be made.

WSR 91-19-004
EMERGENCY RULES
WILDLIFE COMMISSION

[Order 507—Filed September 5, 1991, 4:44 p.m.]

Date of Adoption: September 5, 1991.

Purpose: Closure of the 1991 band-tailed pigeon hunting season to facilitate the recovery of the band-tailed pigeon population.

Statutory Authority for Adoption: RCW 77.04.055 and 77.12.040.

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

Reasons for this Finding: The Wildlife Commission adopted the 1991 band-tailed pigeon hunting season. At that time (March 8, 1991), population information from the annual June-July pigeon survey was not available. 1991 survey information now indicates that the band-tailed pigeon population index is 25 percent below the 1990 index and below the agency's predetermined threshold level necessary for band-tailed pigeon hunting. 1991 survey results demonstrate a trend in reduced populations beginning with surveys established in 1975. The agency has established levels for recommending resumption of subsequent hunting seasons based on adequate recovery of the population.

Effective Date of Rule: Immediately.

September 5, 1991
Curt Smitch
Director
for Dean A. Lydig
Chair

NEW SECTION

WAC 232-28-22801 1991-92, 1992-93, AND 1993-94 OFFICIAL HUNTING HOURS AND SMALL GAME SEASONS - 1991 BAND-TAILED PIGEON HUNTING SEASON. Notwithstanding the provisions of WAC 232-28-228, the band-tailed pigeon hunting season is closed September 21 to 29, 1991 (both dates inclusive). All other applicable regulations remain in effect and unchanged.

This amends the corresponding information on page 27 of the 1991-92 Hunting Seasons and Rules, pamphlet edition.

WSR 91-19-005
EMERGENCY RULES
DEPARTMENT OF FISHERIES

[Order 91-80—Filed September 5, 1991, 4:53 p.m.]

Date of Adoption: September 5, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-32-05100F; and amending WAC 220-32-051.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: Harvestable numbers of upriver brights and Bonneville Pool Hatchery chinook salmon are available in the Columbia River. This rule is consistent with the actions of the August 29, 1991, meeting of the Columbia River Compact.

Effective Date of Rule: Immediately.

September 5, 1991
Judith Merchant
Deputy
for Joseph R. Blum
Director

NEW SECTION

WAC 220-32-05100G COLUMBIA RIVER SALMON SEASONS ABOVE BONNEVILLE. (1) Notwithstanding the provisions of WAC 220-32-051 and 220-32-052, 220-32-053, 220-32-056, 220-32-057, and 220-32-058, effective immediately, it is unlawful for a person to take or possess salmon, shad or sturgeon taken for commercial purposes from Columbia River Salmon Management and Catch Reporting Areas 1F, 1G or 1H, except those individuals possessing treaty fishing rights under the Yakima, Warm Springs, Umatilla or Nez Perce treaties may fish or possess salmon, sturgeon and shad under the following provisions:

(a) Open for salmon and shad:

6 AM September 9 to 6 PM September 13, 1991;
and

6 AM September 16 to 6 PM September 20, 1991.

Sturgeon may be retained only for subsistence purposes.

(b) Open area: SMCRA 1F, 1G, and 1H

(c) Mesh: no mesh restriction

(2) Notwithstanding the provisions of WAC 220-32-058, closed area at the mouth of:

(a) Hood River is those waters along the Oregon side of the Columbia River and extends to mid-stream at right angles to the thread of the Columbia River between markers located approximately 0.85 miles downriver from the west bank at the end of the breakwall at the west end of the port of Hood River and ½ mile upriver from the east bank.

(b) Herman Creek is those waters upstream from a line between deadline markers near the mouth. One marker is located on the east bank piling and the other is located on the west bank to the north of the boat ramp.

(c) Deschutes River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half

mile upstream from the eastern shoreline to one mile downstream from the western shoreline.

(d) Umatilla River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one mile downstream from the western shoreline.

(e) Big White Salmon River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between a marker located one-half mile downstream from the west bank upstream to light "35".

(f) Wind River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between markers located 1 ¼ miles downstream from the west bank and ½-mile upstream from the east bank.

(g) Klickitat River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between the downstream margin of Lyle Landing downstream to a marker located near the railroad tunnel approximately 1 ⅛ miles downstream from the west bank.

(h) Little White Salmon River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between Light "27" upstream to a marker located approximately one-half mile upstream from the eastern shoreline.

(i) Spring Creek is those waters of the Columbia River within a radius of 150 feet of the Spring Creek Hatchery fishway.

(3) Notwithstanding the provisions of WAC 220-22-010, during the open periods in subsection (1):

(a) Area 1F (Bonneville Pool) shall include those waters of the Columbia River upstream from the Bridge of Gods, and downstream from the west end of the 3 mile rapids located approximately 1.8 miles below the Dalles Dam.

(b) Area 1G shall include those waters of the Columbia River upstream from a line drawn between a deadline marker on the Oregon shore located approximately ¾ mile above the Dalles Dam fishway exit, thence at a right angle to the thread of the river to a point in midriver, then downstream to Light "1" on the Washington shore, and downstream from Preacher's Eddy light below John Day Dam.

(c) Area 1H shall include those waters of the Columbia River upstream from a fishing boundary marker approximately one-half mile above the John Day River, Oregon, extending at a right angle across the thread of the river to a point in midriver, then downstream to a fishing boundary marker on the Washington shore approximately opposite the mouth of the John Day River, and downstream from a line at a right angle across the thread of the river one mile downstream from McNary Dam.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-32-05100F COLUMBIA RIVER
SALMON SEASONS ABOVE BONNEVILLE. (91-
60)

WSR 91-19-006

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 91-82—Filed September 5, 1991, 4:55 p.m., effective September 6, 1991, 12:01 a.m.]

Date of Adoption: September 5, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:
Amending WAC 220-44-040.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: This regulation is necessary to maintain consistency between state and federal regulations and whiting processing vessels have achieve their quota which was established by the Pacific Fishery Management Council.

Effective Date of Rule: 12:01 a.m., September 6, 1991.

September 5, 1991
Judith Merchant
Deputy
for Joseph R. Blum
Director

NEW SECTION

WAC 220-44-04000A COASTAL BOTTOM-FISH SEASONS. *Notwithstanding the provisions of WAC 220-44-040, effective 12:01 a.m. Friday September 6, 1991 until further notice it is unlawful to deliver or land Pacific whiting to an at-sea processing vessel in state waters of the Pacific Ocean.*

It is unlawful for a catcher/processor to take, fish for, possess or process any Pacific whiting taken from the waters of the Pacific Ocean.

WSR 91-19-007

PERMANENT RULES

EMPLOYMENT SECURITY DEPARTMENT

[Filed September 6, 1991, 1:12 p.m., effective September 8, 1991]

Date of Adoption: September 6, 1991.

Purpose: Employer notice and separation determination rules, to provide uniform implementation of policy consistent with precedential decisions.

Citation of Existing Rules Affected by this Order:
Amending WAC 192-12-300, 192-12-305, 192-12-310, 192-12-320, and 192-12-330.

Statutory Authority for Adoption: RCW 50.12.010 and 50.12.040.

Pursuant to notice filed as WSR 91-11-051 on May 14, 1991.

Changes Other than Editing from Proposed to Adopted Version: These rules vary in content from the proposed rules as a result of consideration of public comment and legal interpretation.

The adopted rules are closer in intent and operation to the original rules than the proposed rules.

The primary areas of change are in the areas of notice and adjudication.

Notice requirements:

Original rules: At the time of filing a new or additional claim, individual notices were mailed to claimant's last employer and all base year employers, requesting information on all separations from employment.

Proposed rules: Notices requesting separation information mailed only to last employer and any employer from whom the claimant was discharged for criminal misconduct (RCW 50.20.060(2)).

Adopted rules: Notices requesting separation information mailed to last employer and any employer from whom the claimant was discharged for criminal misconduct (RCW 50.20.060(2)) and to any prior employer from whom the claimant separated from employment for a potentially disqualifying reason (quit or discharge) and subsequent to which the claimant has insufficient employment to purge a separation disqualification.

Adjudication of separation issues:

Original rules: Adjudicate separations from claimant's last employer and all base year employers.

Proposed rules: Adjudicate separations from claimant's last employer and any employer from whom the claimant was discharged for criminal misconduct (RCW 50.20.060(2)).

Adopted rules: Adjudicate separations from claimant's last employer and any employer from whom the claimant was discharged for criminal misconduct (RCW 50.20.060(2)) and to any prior employer from whom the claimant separated from employment for a potentially disqualifying reason (quit or discharge) and subsequent to which the claimant has insufficient employment to purge a separation disqualification.

Section by section changes: WAC 192-12-300 adds reference to notice to prior employer; WAC 192-12-305 changes reference from last employer by deleting "last"; WAC 192-12-310 requires mailing notice to any prior employer from whom the claimant has a potentially disqualifying separation; WAC 192-12-320 requires mailing notice of allowance or denial of benefits to prior employer if claimant has insufficient subsequent work to purge separation disqualification; WAC 192-12-330 no changes; and WAC 192-12-370 not adopted.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: These rules are necessary to provide uniform interpretation of law and precedential decision and to supersede emergency rules (WSR 91-11-052) due to expire September 11, 1991.

Effective Date of Rule: September 8, 1991.

September 6, 1991
Vernon E. Stoner
Commissioner

AMENDATORY SECTION (Amending Order 4-89, filed 10/4/89, effective 10/9/89)

WAC 192-12-300 MAILING ADDRESSES FOR NOTICE TO EMPLOYER. Notices to employers mailed as required in RCW 50.20.150 and WAC 192-12-310 will be mailed as follows:

(1) The notice to the last employer of the claimant will be mailed to the address provided by the claimant.

(2) The notice to any base year employer who has reported wages to the department will be mailed to the mailing address of record of the employer provided by the employer for tax purposes.

(3) The notice to any other ~~((base year))~~ employer from whom the claimant has a potentially disqualifying separation (without sufficient subsequent employment to purge a separation disqualification) will be mailed to the address provided by the claimant.

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

AMENDATORY SECTION (Amending Order 4-89, filed 10/4/89, effective 10/9/89)

WAC 192-12-305 CLAIMANT RESPONSIBILITY FOR PROVIDING ACCURATE EMPLOYER ADDRESS. (1) If the notice to ~~((last))~~ employer ~~((or base year employer))~~ (WAC 192-12-310) is mailed to an address provided by the claimant (WAC 192-12-300 (1) & (3)) and is returned by the Post Office as undeliverable, the claimant will be determined to have failed to provide details of separation of employment, unless:

(a) The mail returned by the Post Office indicates the employer has moved and left no forwarding address, or

(b) The claimant can establish that the address provided was an accurate address at the time the claimant last worked for the employer.

(2) No payment will be made to a claimant found to have failed to provide details of separation from employment pursuant to subsection (1) unless the claimant is a continued claim recipient as defined in WAC 192-12-011, in which case payments will be made conditionally pursuant to WAC 192-12-012.

(3) A claimant who has failed to provide details of separation from employment pursuant to subsection (1) may be subject to disqualification pursuant to WAC 192-23-051 if the claimant does not respond to a request to provide an accurate employer address.

AMENDATORY SECTION (Amending Order 4-89, filed 10/4/89, effective 10/9/89)

WAC 192-12-310 NOTICE TO EMPLOYER. (1) At the time of filing any new claim (the filing ~~((for))~~ of an application for initial determination) a notice will be mailed to:

(a) The claimant's last employer, and

(b) ~~((All base year employers))~~. Any prior employer from whom the claimant has a potentially disqualifying separation (without sufficient subsequent employment to purge a separation disqualification)

(2) The notice in subsection (1) above will provide the employer with information provided to the department by the claimant and request that the employer provide information to the department if the separation was for reasons of other than lack of work.

(3) At the time of filing any new claim (the filing of an application for initial determination) that results in the establishment of a benefit year a notice will be mailed to all base year employers. This notice to base year employers will include information on wages reported and benefit charging related information and will request employer response if wage information is incorrect or if the employer wishes to request relief of benefit charging.

(4) At the time of filing an additional claim for benefits (reopening a claim after subsequent employment) a notice will be mailed to the last employer reported by the claimant and to any prior employer from who the claimant has a potentially disqualifying separation (without sufficient subsequent employment to purge a separation disqualification) and who has not previously been notified.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 4-89, filed 10/4/89, effective 10/9/89)

WAC 192-12-320 MAILING OF DETERMINATION NOTICES. RCW 50.20.180 allows the commissioner to determine the parties to be mailed notices of allowance or denial of benefits.

(1) The claimant will be mailed a notice of determination

(a) That denies the claimant benefits, or

(b) That allows benefits and is also mailed to an employer.

(2) The last employer will be mailed a determination notice if the claimant was separated from employment for reasons other than lack of work.

(3) Any employer from whom the claimant has a potentially disqualifying separation (without sufficient subsequent employment to purge a separation disqualification) will be mailed a determination notice if the claimant was separated from employment for reasons other than lack of work.

(4) A determination of eligibility will be made and a notice mailed to any ~~((base year))~~ employer since the beginning of the claimant's base year who

~~((a) from whom the claimant was separated from employment for reasons other than lack of work, and~~

~~((b) the claimant has not been employed and had earnings of at least his or her weekly benefit amount in each of five weeks subsequent to the separation, or~~

~~((c) the employer))~~ provides information that the claimant was discharged as a result of a felony or gross misdemeanor connected with the work.

((~~4~~)) (5) A determination of eligibility ((~~of~~)) for benefits based on an issue other than a separation from employment will be mailed to an employer if the employer provides relevant information relating to eligibility for a specific week.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 4-89, filed 10/4/89, effective 10/9/89)

WAC 192-12-330 PREDETERMINATION PROCEDURE—SEPARATION ISSUE. (1) No determination on a separation issue (RCW 50.20.050, RCW 50.20.060) will be issued until both parties to the separation have had an opportunity to present information and rebuttal, if necessary and appropriate, on the matters at issue.

(2) If an employer does not respond within ten days to the notice required by WAC 192-12-310, the department may at that time make a determination based on available information.

(3) If the department receives information from the employer after the end of the ten day response period, but before the determination has been made, the information provided by the employer will be considered prior to making the determination if the information was mailed to the Job Service Center where the claim was filed.

(4) If the department receives information from the employer after the end of the ten day period and within thirty days following the mailing of a determination, the department ((~~may~~)) will consider that information for the purposes of a redetermination under RCW 50.20.160 or as an appeal of the determination.

(5) Any information received within thirty days of the mailing of the notice required by WAC 192-12-310 ((~~with~~)) may be considered a request for relief of benefit charges under RCW 50.29.020.

WSR 91-19-008
NOTICE OF PUBLIC MEETINGS
CONVENTION AND TRADE
CENTER

[Memorandum—September 4, 1991]

The board of directors of the Washington State Convention and Trade Center will meet on Wednesday, September 11, 1991, at 2:00 p.m. in the 5th Floor Board Room of the Convention Center, 800 Convention Place, Seattle.

If you have any questions regarding this meeting, please call 447-5000.

WSR 91-19-009
RULES COORDINATOR
CLARK COLLEGE
[Filed September 6, 1991, 2:03 p.m.]

Pursuant to RCW 34.05.310, Janelle Dinsmore is designated as the rules coordinator for Clark College. The office and mailing address for the rules coordinator is: Janelle Dinsmore, Executive Assistant to the President, Clark College, 1800 East McLoughlin Boulevard, Vancouver, WA 98663, 534-1101 scan.

Earl P. Johnson
President

WSR 91-19-010
EMERGENCY RULES
DEPARTMENT OF FISHERIES

[Order 91-83—Filed September 6, 1991, 3:29 p.m., effective September 8, 1991, 12:01 a.m.]

Date of Adoption: September 6, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-47-706.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: Restrictions in Areas 4B, 5, 6, 6A, 6C, 7, and 7A provide protection for United States and Canadian origin chinook stocks. Opening in Area 7B provides opportunity to harvest nontreaty allocation of coho salmon destined for the Nooksack-Samish region of origin; the gillnet mesh and in-season area restrictions are necessary to reduce chinook impacts. Openings in Area 7E provide opportunity to harvest the nontreaty share of chinook salmon destined for the Glenwood Springs hatchery; the eastern in-season area restriction is necessary to provide protection to milling fish entering the hatchery rack; the western in-season area restriction is necessary to reduce impacts to dogfish consistent with conservation of that resource. The openings in Area 8 are directed at the nontreaty share of Skagit River origin pink salmon, provide gillnet daylight opportunity, and are necessary to reduce waste; Area 8 gillnet mesh restriction is necessary to reduce chinook impacts; Area 8 in-season area restriction provides protection for coho. The opening in Area 12A provides opportunity to harvest nontreaty share of coho destined for the Quilcene National Fish Hatchery. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

Effective Date of Rule: 12:01 a.m., September 8, 1991.

September 6, 1991
Joseph R. Blum
Director

NEW SECTION

WAC 220-47-707 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:01 AM Sunday September 8, 1991, until further notice, it is unlawful to take, fish for, or possess salmon or Atlantic salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods and mesh and area restrictions:

*Areas 4B, 5, 6, 6A, 6C, 7, and 7A - Under the control of the Pacific Salmon Commission. Drift gillnet gear restricted to 5-inch minimum, 6-inch maximum mesh when open.

*Area 7B - Gillnets using 5-inch minimum, 6-inch maximum mesh, and purse seines may fish from 5:00 AM Monday September 9 to 4:00 PM Friday September 13. Area 7B is closed south of a line projected from Governors Point to most northerly point on Vendovi Island.

*Area 7E - Gillnets using 7-inch minimum mesh may fish from 6:00 PM to 9:00 AM nightly Monday, Tuesday, and Wednesday, September 9, 10, and 11, and purse seines may fish from 5:00 AM to 9:00 PM daily Tuesday, Wednesday, and Thursday, September 10, 11, 12. Area 7E is closed east of a line projected from Madrona Point (also known as Tongue Point) to the second point south of Griffin Rocks and closed west of a line projected due south from Madrona Point.

*Area 8 - Gillnets using 5-inch minimum, 6-inch maximum mesh may fish from 6:00 PM Sunday September 8 to 9:00 PM Monday September 9 and purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM Monday September 9. In addition to the exclusion zone described in WAC 220-47-307, Area 8 is closed south and west of a line projected from Polnell Point on Whidbey Island to Rocky Point on Camano Island.

*Area 12A - Gillnets using 5-inch minimum mesh and purse seines using the 5-inch strip may fish continuously from 5:00 AM Monday September 9 to 4:00 PM Friday September 13. Exclusion zones described in WAC 220-47-307 are in effect for this fishery.

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

REPEALER

The following sections of the Washington Administrative Code are repealed effective 12:01 AM Sunday September 8, 1991:

WAC 220-47-705 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (91-71)
WAC 220-47-706 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (91-78)

WSR 91-19-011
PROPOSED RULES
GAMBLING COMMISSION
[Filed September 6, 1991, 4:00 p.m.]

Original Notice.

Title of Rule: WAC 230-04-190 Issuance of license.

Purpose: Describes the licensing process.

Statutory Authority for Adoption: RCW 9.46.0331.

Statute Being Implemented: Chapter 9.46 RCW.

Summary: Complies with recent changes to RCW 9.46.0331 allowing additional commercial locations for amusement games.

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

Name of Proponent: Washington State Gambling Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Expands the ability to license additional locations for amusement games in accordance with legislative amendments to the chapter 9.46 RCW.

Proposal Changes the Following Existing Rules: The proposed change expands and clarifies an existing rule.

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

The agency has considered whether this rule change would create an adverse economic impact on small business as defined by chapter 19.85 RCW. It has determined that there is no economic impact to small business as a result of this proposal.

Hearing Location: Red Lion Inn, North 1100 Sullivan Road, Spokane, WA 99220, on October 22, 1991, at 10:00 a.m.

Submit Written Comments to: Washington State Gambling Commission, 4511 Woodview Drive S.E., Lacey, WA 98504-2400, by October 22, 1991.

Date of Intended Adoption: October 22, 1991.

September 6, 1991

Sharon M. Tolton

Rules Coordinator

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

WAC 230-04-190 ISSUANCE OF LICENSE. (1) Charitable and nonprofit organizations and agricultural fairs. The commission may issue a license to qualified bona fide charitable or nonprofit organizations or to qualified agricultural fairs to operate each of the following activities upon a specified location:

- (a) Bingo;
- (b) Raffles;
- (c) Amusement games;
- (d) Punchboards and pull tabs; and
- (e) Social cards(~~(-and)~~);
- ((~~(f)~~ Electronic cranes.))

(2) Fund raising event as defined in RCW 9.46.0233. The commission may issue a license to a bona fide charitable or bona fide nonprofit organization defined in RCW 9.46.0209, other than any agricultural fair defined therein, to conduct fund raising events.

(3) (~~Special amusement game license. The commission may issue a license to any person, association or organization other than a bona~~

~~vide charitable or bona fide nonprofit organization to conduct amusement games only at one or more of the locations set out by the commission in WAC 230-20-380.) Commercial location amusement game license. The commission may issue a separate license to commercial business operators of amusement games at one or more of the locations listed in WAC 230-04-138.~~

(4) Commercial stimulant card games. The commission may issue a license to persons operating a business primarily engaged in the selling of items of food or drink for consumption on the premises (~~(operating under the authority of a license or permit for the business issued by the state, district or local health officer, and/or a license issued by the Washington state liquor control board,))~~) to allow a specified portion of a specified premises to be used by persons to play authorized card games.

(5) Public card room employee. The commission may issue a license to a person to perform duties in a public card room.

(6) Commercial stimulant punchboards and pull tabs. The commission may issue a license to a person operating a business primarily engaged in the selling of items of food or drink for consumption on the premises (~~(operating under the authority of a license or permit for the business issued by the state, district or local health officer, and/or a license issued by the Washington state liquor control board,))~~) to operate punchboards and pull tabs upon specified premises.

(7) ~~((Commercial electronic cranes:~~

(a) ~~Electronic crane operator - The commission may issue a license to any person, association or organization other than a bona fide charitable or nonprofit organization to operate electronic cranes at a single or multiple locations as defined in WAC 230-20-670(1). Provided, That if electronic cranes are operated at more than one location, each separate location shall be licensed per subparagraph (b) below.~~

(b) ~~Electronic crane separate premises - The commission may issue a license to any person operating a business, as defined in WAC 230-20-670(1)(a), (b), or (c), to allow an electronic crane operator to locate and operate electronic cranes upon their premises.~~

(8) ~~Manufacturers and distributors of gambling equipment, paraphernalia and electronic cranes. The commission may issue a separate or combination license to the following:~~

(a) ~~Manufacturers of punchboards, pull tabs, devices for the dispensing of pull tabs and electronic cranes, and~~

(b) ~~Distributors of punchboards, pull tabs, devices for the dispensing of pull tabs, any gambling equipment or paraphernalia for use in connection with licensed fund raising events, recreational gaming activities and electronic cranes;~~

(9) ~~Representatives of manufacturers or distributors. The commission may issue a separate license to a representative of a manufacturer or distributor to engage in the sale and distribution of gambling equipment, paraphernalia and electronic cranes.]~~

~~[Punchboard and pull tab manufacturer and distributor. The commission may issue a separate license to:~~

(a) ~~Punchboard and pull tab manufacturers;~~

(b) ~~Distributors to sell and distribute punchboards and pull tabs and related equipment within the state of Washington.~~

(c) ~~Manufacturer's representatives to sell and distribute punchboards and pull tabs and related equipment on behalf of the manufacturer in the state of Washington, and~~

(d) ~~Distributor's representatives to sell and distribute punchboards and pull tabs and related equipment on behalf of the distributor in the state of Washington.]~~

~~((10)) Manufacturers and distributors of gambling equipment and paraphernalia. The commission may issue a separate or combination license to the following:~~

(a) ~~Manufacturers of punchboards, pull tabs, and devices for the dispensing of pull tabs; and~~

(b) ~~Distributors of punchboards, pull tabs, devices for the dispensing of pull tabs, any gambling equipment or paraphernalia for use in connection with licensed fund raising events.~~

(8) ~~Representatives of manufacturers or distributors. The commission may issue a separate license to a representative of a manufacturer or distributor to engage in the sale and distribution of gambling equipment and paraphernalia.~~

(9) ~~Recreational gaming activity permit. The commission may issue a permit to an organization that has been in existence for at least six months to conduct a recreational gaming activity as defined by WAC 230-02-505.~~

~~((10)) License expiration. Each such license shall be valid for one year from the date that it is issued: Provided, That:~~

(a) All annual licenses for punchboard and pull tab and Class D and above bingo shall be issued with an expiration date adjusted to expire on March 31, June 30, September 30, or December 31. Punchboard and pull tab licenses shall expire on the above date that is closest to the license issuance date and does not exceed one year. Class D and above bingo licenses shall expire on the above date that is closest to licensee's fiscal year end plus at least six months. All other applicants or licensees may request specific license expiration dates to correspond with the above dates. Whenever license expiration dates are adjusted under this provision, the required fee shall be prorated by the commission. The prorated fees shall be computed on a monthly basis (i.e., one-twelfth of the annual payment per month) and subtracted from the regular annual fee. A prorated fee will be based on the number of whole months remaining upon approval of a license. For the purposes of this proration, any part of a month in which the activity is licensed shall be deemed to be a whole month when computing an annual fee. Any difference between the required fee which exceeds twenty dollars, shall be refunded to the applicant.

(b) Licenses issued to conduct any authorized activity in connection with and upon the site of a qualified agricultural fair, qualified community-wide civic festival, qualified world's fair, or qualified civic center shall be valid only for the duration of the fair or festival, or, in the case of an activity at a civic center, for the seasons during which the civic center is operating and open to the public. In no event shall such license exceed one calendar year.

(c) Notwithstanding the provisions of ~~((subsection))~~ (a) of this subsection, a license issued to conduct a raffle in connection with a qualified agricultural fair, qualified community-wide civic festival or qualified world's fair shall be in effect from the date the license was issued through the conclusion of the fair or festival.

(d) A license issued to conduct a card tournament shall be valid only for the duration of the tournament, but in no event shall exceed ten consecutive days.

(e) A license issued to conduct a fund raising event shall be valid for one year from the date issued but the event (or events) permitted under the license shall be held only at the place and time set forth in the application or otherwise approved by the commission. The number of events permitted under the license in any calendar year is subject to the limitations set out in RCW 9.46.0233 defining a fund raising event.

(f) A license issued to an individual shall be valid for a period of one year from the date of employment or issuance, whichever occurs first: Provided, a bingo game manager license shall expire as set out in WAC 230-04-145.

(g) If any licensee fails to submit a properly completed application and all applicable fees prior to the normal expiration date, the license shall expire and the operation of the applicable activity must immediately cease. When a license expires, a new application must then be submitted and a pre-licensing evaluation/investigation to the extent deemed necessary by the director will be completed prior to granting a license: Provided, that if a properly completed renewal application and fees are received within the fourteen (14) day period following the expiration date, the commission may reinstate the license using normal renewal procedures. Reinstating a license under this provision does not, in any case, grant authority to operate the activity during the period between the normal expiration date and the date of reinstatement.

(h) Licenses approved under the six month payment plan shall be issued with an expiration date of six months from the license approval date or the original license expiration date, whichever is applicable. Upon receipt and validation of the second half payment, a licensee may be granted a second license for an additional six month period. Second half payments must be received by the commission on or before the due date. If the licensee fails to submit the second half of the fee payment(s) as established by WAC 230-04-201 prior to the expiration date, the license shall expire.

~~((11)) Conditions of license issuance. All activities so licensed are licensed subject to compliance with all of the applicable provisions of chapter 9.46 RCW, including any amendments thereto, all applicable rules and regulations passed by the commission, all other applicable laws of the United States, the state of Washington and all political subdivisions of the state of Washington ((which include but are not limited to the following:~~

~~(a) Business licenses or permits;~~

~~(b) Health certificates;~~

~~(c) Fire inspections;~~

~~(d) Use and occupancy permit; and~~

~~(e) Liquor license or permit.)) which include but are not limited to the following:~~

- (a) Business licenses or permits;
- (b) Health certificates;
- (c) Fire inspections;
- (d) Use and occupancy permit; and
- (e) Liquor license or permit.

WSR 91-19-012**PROPOSED RULES****WASHINGTON STATE PATROL**

[Order 91-004—Filed September 9, 1991, 9:26 a.m.]

Original Notice.

Title of Rule: Employment conviction records, audit, refundable fee, WAC 446-20-020, 446-20-280, 446-20-285, 446-20-290, 446-20-310, and 446-20-530.

Purpose: Editorial change.

Statutory Authority for Adoption: RCW 10.97.090.

Summary: The chapter laws are being replaced with RCW.

Reasons Supporting Proposal: House cleaning.

Name of Agency Personnel Responsible for Drafting: R. Sandberg, Washington State Patrol, Olympia, 753-4453; Implementation and Enforcement: R. Phillips, Washington State Patrol, Olympia, 753-6827.

Name of Proponent: Washington State Patrol, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This is an editorial change which will replace chapter laws with RCW.

Proposal does not change existing rules.

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

Hearing Location: General Administration Building, Room G-130, Olympia, Washington 98504, on November 11, 1991, at 8:30 a.m.

Submit Written Comments to: Washington State Patrol, Research and Development Section, General Administration Building, AX-12, Olympia, Washington 98504, by October 21, 1991.

Date of Intended Adoption: December 2, 1991.

September 9, 1991

George B. Tellevik
Chief**AMENDATORY SECTION** (Amending Order 90-003, filed 9/20/90, effective 10/21/90)

WAC 446-20-020 DEFINITIONS. (1) The definitions in RCW 10.97.030 shall apply to these regulations.

(2) "Nonconviction data" has the meaning set forth in RCW 10.97.030(2), but shall not include dismissals following a period of probation, or suspension, or deferral of sentence.

(3) "The administration of criminal justice" has the meaning set forth in RCW 10.97.030(6), but does not include crime prevention activities (if that is the sole function of the program or agency) or criminal defense activities.

(4) The definitions as enumerated in (~~chapter 486, Laws of 1987~~) RCW 43.43.830 through 43.43.845, and as amended by chapter (~~3, Laws of 1990~~) 9A.44 RCW, "An act relating to child and adult abuse information," shall apply whenever applicable in these regulations.

AMENDATORY SECTION (Amending Order 82-5, filed 10/22/82)

WAC 446-20-280 EMPLOYMENT—CONVICTION RECORDS. (1) A transcript of a conviction record will be furnished consistent with the provisions of (~~chapter 202, Laws of 1982~~) RCW 43.43.815, upon the submission of a written request of any employer, accompanied by fingerprints and other identifying data of the employee or prospective employee.

(2) Fingerprints shall be submitted on cards of the type specified by the identification section, and shall contain a certification by the employer that the information is being disseminated to and will be available only to persons involved in the hiring, background investigation, or job assignment of the person whose record is disseminated, that the record will be used only as necessary for the purposes enumerated in this section, and that the request for conviction data is for one of the following purposes:

(a) Securing a bond required for any employment;

(b) Conducting preemployment and postemployment evaluations of employees and prospective employees who, in the course of employment, may have access to information affecting national security, trade secrets, confidential or proprietary business information, money, or items of value; or

(c) Assisting an investigation of suspected employee misconduct where such misconduct may also constitute a penal offense under the laws of the United States or any state.

AMENDATORY SECTION (Amending Order 90-003, filed 9/20/90, effective 10/21/90)

WAC 446-20-285 EMPLOYMENT—CONVICTION RECORDS—CHILD AND ADULT ABUSE INFORMATION. After January 1, 1988, certain child and adult abuse conviction information will be furnished by the state patrol upon the submission of a written request of any applicant, business or organization, the state board of education, or the department of social and health services. This information will consist of the following:

(1) Convictions of crimes against children or other persons as defined in RCW 43.43.830(6), and as amended by chapter (~~3, Laws of 1990~~) 9A.44 RCW;

(2) Department of health disciplinary authority final decisions of specific findings of physical or sexual abuse or exploitation of a child and any subsequent criminal charges associated with the conduct that is the subject of the disciplinary authority final decision; for the businesses and professions defined in chapter 3, Laws of 1990; and

(3) Civil adjudications of child abuse, as amended by chapter (~~3, Laws of 1990~~) 9A.44 RCW.

This information will be furnished, consistent with the provisions of RCW 43.43.830 through 43.43.840, on an approved request for criminal history information form available from the Washington State Patrol, Identification and Criminal History Section, Mailstop QE-02, Olympia, Washington, 98504.

The state patrol shall also furnish any similar records maintained by the Federal Bureau of Investigation or records in custody of the National Crime Information Center, if available, subject to their policies and procedures regarding such dissemination.

(a) The business or organization making such request shall not make an inquiry to the Washington state patrol or an equivalent inquiry to a federal law enforcement agency unless the business or organization has notified the applicant who has been offered a position as an employee or volunteer that an inquiry may be made.

(b) For positive identification, the request for criminal history information form may be accompanied by fingerprint cards of a type specified by the Washington state patrol identification section, and shall contain a certification by the business or organization; the state board of education; or the department of social and health services, that the information is being requested and will be used only for the purposes as enumerated in (~~chapter 486, Laws of 1987~~) RCW 43.43.830 through 43.43.845.

(c) In the absence of fingerprint cards, the applicant may provide a right thumb fingerprint impression in the area provided on the request for criminal history information form. In the event of a possible match, where the applicant's name and date of birth as submitted varies from that of the record contained by the identification section, the right thumb fingerprint impression will be used for identification verification purposes only. An exact name and date of birth match will be required for dissemination of conviction information in the absence of a fingerprint card or thumbprint impression for positive identification or verification of record.

(d) After processing a properly completed request for criminal history information form, if the conviction record, disciplinary authority final decision, adjudication record, or equivalent response from a federal law enforcement agency shows no evidence of crimes against persons, an identification declaring the showing of no evidence shall be issued to the applicant by the state patrol within fourteen working days of receipt of the request. Possession of such identification shall satisfy future background check requirements for the applicant for a two-year period.

(e) The business or organization shall notify the applicant of the state patrol's response within ten calendar days after receipt by the business or organization. The employer shall provide a copy of the response to the applicant and shall notify the applicant of such availability.

(f) The business or organization shall be immune from civil liability for failure to request background information on a prospective employee or volunteer unless the failure to do so constitutes gross negligence.

AMENDATORY SECTION (Amending Order 90-003, filed 9/20/90, effective 10/21/90)

WAC 446-20-290 FEES. (1) A nonrefundable fee of ten dollars shall accompany each request for conviction records submitted pursuant to RCW 43.43.815 and (~~chapter 486, Laws of 1987~~) 43.43.830 through 43.43.845, unless through prior arrangement an account is authorized and established. Fees are to be made payable to the "Washington state patrol," and are to be remitted only by cashier's check, money order or check written on a commercial business account. The Washington state patrol identification section shall adjust the fee schedule as may be practicable to ensure that direct and indirect costs associated with the provisions of these chapters are recovered.

(2) Pursuant to provisions of RCW 43.43.838, no fees will be charged to a nonprofit organization, including school districts and educational service districts, for the request for conviction records.

AMENDATORY SECTION (Amending Order 88-03-A, filed 3/17/88)

WAC 446-20-310 AUDITS. (1) All employers or prospective employers receiving conviction records pursuant to RCW 43.43.815, shall comply with the provisions of WAC 446-20-260 through 446-20-270 relating to audit of the record keeping system.

(2) Businesses or organizations, the state board of education and the department of social and health services receiving conviction records of crimes against persons, disciplinary board final decision information or civil adjudication records pursuant to (~~chapter 486, Laws of 1987~~) RCW 43.43.830 through 43.43.845, may be subject to periodic audits by Washington state patrol personnel to determine compliance with the provisions of WAC 446-20-300(2).

AMENDATORY SECTION (Amending Order 90-003, filed 9/20/90, effective 10/21/90)

WAC 446-20-530 REFUNDABLE FEE. Agencies are to bill the Washington state patrol for the actual registration cost not to exceed thirty-two dollars for each registration which shall include photographs and fingerprints submitted pursuant to (~~section 403, chapter 3, Laws of 1990~~) RCW 9A.44.130. This fee will further ensure that direct and indirect costs at the county level associated with the provisions of this chapter are refunded by the Washington state patrol on a monthly basis upon receipt of an invoice from the county sheriff indicating the number of registrations submitted.

WSR 91-19-013
PERMANENT RULES
DEPARTMENT OF
NATURAL RESOURCES

[Order 581—Filed September 9, 1991, 9:59 a.m.]

Date of Adoption: September 5, 1991.

Purpose: To amend Order No. 561, filed May 11, 1989, which rules set minimum performance levels for

land boundary surveys and geodetic control surveys and provided guidelines for the preparation of land descriptions.

Citation of Existing Rules Affected by this Order:
Amending WAC 332-130-020 and 332-130-060.

Statutory Authority for Adoption: RCW 58.24.040(1).

Pursuant to notice filed as WSR 91-15-060 on July 19, 1991.

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

September 5, 1991

James A. Stearns

Department Supervisor

AMENDATORY SECTION (Amending Order 561, filed 5/11/89)

WAC 332-130-020 DEFINITIONS. The following definitions shall apply to this chapter:

(1) Geodetic control surveys: Surveys for the specific purpose of establishing control points for extending the National Geodetic Survey horizontal and vertical control nets, establishing plane coordinate values on boundary monuments within the requirements of the Washington coordinate system, and determining the vertical elevations of boundary monuments.

(2) GLO and BLM: The General Land Office and its successor, the Bureau of Land Management.

(3) Land boundary surveys: All surveys, whether made by individuals, entities or public bodies of whatever nature, for the specific purpose of establishing, reestablishing, laying out, subdividing, defining, locating and/or monumenting the boundary of any easement, right of way, lot, tract, or parcel of real property or which reestablishes or restores General Land Office or Bureau of Land Management survey corners.

(4) Land corner record: The record of corner information form as prescribed by the department of natural resources pursuant to chapter 58.09 RCW.

(5) Land description: A description of real property or of rights associated with real property.

(6) Land surveyor: Any person authorized to practice the profession of land surveying under the provisions of chapter 18.43 RCW.

(7) NAD83 (1991): North American Datum of 1983, adjusted in 1991.

(8) Parcel: A part or portion of real property including but not limited to GLO segregations, easements, rights of way, aliquot parts of sections or tracts.

~~((8))~~ (9) Survey Recording Act: The law as established and designated in chapter 58.09 RCW.

~~((9))~~ (10) Washington coordinate system: The system of plane coordinates as established and designated by chapter 58.20 RCW.

AMENDATORY SECTION (Amending Order 561, filed 5/11/89)

WAC 332-130-060 GEODETIC CONTROL SURVEY STANDARDS. The following standards shall apply to geodetic control surveys:

(1) The datum for the horizontal control network in Washington shall be NAD83 (1991) as officially adjusted and published by the National Geodetic Survey of the United States Department of Commerce or as established in accordance with chapter 58.20 RCW. The datum adjustment shall be identified on all documents prepared; i.e., NAD83 (1991).

(2) Horizontal and vertical control work must meet or exceed those accuracy and specification standards as published by the Federal Geodetic Control Committee, September 1984, in the bulletin titled, "Standards and Specifications for Geodetic Control Networks" or any subsequently published bulletins modifying such class standards. The class of control surveys shall be shown on documents prepared.

WSR 91-19-014
PROPOSED RULES
LIQUOR CONTROL BOARD
 [Filed September 9, 1991, 10:35 a.m.]

Original Notice.

Title of Rule: WAC 314-24-230 Private wine shippers license; 314-24-240 Conditions of delivery; and 314-24-250 Labeling requirements for private wine shippers.

Purpose: Implement to Wine Reciprocity Act of 1991 allowing the direct shipment into the state by out-of-state manufacturers of wine. Prescribing conditions for such shipments and setting forth procedures.

Statute Authority for Adoption: RCW 66.08.030.

Statute Being Implemented: Chapter 149, Laws of 1991.

Summary: Creates a class W8 license for out of state manufacturers which authorizes the shipment of up to two cases of wine per annum to any resident who is over 21. Sets for [forth] conditions for delivery and labeling of shipping containers.

Reasons Supporting Proposal: Implement chapter 149, Laws of 1991 in an orderly manner.

Name of Agency Personnel Responsible for Drafting: Janice Lee Britt, 1025 East Union, Olympia, 586-6701; Implementation and Enforcement: Gary W. Gilbert, 1025 East Union, Olympia, 586-3052.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: The adoption of the three rules will allow for the orderly and controlled implementation of chapter 149, Laws of 1991 commonly known as the Wine Reciprocity Act of 1991. The rules set forth criteria for delivery, specifications for labels on shipping containers and create a new class of license allowing the direct shipment of wine into the state without payment of taxes normally assessed to such products.

Proposal does not change existing rules.

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

Hearing Location: Liquor Control Board Conference Room, Fifth Floor, Capital Plaza Building, 1025 East Union, Olympia, WA 98504, on October 23, 1991, at 9:30 a.m.

Submit Written Comments to: M. Carter Mitchell, PIO, 1025 East Union, Olympia, WA 98504, by October 22, 1991.

Date of Intended Adoption: October 23, 1991.

September 9, 1991

Paula O'Connor
 Chairman

NEW SECTION

WAC 314-24-230 CLASS W8 - PRIVATE WINE SHIPPER'S LICENSE. There shall be a license, designated as a class W8 license, to authorize the licensee to ship up to two (2) cases of wine annually to any resident of the state of Washington who is over the age of twenty-one (21) years without payment of Washington's state liquor taxes and markup. The fee for such license shall be \$25 annually.

(1) Wine received as authorized by this rule shall be free of markup and state taxes as otherwise required by RCW 66.12.120 if the state from which the wine is received allows its residents to receive wine from the state of Washington without imposition of state tax, markup, or charges.

(2) All holders of a winery certificate of approval designated as a W7 license as authorized by RCW 66.24.206 and WAC 314-22-010, shall be deemed to hold class W8 license privileges without further application or payment of fee, PROVIDED, the holder meets all legal requirements for private wine shipments.

(3) A wine manufacturer located outside the state of Washington which is licensed by its resident state to manufacture wine therein may apply for a class W8 license from the board, if the manufacturer's resident state allows Washington wineries licensed under RCW 66.24.170 an equal reciprocal shipping privilege.

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

NEW SECTION

WAC 314-24-240 CONDITIONS ON DELIVERY (1) No person who receives wine pursuant to this rule shall resell any of the wine received.

(2) The licensee may not advertise or solicit consumers within the state of Washington to engage in reciprocal wine shipments.

(3) It is the responsibility of the licensee to contract only with private carriers who employ delivery agents and will (a) verify the age of the receiver of the wine upon delivery and (b) verify that the receiver of the wine does not appear intoxicated at the time of delivery. Whomever serves as a delivery agent for a private carrier delivering wine, will require the person who receives the wine to sign for it and will verify that the person who receives any wine shipment is at least 21 years of age. The private carrier will forward the signature record to the licensee who shall keep the signature record and any proof of age information on file for two years. Whenever the licensee or its delivery agent is unable to determine the age or identity of the person receiving the wine, the wine will be returned to the licensee after reasonable delivery attempts have been made. If the licensee or its delivery agent believe the person available to receive the wine appears intoxicated, the wine shall not be delivered, and will be returned to the licensee after reasonable delivery attempts have been made.

(4) The licensee will report to the board, on or before the thirtieth day of January of each year all such shipments into Washington when a class W8 license has been in effect for all or any portion of the preceding year. All such reports will be on forms prescribed by the board.

(5) The board may suspend or revoke any wine shipper's W8 license if the licensee fails to comply with all requirements of Title 66 RCW and WAC 314-24 or any rules of the board.

Reviser's note: The spelling errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 314-24-250 LABELING REQUIREMENTS FOR W8 PRIVATE WINE SHIPPERS. (1) All holders of a class W8 Private Wine Shipper's License shall label all wine cases or outside shipping packages with the following language in print of not less than 10 point type: "ALCOHOLIC BEVERAGE. ANY DELIVERY TO ANYONE UNDER 21 YEARS OLD OR WHO IS APPARENTLY INTOXICATED IS A CRIMINAL OFFENSE PUNISHABLE BY A FINE OF UP TO FIVE HUNDRED DOLLARS. IF REASONABLE DOUBT OF AGE EXISTS, VERIFY AGE AND RECORD DRIVER'S LICENSE NUMBER (OR OTHER ACCEPTABLE PHOTO ID NUMBER)."

(2) The language required in section (1) must be clearly visible and readable at the time of delivery.

WSR 91-19-015**NOTICE OF PUBLIC MEETINGS
HARDWOODS COMMISSION**

[Memorandum—September 9, 1991]

There will be a meeting of the Washington State Hardwoods Commission on September 26, 1991, beginning at 10 a.m. until completed, at the O'Brien Building Briefing Room.

WSR 91-19-016**PROPOSED RULES****CENTRAL WASHINGTON UNIVERSITY**

[Filed September 9, 1991, 2:04 p.m.]

Original Notice.

Title of Rule: Practice and procedure; Organization—Operation—Information; Rules coordinator; Loss of eligibility—Student athletic participation; and Public records.

Purpose: WAC 106-08-010 to adopt model rules of procedure; WAC 106-08-020 to designate presiding officer for adjudicative proceeding; WAC 106-08-030 to require how an application for an adjudicative proceeding shall be made; WAC 106-08-040 to require that adjudicative proceedings to open to the public, with few exceptions; WAC 106-08-050 to explain when brief adjudicative procedures shall be used; WAC 106-08-060 to regulate when discovery may be permitted in adjudicative proceedings; WAC 106-08-070 to regulate the method of recording proceedings; WAC 106-08-080 to limit the use of cameras and recording devices used in closed proceedings; WAC 106-08-100 to designate by whom a disposition of a stay for effectiveness shall be made; WAC 106-08-120 to designate to whom the initial orders from an adjudicative proceeding shall be sent; WAC 106-20-100 to briefly the organization and operation of Central Washington University; WAC 106-50-100 to provide the address of the rules coordinator for Central Washington University; WAC 106-122-100 to prohibit misuse of legend drugs by student athletes through suspension; and WAC 106-276-230 to require that a document index be available to the public by request to the public records officer.

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

Statute Being Implemented: WAC 106-08-010 is RCW 34.05.250; WAC 106-08-020 is RCW 34.05.425; WAC 106-08-030 is RCW 34.05.413(3); WAC 106-08-040 is RCW 34.05.449(5); WAC 106-08-050 is RCW 34.05.485; WAC 106-08-060 is RCW 34.05.446(3); WAC 106-08-070 is RCW 34.05.449(4); WAC 106-08-080 is RCW 34.05.220 (1)(a); WAC 106-08-100 is RCW 34.05.467; WAC 106-08-120 is RCW 34.05.461 [(1)](c); WAC 106-20-100 is RCW 34.05.220 (1)(b); WAC 106-50-100 is RCW 34.05.310(3); WAC 106-122-100 is RCW 69.41.340; and WAC 106-276-230 is RCW 42.17.260.

Summary: WAC 106-08-010, the model rules of procedure adopted by the chief administrative law judge are adopted by Central Washington University. The rules are found in chapter 10-08 WAC, required by RCW 34.05.250; WAC 106-08-020, the president or designee shall designate a presiding officer for an adjudicative proceeding, required by RCW 34.05.425; WAC 106-08-030, an application for an adjudicative proceeding shall be in writing. Application forms are available at Bouillon 208H and need to be submitted to the above address within 20 days of the agency action giving rise to the application, unless otherwise provided for by statute or rule, suggested by RCW 34.05.413(3); WAC 106-08-040, all adjudicative proceedings shall be open to the public, with the exception of student, faculty, and administrative exempt disciplinary proceedings unless the subject of the proceedings chooses an open proceeding, required by RCW 34.05.449(5); WAC 106-08-050, brief adjudicative procedures shall be used in all matters related to: Certain appeals from residency classifications, student conduct or disciplinary proceedings, challenges to contents of education records or denial of access, challenges to the transferability of such records, parking violations, outstanding debts owed by students or employees, loss of eligibility in student-sponsored athletic events, required by RCW 34.05.485; WAC 106-08-060, discovery in adjudicative proceedings may be permitted at the discretion of the presiding officer who shall reference the civil rules of procedure. The presiding officer shall have the power to control the frequency and nature of the discovery permitted and to order discovery conferences to discuss discovery issues, required by RCW 34.05.446(3); WAC 106-08-070, proceedings shall be recorded by a method determined by the presiding officer, among those available pursuant to the rules of procedure in WAC 10-08-170, required by RCW 34.05.449(4); WAC 106-08-080, no cameras or recording devices shall be allowed in those parts of the proceedings which the presiding officer has determined are closed, with the exception of the official method of recording, allowed by RCW 34.05.220 (1)(a); WAC 106-08-100, disposition of a petition for stay of effectiveness of a final order shall be made by the official, officer, or body of officers who entered the final order, required by RCW 34.05.467; WAC 106-08-120, initial orders prepared in compliance with RCW 34.05.461 shall be transmitted to the president, who in turn shall enter a final order after considering the record and evidence; WAC 106-20-100, CWU is a public institution of higher education governed by a board of trustees. (b)

Provides the address and hours of Central Washington University, along with the location of the other education operations, required by RCW 34.05.220 (1)(b); WAC 106-50-100, the rules coordinator for this institution shall have an office located at Central Washington University, Ellensburg, Washington 98926, required by RCW 34.05.310(3); WAC 106-122-100, student athletes who have been convicted of violating chapter 69.41 RCW (legend drugs), shall be immediately suspended from participation in school-sponsored athletic events, required by RCW 69.41.340; and WAC 106-276-230, an index of all documents required to be indexed shall be maintained at the office of business services and contracts, made available to the public by the public records officer, required by RCW 42.17.260.

Reasons Supporting Proposal: [No Information Supplied by Agency.]

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jerry L. Jones, Special Assistant to the President, Central Washington University, Executive Offices, Ellensburg, Washington 98926, 453-2111 scan.

Name of Proponent: Central Washington University, public.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 106-08-010, rule explains that Central Washington University is adopting the model rules of procedure which the chief administrative law judge has adopted. The rule further explains that these rules of procedure can be found in chapter 10-08 WAC, purpose - to inform individuals of the rules of procedure, effect - to achieve the purpose stated above; WAC 106-08-020, rule explains that president or designee shall designate a presiding officer for an adjudicative proceeding and then outlines the required qualifications for that officer; WAC 106-08-030, rule stipulates how an application for adjudicative proceeding is to be made, purpose - to require a specific application process, effect - to achieve the purpose stated above; WAC 106-08-040, rule requires that all adjudicative proceedings shall be open to the public. The exceptions include student, faculty, and administrative exempt disciplinary proceedings, unless the subject chooses an open proceeding, purpose - to require open adjudicative proceedings, effect - to achieve the purpose stated above; WAC 106-08-050, rule explains what brief adjudicative procedures shall be used in specific circumstances (as previously mentioned), purpose - to inform individuals of the brief adjudicative procedures, effect - to achieve the purpose stated above; WAC 106-08-060, rule requires that discovery in adjudicative proceedings is at the discretion of the presiding officer. The rule further explains that the presiding officer will make reference to the civil rules of procedure, purpose - to regulate discovery in adjudicative proceedings, effect - to achieve the purpose stated above; WAC 106-08-070, rule regulated how proceedings shall be recorded, purpose - same as above, effect - to achieve the purpose stated above; WAC 106-08-080, rule prohibits cameras and recording devices from being allowed in the parts of proceedings which the presiding officer has determined

shall be closed, purpose - to ensure confidentiality, effect - to prohibit cameras/recording devices in closed proceedings and to ensure confidentiality; WAC 106-08-100, rule requires that disposition of a petition for stay of effectiveness of a final order be made by the official, officer, or body of officers who entered the final order, purpose - to require specific individuals to make the disposition of petitions for stay of effectiveness of a final order, effect - to achieve the purpose mentioned above; WAC 106-08-120, rule requires that initial orders prepared in compliance with RCW 34.05.461 shall be transmitted to the president, who in turn shall enter a final order after considering the record and evidence, purpose - to regulate the transmittal of initial orders entered after an adjudicative proceeding, effect - to achieve the purpose stated above; WAC 106-20-100, rule explains the organization and operation of Central Washington University, and provides addresses of the other educational operations under authority of Central Washington University. It also provides an address from which a catalog containing detailed educational offerings may be obtained, purpose - same as above, effect - to achieve the purpose stated above; WAC 106-50-100, rule will provide the address of the rules coordinator for Central Washington University, purpose - to make the address of the rules coordinator readily available to interested parties, effect - to achieve the purpose stated above; WAC 106-122-100, rule requires immediate suspension of any student who is convicted of violating chapter 69.41 RCW (legend drugs) from participation in school sponsored athletic events. The director of athletics shall do the suspending, as well as determine the period of such suspension, after a brief adjudicative proceeding which shall be commenced within 20 days of the suspension, purpose - to prohibit the misuse of legend drugs by student athletes, effect - to achieve the purpose stated above; and WAC 106-276-230, rule requires that an index of documents be maintained at the office of business services and contracts and that the public has access to the index through the public records officer, purpose - to require document availability to the public, effect - to achieve the purpose stated above.

Proposal does not change existing rules.

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

Hearing Location: Student Union Building (SUB) 103, on October 24, 1991, at 10 a.m.

Submit Written Comments to: Judy Miller, Executive Offices, Central Washington University, Ellensburg, Washington 98926, by October 18, 1991.

Date of Intended Adoption: October 24, 1991.

September 4, 1991

Donald L. Garrity
President

AMENDATORY SECTION (Amending Order 3244, filed 12/8/71)

WAC 106-08-010 ((APPEARANCE AND PRACTICE BEFORE AGENCY)) ADOPTION OF MODEL RULES OF PROCEDURE. ((No person may appear in a representative capacity before the agency other than the following:

(1) Attorneys at law duly qualified and entitled to practice before the supreme court of the state of Washington:

(2) ~~Attorneys at law duly qualified and entitled to practice before the highest court of record of any other state, if the attorneys at law of the state of Washington are permitted to appear in a representative capacity before administrative agencies of such other state, and if not otherwise prohibited by our state law.~~

(3) ~~Persons otherwise qualified as possessing the requisite skill to appear and expertly represent others who have applied to the agency and have been duly authorized by the agency to appear in a representative capacity before the agency.~~

(4) ~~A bona fide officer, partner, or full-time employee of an individual firm, association, partnership, or corporation who appears for such individual firm, association, partnership or corporation.)~~ The model rules of procedure adopted by the chief administrative law judge pursuant to RCW 34.05.250, as now or hereafter amended, are hereby adopted for use at this institution. Those rules may be found in chapter 10-08 WAC. Other procedural rules adopted in this title are supplementary to the model rules of procedure. In the case of a conflict between the model rules of procedure and procedural rules adopted in this title, the procedural rules adopted by this institution shall govern. Rules adopted at this institution prior to July 1, 1989, remain in full force and effect unless specifically repealed or amended.

NEW SECTION

WAC 106-08-020 APPOINTMENT OF PRESIDING OFFICERS. The president or president's designee shall designate a presiding officer for an adjudicative proceeding. The presiding officer shall be an administrative law judge, a member in good standing of the Washington State Bar Association, a panel of individuals, the president or his or her designee, or any combination of the above. Where more than one individual is designated to be the presiding officer, one person shall be designated by the president or president's designee to make decisions concerning discovery, closure, means of recording adjudicative proceedings, and similar matters.

NEW SECTION

WAC 106-08-030 APPLICATION FOR ADJUDICATIVE PROCEEDING. An application for an adjudicative proceeding shall be in writing. Application forms are available at the following address:

Business Office
Central Washington University
Ellensburg, WA 98926

Written application for an adjudicative proceeding should be submitted to the above address within twenty days of the agency action giving rise to the application, unless provided for otherwise by statute or rule.

NEW SECTION

WAC 106-08-040 ADJUDICATIVE PROCEEDINGS OPEN. All adjudicative proceedings shall be open to the public, with the exception of student, faculty, and administrative exempt disciplinary proceedings unless the subject of the proceedings chooses an open proceeding.

NEW SECTION

WAC 106-08-050 BRIEF ADJUDICATIVE PROCEDURES. This rule is adopted in accordance with RCW 34.05.482 through 34.05.494, the provisions of which are hereby adopted. Brief adjudicative procedures shall be used in all matters related to:

- (1) Residency determinations made pursuant to RCW 28B.15.013, conducted by the admissions office;
- (2) Challenges to contents of education records;
- (3) Student conduct proceedings. The procedural rules in chapter 106-120 WAC apply to these proceedings;
- (4) Parking violations. The procedural rules in chapter 106-116 WAC apply to these proceedings;
- (5) Outstanding debts owed by students or employees;
- (6) Loss of eligibility for participation in institution-sponsored athletic events, pursuant to chapter 106-122 WAC.

NEW SECTION

WAC 106-08-060 DISCOVERY IN ADJUDICATIVE PROCEEDINGS. Discovery in adjudicative proceedings may be permitted at the discretion of the presiding officer. In permitting discovery, the

presiding officer shall make reference to the civil rules of procedure. The presiding officer shall have the power to control the frequency and nature of discovery permitted, and to order discovery conferences to discuss discovery issues.

NEW SECTION

WAC 106-08-070 METHOD OF RECORDING. Proceedings shall be recorded by a method determined by the presiding officer, among those available pursuant to the model rules of procedure in WAC 10-08-170.

AMENDATORY SECTION (Amending Order 39, filed 7/11/78)

WAC 106-08-080 ~~((NOTICE AND OPPORTUNITY FOR HEARING IN CONTESTED CASES))~~ RECORDING DEVICES. ~~((In any contested case, all parties shall be served with a notice at least ten days before the date set for the hearing. The notice shall be signed by the president of Central Washington University or his designee and shall state the time, place, and issues involved, as required by RCW 28B.19.120.))~~ No cameras or recording devices shall be allowed in those parts of proceedings which the presiding officer has determined shall be closed pursuant to WAC 106-08-040, except for the method of official recording selected by the institution.

AMENDATORY SECTION (Amending Order 3244, filed 12/8/71)

WAC 106-08-100 ~~((SERVICE OF PROCESS UPON WHOM SERVED))~~ PETITIONS FOR STAY OF EFFECTIVENESS. ~~((All papers served by either the agency or any party shall be served upon all counsel of record at the time of such filing and upon parties not represented by counsel or upon their agents designated by them or by law. Any counsel entering an appearance subsequent to the initiation of the proceeding shall notify all other counsel then of record and all parties not represented by counsel of such fact.))~~ Disposition of a petition for stay of effectiveness of a final order shall be made by the official, officer, or body of officers, who entered the final order.

AMENDATORY SECTION (Amending Order 3244, filed 12/8/71)

WAC 106-08-120 ~~((SERVICE OF PROCESS METHOD OF SERVICE))~~ TRANSMITTAL OF INITIAL ORDERS. ~~((Service of papers shall be made personally or, unless otherwise provided by law, by first-class, registered, or certified mail, or by telegraph.))~~ Initial orders prepared in compliance with RCW 34.05.461 shall be transmitted to the president, who in turn shall enter a final order after considering the record and evidence.

Chapter 106-20 WAC ORGANIZATION

NEW SECTION

WAC 106-20-100 ORGANIZATION—OPERATION—INFORMATION. (1) Organization. Central Washington University is established in Title 28B RCW as a public institution of higher education. The institution is governed by a seven-member board of trustees, appointed by the governor. The board employs a president, who acts as the chief executive officer of the institution. The president establishes the structure of the administration.

(2) Operation. The administration office is located at the following address:

Business Office
Central Washington University
Ellensburg, WA 98926

The office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. Educational operations are also located at the following addresses:

Lynnwood CWU Center
20000 68th Avenue West
Lynnwood, WA 98036

South Seattle CWU Center
6000 16th Avenue SW
Seattle, WA 98106

Steilacoom CWU Center
9401 Farwest Drive SW
Tacoma, WA 98498

Yakima CWU Center
P.O. Box 1647
16th Avenue and Nob Hill Blvd
Yakima, WA 98907

(3) Information. Additional and detailed information concerning the educational offerings may be obtained from the catalog, copies of which are available at the following address:

Admissions Office
Central Washington University
Ellensburg, WA 98926

Chapter 106-50 WAC
RULES COORDINATOR

NEW SECTION

WAC 106-50-100 ADDRESS OF RULES COORDINATOR. The rules coordinator for this institution shall have an office in the following location:

President's Office
Central Washington University
Ellensburg, WA 98926

The office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays.

Chapter 106-122 WAC
LOSS OF ELIGIBILITY—STUDENT ATHLETIC PARTICIPATION

NEW SECTION

WAC 106-122-100 IMMEDIATE SUSPENSION. Student athletes found to have violated chapter 69.41 RCW (Legend drugs—Prescription drugs) shall, upon conviction, be immediately suspended from participation in school-sponsored athletic events by the director of athletics. The period of loss of eligibility to participate will be determined by the director of athletics at the conclusion of a brief adjudicative hearing, to be commenced within twenty days of the suspension.

NEW SECTION

WAC 106-276-230 DOCUMENT INDEX. An index of all documents required to be indexed by RCW 42.17.260 shall be maintained at the office of business services and contracts, second floor, Mitchell Hall. The index shall be accessible to the public by request to the public records officer at the above office during normal working hours.

WSR 91-19-017
PROPOSED RULES
CENTRAL WASHINGTON UNIVERSITY
[Filed September 9, 1991, 2:23 p.m.]

Original Notice.

Title of Rule: Parking and traffic regulations—Speed limit on malls and service drives.

Purpose: Establish more reasonable and enforceable speed limit for vehicular and bicycle traffic.

Statutory Authority for Adoption: RCW 28B.19.050 and 28B.40.120.

Summary: Change speed limit on malls and service drives to 10 m.p.h.

Reasons Supporting Proposal: Moderate increase in speed limit from 5 to 10 m.p.h. is more reasonable for all traffic and allows campus safety personnel to monitor violators.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Acting Chief Steve Rittereiser, Campus Safety, Central Washington University, Ellensburg, Washington 98926, 453-2958 scan.

Name of Proponent: Acting Chief Steve Rittereiser, public.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Proposed changes will enable campus safety personnel to protect pedestrians from vehicular and bicycle speed violators, see Purpose, Summary, and Reasons Supporting Proposal above.

Proposal Changes the Following Existing Rules: Increase speed limit on malls and service drives from 5 to 10 m.p.h.

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

Hearing Location: Student Union Building (SUB) 103, on October 23, 1991, at 10 a.m.

Submit Written Comments to: Judy Miller, Executive Offices, Central Washington University, by October 18, 1991.

Date of Intended Adoption: October 23, 1991.

September 4, 1991

Donald L. Garrity

President

AMENDATORY SECTION (Amending Order 55, filed 4/2/84)

WAC 106-116-501 BASIC SPEED LIMIT. The speed limit on the university owned streets shall be as posted except:

- (1) The speed limit in the parking areas is 15 m.p.h.
- (2) No person shall operate a motor vehicle on the campus at a speed greater than is reasonable and prudent for existing conditions.
- (3) The speed limit on malls and service drives is ((5)) 10 m.p.h.

AMENDATORY SECTION (Amending Order 63, filed 5/18/88)

WAC 106-116-901 BICYCLE PARKING AND TRAFFIC REGULATIONS. (1) The primary aim of the bicycle control program is safety, and this aim will be achieved by keeping bicycles out of buildings, away from building exits, and parking them off paths and sidewalks. Bicycles must never be parked in stairwells, hallways, or any place which will be a safety hazard or hinder exit from buildings.

(2) Bicycles must be parked in racks. At times, rack space may not be available and parking near the racks is permitted provided the parked bicycles do not interfere with pedestrian traffic.

(3) The following specific regulations must be observed while operating bicycles on campus:

- (a) Do not ride bicycles inside buildings at any time.
- (b) Do not lean or park bicycles near or against windows.
- (c) Pedestrians have the right of way on all malls and sidewalk areas of the university. At all times and places of congested pedestrian traffic, the bicycle rider must go slowly and yield to pedestrians. A violation of this provision shall constitute a moving violation and shall be referred directly to the court of the judge of the Lower Kittitas County district court.

(d) Bicyclists must observe the ((5)) 10 m.p.h. speed limits on malls and service drives.

(e) Bicyclists must ride in designated lanes where they exist.

(4) Impoundment policy:

(a) Bicycles parked on paths, sidewalks, in buildings or near building exits may be impounded, except in areas adjacent to residence halls, or as otherwise permitted and designated by the director of housing as bike storage rooms. Bicycles left over 72 hours may be impounded.

(b) Impounded bicycles will be stored in a location determined by the chief of campus safety. Bicycles will be released at specific times and upon presentation of proof of ownership. Owners of impounded

bicycles, if identifiable, will be notified immediately upon impoundment and must reclaim the bicycle within seven days.

(c) Abandoned, lost or found bicycles that have been impounded shall be subject to sale in accordance with the laws of the state of Washington.

WSR 91-19-018
PERMANENT RULES
CLARK COLLEGE

[Filed September 9, 1991, 2:27 p.m.]

Date of Adoption: August 28, 1991.

Purpose: Repeal.

Citation of Existing Rules Affected by this Order:
 Repealing chapter 132N-168 WAC.

Statutory Authority for Adoption: Chapters 28B.50 and 28B.10 RCW.

Pursuant to notice filed as WSR 91-15-072 on July 23, 1991.

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

August 29, 1991

Earl P. Johnson
 President

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 132N-168-010 BOARD POLICY STATEMENT—SUSPENDED OPERATIONS—CIVIL SERVICE EMPLOYEES.

WAC 132N-168-020 ADMINISTRATIVE PROCEDURES—SUSPENDED OPERATIONS—CIVIL SERVICE EMPLOYEES.

WSR 91-19-019
PROPOSED RULES
DEPARTMENT OF HEALTH
(Board of Nursing)

[Filed September 9, 1991, 2:50 p.m.]

Original Notice.

Title of Rule: WAC 246-839-020 Documents which indicate authorization to practice registered nursing in Washington; 246-839-030 Qualification/eligibility to write the licensing examination; 246-839-060 Release of results of examination; 246-839-080 Applicants previously licensed in a foreign country; 246-839-090 Licensure by interstate endorsement; 246-839-100 AIDS education and training; 246-839-110 Renewal of licenses; 246-839-120 Return to active status from inactive or lapsed status; 246-839-310 Use of nomenclature; 246-839-320 Certification and certification program; 246-839-330 Board approval of certification programs; 246-839-340 Application requirements for ARNP; 246-839-350 Application requirements for ARNP interim permit; 246-839-360 Renewal of ARNP designation; 246-839-370 Termination of ARNP designation by the board; 246-839-410 Application requirements for ARNP with prescriptive authority; 246-839-430 Termination of

ARNP prescriptive authorization; 246-839-440 Prescriptive authorization period; 246-839-450 Renewal; 246-839-525 Approval of nursing education programs; 246-839-530 Denial, conditional approval or withdrawal of approval; 246-839-535 Reinstatement of approval; 246-839-540 Appeal of board decisions; 246-839-545 Closing of an approved nursing education program; 246-839-565 Students in approved nursing education programs; 246-839-700 Standards of nursing conduct or practice; 246-839-710 Violations of standards of nursing conduct or practice; 246-839-730 Mandatory reporting defined; 246-839-740 Violations considered for disciplinary purposes only; 246-839-760 Terms used in WAC 246-839-750 through 246-839-780; 246-839-830 Determination and pronouncement of death; 246-839-840 Nursing technician; 246-839-850 Use of nomenclature; 246-839-890 Responsibilities of the employing facility; 246-841-400 Standards of practice and competencies of nursing assistants; 246-841-410 Purpose of review and approval of certified nursing assistant training programs; 246-841-430 Denial of approval or withdrawal of approval for programs for which the board is the approving authority; 246-841-440 Reinstatement of approval; 246-841-470 Program directors and instructors in approved training programs; 246-841-490 Core curriculum in approved training programs; 246-842-100 Standards of practice and competencies of nursing assistants; 246-842-130 Denial of approval or withdrawal of approval for programs for which the board is the approving authority; 246-842-140 Reinstatement of approval; 246-842-170 Program directors and instructors in approved training programs; and 246-842-190 Core curriculum in approved training programs.

Purpose: Housekeeping changes to correct rules numbering for consistency throughout chapter. No change in meanings.

Statutory Authority for Adoption: WAC 246-839-020, 246-839-030, 246-839-060, 246-839-080, 246-839-090, 246-839-110, 246-839-120, 246-839-310, 246-839-320, 246-839-330, 246-839-340, 246-839-350, 246-839-360, 246-839-410, 246-839-430, 246-839-440, 246-839-450, 246-839-525, 246-839-530, 246-839-535, 246-839-540, 246-839-545, 246-839-565, 246-839-830, 246-839-840, 246-839-850 and 246-839-890 is RCW 18.88.080; WAC 246-839-100 is RCW 18.88.080 and 70.24.270; WAC 246-839-370, 246-839-700, 246-839-710, 246-839-740 and 246-839-760 is RCW 18.88.080 and 18.130.050; WAC 246-839-730 is RCW 18.88.080, 18.130.050 and 18.130.020; WAC 246-841-400, 246-841-410, 246-841-430, 246-841-440, 246-841-470, 246-841-490 is RCW 18.88A.060; and WAC 246-842-100, 246-842-130, 246-842-140, 246-842-170 and 246-842-190 is chapter 18.52A RCW.

Statute Being Implemented: Chapters 18.88 and 18.130 RCW, and RCW 70.24.270.

Summary: Changes numbers cited for WAC's in internal references (within the narrative) in the chapter. No change in meaning or intent.

Reasons Supporting Proposal: Clarity.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Patricia O. Brown, RN, MSN, 1300 Quince, EY-27, Olympia (206) 753-2686.

Name of Proponent: Washington State Board of Nursing, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Housekeeping renumbering for purpose of clarity.

Proposal Changes the Following Existing Rules: Housekeeping changes only. No changes in meaning or intent.

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

Hearing Location: Shilo Inn, East 923 Third Avenue, Spokane, WA 99202, on October 25, 1991, at 1:00 p.m.

Submit Written Comments to: Patricia O. Brown, Board of Nursing, 1300 Quince, WY-27 [EY-27], Olympia, WA 98388 [98504], by October 18, 1991.

Date of Intended Adoption: October 25, 1991.

August 16, 1991

Patricia O. Brown, RN, MSN
Executive Secretary

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-020 DOCUMENTS WHICH INDICATE AUTHORIZATION TO PRACTICE REGISTERED NURSING IN WASHINGTON. The following documents are the only documents that indicate legal authorization to practice as a registered nurse in Washington.

(1) Active license. A license is issued upon completion of all requirements for licensure - confers the right to use the title registered nurse and the use of its abbreviation, R.N. and to practice as a registered nurse in the state of Washington.

(2) Inactive license. A license issued to a person previously holding an active license in this state who desires to retire temporarily from the practice of nursing in this state.

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

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

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

(c) The interim permit authorizes the holder to perform functions of registered nursing as described in chapter 18.88 RCW. It is in violation of the law regulating the practice of registered nursing to use the title "registered nurse." The title "interim permit nurse" or "graduate nurse" may be used.

(4) Limited educational license. A limited educational license may be issued to a person who has been on nonpracticing status for three years or more and who wishes to return to active status (see WAC ((308-120-185)) 246-839-120).

(5) Advanced registered nurse practitioner (ARNP) recognition document. An ARNP recognition document may be issued to any person who meets the requirements of the board as contained in WAC ((308-120-300)) 246-839-300. Only persons holding this recognition document shall have the right to use the title "advanced registered nurse practitioner" or the abbreviation "ARNP" or any title or abbreviation which may indicate that the person is entitled to practice at an advanced and specialized level as a nurse practitioner, a specialized nurse practitioner, a nurse midwife, or a nurse anesthetist. This document authorizes the ARNP to engage in the scope of practice allowed for his or her specialty area and is valid only with a current registered nurse license.

(6) ARNP interim permit. An interim permit may be issued following satisfactory completion of an advanced formal education program, registration for the first certification examination of an approved program following completion of the education and filing of an application, fee and requested documentation. If the applicant passes the examination the department shall grant advanced registered nurse practitioner status. If the applicant fails the examination, the interim permit shall expire upon notification and is not renewable.

(7) ARNP prescriptive authorization. A notation of prescriptive authorization may be placed on the ARNP recognition document issued to any person who meets the requirements of the board as contained in WAC ((308-120-410)) 246-839-410. This authorizes the ARNP to prescribe legend drugs within his or her scope of practice and is valid only with a current registered nurse license.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-030 QUALIFICATION/ELIGIBILITY TO WRITE THE LICENSING EXAMINATION. (1) Graduates from Washington state board approved schools of nursing holding a degree/diploma from such a school shall be eligible to write the examination provided all other requirements are met.

(2) Graduates from a nursing school approved by a board of nursing in another U.S. jurisdiction shall be eligible to write the examination provided that:

(a) The nursing school meets the minimum standards approved for state board school of nursing in Washington at the time of the applicant's graduation;

(b) Graduate holds a degree/diploma from the approved school of nursing;

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

(3) An interim permit ((~~WAC 308-120-170(2))~~) (WAC 246-839-020(3)) and a notice of eligibility for admission to the licensing examination may be issued to all new graduates from board approved schools of nursing after filing of a completed application, payment of the application fee, and official notification from the school certifying that the individual has successfully completed all requirements for the diploma/degree. The results of the licensing examination will not be released until the candidate's official transcript is on file with the board.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-060 RELEASE OF RESULTS OF EXAMINATION. (1) Candidates shall be notified regarding the examination results by mail only.

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

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

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

(5) The candidate's examination results will be maintained in his/her application file in the division of professional licensing services, department of ((licensing)) health.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-080 APPLICANTS PREVIOUSLY LICENSED IN A FOREIGN COUNTRY. (1) Applicants for licensure educated in a country outside the United States or its territories shall meet the following requirements for licensure:

(a) Satisfactory completion of a basic nursing education program approved in the country of original licensure.

(i) The nursing education program shall be equivalent to the minimum standards prevailing for state board approved schools of nursing in Washington at the time of graduation.

(ii) Any deficiencies in the nursing program (theory and clinical practice in medical, psychiatric, obstetric, surgical and pediatric nursing) shall be satisfactorily completed in a state board approved school of nursing.

(b) Satisfactory passage of the screening examination for foreign nurses. As of May 1, 1981, all applicants from countries outside the United States, and never before licensed in one of the United States jurisdictions shall have passed the commission on graduates of foreign nursing schools (CGFNS) qualifying examination.

(c) Applicants licensed under the laws of a country outside the United States or its territories shall be required to take the current series of the National Council of State Boards of Nursing Registered Nurse Examination (NCLEX) as provided in WAC ~~((308-120-163))~~ 246-839-050: PROVIDED, That those persons meeting the requirements of WAC ~~((308-120-168))~~ 246-839-090(2) are exempt from this requirement.

(d) All other requirements of the statute and regulation shall be met.

(2) Applicants for examination shall:

(a) File with the board of nursing a completed notarized license application with the required fee prior to May 1 for the July examination and prior to December 1 for the February examination.

(b) Request the school of nursing to submit an official transcript directly to the division of professional licensing.

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

(d) ~~((Effective January 1, 1989,))~~ Persons applying for licensure shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of WAC ~~((308-120-610))~~ 246-839-100.

(e) Request the licensing agency in the country of original license to submit evidence of licensure.

(f) Submit a notarized copy of the certificate issued by the CGFNS.

(g) If the applicant's original documents (education and licensing) are on file in another state or with the CGFNS, the applicant may request that the state board or the CGFNS send notarized copies in lieu of the originals.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-090 LICENSURE BY INTERSTATE ENDORSEMENT. (1) A license to practice as a registered nurse in Washington may be issued without examination provided the applicant meets all of the following requirements:

(a) The applicant has graduated and holds a degree/diploma from a state board approved school of nursing preparing candidates for licensure as a registered nurse provided such nursing program is equivalent to the minimum nursing educational standards prevailing for state board approved schools of nursing in Washington at the time of the applicant's graduation.

(i) Applicants who were licensed prior to January 1, 1953, shall have scored at least 75% on the state board examination in the state of original licensure.

(ii) Applicants licensed after January 1, 1953, but before June 1, 1982, shall have passed the state board test pool examination for registered nurse licensure with a minimum standard score of 350 in each test.

(iii) Applicants licensed after July 1, 1982, shall have passed with a minimum standard score of 1600 for the total examination.

(b) The applicant holds a valid current license to practice as a registered nurse in another state or territory.

(c) The applicant complies with the education requirements of WAC ~~((308-120-610))~~ 246-839-100.

(d) The application shall be completed and notarized, the fee must be filed with the application. The fee is not refundable. A notarized copy of a valid current license shall be filed with the application.

(e) Verification of licensure by examination shall be obtained from the state or territory of original licensure. Any fee for verification required by the state or territory of original license shall be paid by the applicant.

(2) Applicants from countries outside the United States who were granted a license in another United States jurisdiction or territory prior to December 31, 1971, and who were not required to pass the state board test pool examination shall meet the following requirements:

(a) The nursing education program shall meet the minimum approved standards prevailing for schools of nursing in Washington at the time of the applicant's graduation.

(b) The applicant holds a valid current license to practice as a registered nurse in another United States jurisdiction or territory.

(c) The applicant shall submit to the board:

(i) A complete notarized application. The nonrefundable fee must be filed with the application.

(ii) Verification of original licensure obtained in the United States jurisdiction or territory.

(iii) Notarized copies of educational preparation and licensure by examination submitted directly from the country of original licensure or from the state board or territory of original United States licensure.

(iv) Verification of current nursing practice for three years prior to application for Washington licensure.

(v) Evidence to show compliance with the education requirements of WAC ~~((308-120-610))~~ 246-839-100.

(d) The applicant shall meet all requirements of chapter 18.88 RCW and regulations of the board.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-100 AIDS EDUCATION AND TRAINING. (1) Acceptable education and training. ~~((Effective January 1, 1989,))~~ The board will accept education and training that is consistent with the model curriculum available from the office on AIDS. Such education and training shall be a minimum of seven hours and shall include, but is not limited to, the following: Etiology and epidemiology; testing and counseling; infection control guidelines; clinical manifestations and treatment; legal and ethical issues to include confidentiality; and psychosocial issues to include special population considerations.

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

(3) Documentation. The licensee shall:

(a) Certify, on forms provided, that the minimum education and training has been completed after January 1, 1987, and before renewal date;

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

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

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-110 RENEWAL OF LICENSES. (1) The license renewal date shall coincide with the licensee's birthdate.

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

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

(2) Licensees may renew their licenses, at the current renewal fee rate.

(3) The late payment penalty provision will be applied as follows:

Before the expiration date of the individual's license, the ~~((director))~~ secretary shall mail a notice for renewal of license to every person holding a current license. The licensee must return such notice along with current renewal fees prior to the expiration of said license. Failure of any licensee to receive such notice shall not relieve or exempt such licensee from the requirements of this section. Should the licensee fail to renew his or her license prior to the expiration date, then the individual is subject to the penalty fee. If the licensee fails to renew his or her license within one year from expiration thereof, such individual must apply for licensing under the statutory conditions then in force. If the licensee fails to renew the license within three years from the expiration date, the individual must also meet the requirements of WAC ~~((308-120-185))~~ 246-839-120.

~~((4) Effective January 1, 1989, all persons making application for 1989 license renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of WAC 308-120-610. Persons whose 1989 license expires on or before March 31, 1989, may, upon written application, be granted an extension to April 15, 1989, to meet the AIDS education requirements:))~~

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-120 RETURN TO ACTIVE STATUS FROM INACTIVE OR LAPSED STATUS. ((After January 1, 1974;)) Persons on inactive status for three years or more and ((after August 1, 1988;)) persons on lapsed status for three years or more, who do not hold a current active license in any other United States jurisdiction and who wish to return to active status shall be issued a limited educational license to enroll in a board approved refresher course. Upon successful completion of the course, the individual's license shall be returned to active status.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-310 USE OF NOMENCLATURE. Any person who qualifies under WAC ((308-120-300)) 246-839-300 and whose application for advanced registered nurse practitioner designation has been approved by the board shall be designated as an advanced registered nurse practitioner and shall have the right to use the title "advanced registered nurse practitioner" and the abbreviation following the nurse's name shall read "ARNP" and the title or abbreviation designated by the approved national certifying body. No other initials or abbreviations shall legally denote advanced nursing practice. No other person shall assume such title or use such abbreviation. No other person shall use any other title, words, letters, signs or figures to indicate that the person using same is recognized as an advanced registered nurse practitioner and:

- (1) Family nurse practitioner, FNP; or
- (2) Women's health care nurse practitioner; or
- (3) Pediatric nurse practitioner/associate, PNP/PNA; or
- (4) Adult nurse practitioner, ANP; or
- (5) Geriatric nurse practitioner, GNP; or
- (6) Certified nurse midwife/nurse midwife, CNM; or
- (7) Nurse anesthetist, CRNA; or
- (8) School nurse practitioner, SNP.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-320 CERTIFICATION AND CERTIFICATION PROGRAM. (1) Certification is a voluntary form of credentialing, under sponsorship of a national certifying body that recognizes specialized and advanced nursing practice.

(2) A certification program is used by a national certifying body to grant the certification credential. A certification program shall be based on:

(a) A scope of practice statement as identified in WAC ((308-120-300)) 246-839-300 shall denote the dimension and boundary, the focus, and the standards of specialized and advanced nursing practice in the area of certification.

(b) A formal program of study requirement in the area of certification which shall:

(i) Be based on measurable objectives that relate directly to the scope of practice;

(ii) Include theoretical and clinical content directed to the objectives; and

(iii) Be equivalent to at least one academic year. A preceptorship which is part of the formal program shall be included as part of the academic year. Current practice in the area of certification will not be accepted as a substitute for the formal program of study.

(c) An examination in the area of certification which shall:

(i) Measure the theoretical and clinical content denoted in the scope of practice;

(ii) Be developed in accordance with generally accepted standards of validity and reliability; and

(iii) Be open only to registered nurses who have successfully completed the program of study referred to in (b) of this subsection.

(3) A licensee credentialed by a national certifying body which meets the requirements of subsection (2)(a) and (c) of this section but not subsection (2)(b) of this section may petition the board for individual recognition as an ARNP by submitting documentation that the licensee's advanced formal education program in the area of specialty meets the requirements of subsection (2)(b) of this section.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-330 BOARD APPROVAL OF CERTIFICATION PROGRAMS. (1) A licensee or certifying program may request that a certification program be considered for approval and shall submit documentation showing that the program meets the requirements of WAC ((308-120-315)) 246-839-320(2).

(2) The board shall periodically review each certification program and may discontinue approval in the event that a certification program no longer meets the requirements of WAC ((308-120-315)) 246-839-320(2).

(3) The board shall notify the certification program of pending review and may request that the program submit further information regarding its continued compliance with the provisions of WAC ((308-120-315)) 246-839-320(2).

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-340 APPLICATION REQUIREMENTS FOR ARNP. A registered nurse applicant for designation as an ARNP shall:

(1) After January 1, 1995 show evidence of a master's degree in the nursing or health care field from an accredited college or university, except for those applicants who provide documentation as requested by the board that the applicant was:

(a) Certified by a board approved national certification program prior to December 31, 1994; and

(b) Recognized by another state board of nursing for advanced practice prior to December 31, 1994.

(2) Meet the requirements of WAC ((308-120-300)) 246-839-300.

(3) Submit a completed application on a form furnished by the board.

(4) Submit evidence of certification by a certification program approved by the board.

(5) Submit a nonrefundable fee as specified in WAC ((308-120-275)) 246-839-990.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-350 APPLICATION REQUIREMENTS FOR ARNP INTERIM PERMIT. A registered nurse who has completed advanced formal education and registered for a board approved national certification examination may be issued an interim permit to practice specialized and advanced nursing pending notification of the results of the first certification examination.

(1) An applicant for ARNP interim permit shall:

(a) Submit a completed application on a form provided by the board accompanied by a nonrefundable fee as specified in WAC ((308-120-275)) 246-839-990; and

(b) Submit documentation of completion of advanced formal education in the area of specialty; and

(c) Submit documentation of registration for the first certification examination administered by an approved certification program following completion of advanced formal education; and

(d) Hold a current license to practice as a registered nurse in Washington.

(2) The permit expires when advanced registered nurse practitioner status is granted. If the applicant fails the examination, the interim permit shall expire upon notification and is not renewable.

(3) An applicant who does not write the examination on the date scheduled shall immediately return the permit to the department of ((licensing)) health.

(4) The interim permit authorizes the holder to perform function of advanced and specialized nursing practice as described in this section.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-360 RENEWAL OF ARNP DESIGNATION. ARNP designation shall be renewed every two years on the ARNP's birthday. The applicant shall:

(1) Maintain a current registered nurse license in Washington.

(2) Submit evidence of current certification by her/his certifying body.

(3) Provide documentation of thirty contact hours (a contact hour is fifty minutes) of continuing education during the renewal period in the

area of certification derived from any combination of the following approved by the board:

- (a) Formal academic study;
- (b) Continuing education offerings.
- (4) Attest, on forms provided by the board, to having a minimum of two hundred fifty hours of specialized and advanced nursing practice within the preceding biennium providing direct patient care services.
- (5) Submit a nonrefundable fee as specified. If the licensee fails to renew his or her ARNP designation prior to the expiration date, then the individual is subject to the late renewal fee specified in WAC ((~~308-120-275~~)) 246-839-990.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-370 **TERMINATION OF ARNP DESIGNATION BY THE BOARD.** ARNP designation may be terminated by the board when the ARNP has:

- (1) Practiced outside the scope of practice denoted for the area of certification, or
- (2) Been found in violation of any provision of RCW ((~~18-88-230~~)) 18.88.175 or 18.130.180.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-410 **APPLICATION REQUIREMENTS FOR ARNP WITH PRESCRIPTIVE AUTHORITY.** A registered nurse who applies for authorization to prescribe drugs shall:

- (1) Be currently designated as an advanced registered nurse practitioner in Washington.
 - (2) Be designated by their national certifying body as a:
 - (a) Family nurse practitioner; or
 - (b) Women's health care nurse practitioner; or
 - (c) Pediatric nurse practitioner/associate; or
 - (d) Adult nurse practitioner; or
 - (e) Geriatric nurse practitioner; or
 - (f) Nurse midwife; or
 - (g) Nurse anesthetist; or
 - (h) School nurse practitioner; or
 - (i) Clinical specialist in psychiatric and mental health nursing.
 - (3) Provide evidence of completion of thirty contact hours of education in pharmacotherapeutics related to the applicant's scope of specialized and advanced practice and:
 - (a) Include pharmacokinetic principles and their clinical application and the use of pharmacological agents in the prevention of illness, restoration, and maintenance of health.
 - (b) Are obtained within a two-year time period immediately prior to the date of application for prescriptive authority.
 - (c) Are obtained from the following:
 - (i) Study within the advanced formal educational program; and/or
 - (ii) Continuing education programs.
- Exceptions shall be justified to and approved by the board of nursing.
- (4) Submit a completed, notarized application on a form provided by the board accompanied by a nonrefundable fee as specified in WAC ((~~308-120-260~~)) 246-839-990.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-430 **TERMINATION OF ARNP PRESCRIPTIVE AUTHORIZATION.** Prescriptive authorization may be terminated by the board when the ARNP with prescriptive authority has:

- (1) Not maintained current designation as an ARNP in the area of certification; or
- (2) Prescribed outside the ARNP scope of practice or for other than therapeutic purposes; or
- (3) Violated provisions of RCW ((~~18-88-230~~)) 18.88.175;
- (4) Violated any state or federal law or regulations applicable to prescriptions.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-440 **PRESCRIPTIVE AUTHORIZATION PERIOD.** (1) Prescriptive authorization shall be for a period of two years.

(2) Initial authorization shall expire on the applicant's renewal date for ARNP designation.

(3) Authorization shall be renewed after the applicant meets the requirements of WAC ((~~308-120-450~~)) 246-839-450.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-450 **RENEWAL.** ARNP with prescriptive authorization shall be renewed every two years. For renewal of ARNP with prescriptive authorization, the licensee shall:

- (1) Meet the requirements of WAC ((~~308-120-345~~)) 246-839-360 (1), (2), and (3).
- (2) Provide documentation of fifteen additional contact hours of continuing education during the renewal period in pharmacotherapeutics related to licensee's scope of practice. This continuing education shall meet the requirements of WAC ((~~308-120-410~~)) 246-839-410 (3)(a).
- (3) Submit a completed and notarized renewal application with nonrefundable fee as specified in WAC ((~~308-120-275~~)) 246-839-990. If the licensee fails to renew his or her prescriptive authorization prior to the expiration date, then the individual is subject to the late renewal fee specified in WAC ((~~308-120-275~~)) 246-839-990.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-525 **APPROVAL OF NURSING EDUCATION PROGRAMS.** (1) Application for program development.

- (a) An educational institution wishing to establish a program in nursing shall:
 - (i) Submit to the board at least eighteen months in advance of expected opening date a statement of intent to establish a nursing education program.
 - (ii) Submit to the board, along with the statement of intent, a feasibility study to include at least the following information:
 - (A) Nursing studies documenting the need for the program in this state.
 - (B) Purposes and classification of the program.
 - (C) Availability of qualified faculty.
 - (D) Budgeted faculty positions.
 - (E) Availability of adequate clinical facilities for the program.
 - (F) Availability of adequate academic facilities for the program.
 - (G) Evidence of financial resources adequate for the planning, implementation, and continuation of the program.
 - (H) Anticipated student population.
 - (I) Tentative time schedule for planning and initiating the program.
 - (iii) Respond to the board's request(s) for additional information.
- (b) The board shall either grant or withhold approval for program development.
 - (2) Program development.
 - (a) At least twelve months in advance of the anticipated admission of students, the organization shall appoint a qualified nurse administrator to develop a proposed nursing education program. The proposed program plan shall include:
 - (i) Purpose, philosophy, and objectives.
 - (ii) Organization and administration.
 - (iii) Budget.
 - (iv) Resources, facilities, and services.
 - (v) Provisions for faculty, including qualifications, responsibilities, organization, and faculty/student ratio.
 - (vi) Curriculum, including course descriptions and course outlines.
 - (vii) Policies and procedures for student selection, admission, progression, withdrawal and graduation, and record system.
 - (viii) Projected plans for the orderly expansion of the program.
 - (b) The nurse administrator shall submit to the board a written report of the proposed program plan at least five weeks prior to a scheduled board meeting at which time the plan is to be reviewed. This review shall take place six months prior to the scheduled opening date of the program.
 - (c) The nurse administrator of the program and other administrative officers of the organization shall attend the board meeting to present the formal application and clarify and amplify materials included in the written report of the proposed program plan.
 - (d) The board shall either grant or withhold provisional approval of the proposed nursing program.
 - (3) Provisional approval.

- (a) The school shall submit course outlines to the board for review and approval at least three months prior to offering the course; and
 (b) The school shall submit progress reports as requested by the board;
 (c) Survey visits shall be scheduled as deemed necessary by the board during the period of provisional approval.

(4) Full approval.

(a) Within six months following graduation of the first class, a self-evaluation report of compliance with the standards for nursing education shall as identified in WAC ((~~308-120-550~~) 246-839-550 through ((~~308-120-575~~) 246-839-575) be submitted and a survey visit shall be made for consideration of full approval of the program.

(b) The board will review the self-evaluation report, survey reports and added materials for full approval of the nursing education program only at scheduled board meetings.

(c) The self-evaluation report, added materials and survey reports shall be in the board office at least five weeks prior to the board meeting.

(5) Satellite nursing education programs. An approved nursing education program wishing to initiate an off-campus, extended or satellite nursing program must submit a plan to the board demonstrating that:

(a) Faculty on-site meet all the requirements and qualifications of the parent nursing education program.

(b) Adequate clinical facilities are available and meet the requirements of the parent program.

(c) Academic facilities and resources are comparable to those of the parent program.

(6) Periodic evaluation of approved programs.

(a) To ensure continuing compliance with the plan and standards of nursing education all nursing education programs will be surveyed and reevaluated for continued approval every eight years. More frequent visits may occur as deemed necessary by the board or at the request of the nursing education program.

(i) The survey visit will be made by representative(s) of the board on dates mutually agreeable to the board and the nursing education program.

(ii) Announcement of a survey visit will be sent to programs at least eighteen months in advance of the visit.

(iii) Prior to the survey a program shall submit a self-evaluation report which provides evidence of compliance with the standards of nursing education as identified in WAC ((~~308-120-550~~) 246-839-550 through ((~~308-120-575~~) 246-839-575).

(iv) The self-evaluation report prepared for the national nursing accreditation body may be substituted in lieu of the board's survey report for that year if a national accreditation survey is scheduled for that year. Where appropriate the survey will be made in conjunction with a national accreditation visit.

(v) A draft of the survey visit report will be made available to the school for review and corrections in statistical data and for response to issues raised.

(vi) Following the board's review and decision, written notification regarding approval of the program and the board comments and recommendations will be sent to the administrator of the nursing education program.

(b) Any proposed major curriculum revision, such as changes affecting the philosophy and objectives, significant course content changes, or changes in the length of the program, shall be presented to the board for approval at least three months prior to implementation.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-530 DENIAL, CONDITIONAL APPROVAL OR WITHDRAWAL OF APPROVAL. (1) The board may deny approval to new programs when it determines that a nursing education program fails substantially to meet the standards for nursing education as contained in WAC ((~~308-120-550~~) 246-839-550 through ((~~308-120-575~~) 246-839-575). All such board actions shall be in accordance with the Washington Administrative Procedure Act and/or the administrative rules and regulations of the board.

(2) Conditional approval shall be granted a nursing education program that has failed to meet the minimum standards contained in the law and the rules and regulations of the board.

(a) Conditions that must be met within a designated time period shall be specified in writing.

(b) A conditionally approved program shall be reviewed at the end of the designated time period. Such review shall result in one of the following actions:

- (i) Restoration of full approval;
 (ii) Continuation of conditional approval for a specified period of time; or
 (iii) Withdrawal of approval.

(3) The board may withdraw approval from existing programs when it determines that a nursing education program fails substantially to meet the standards for nursing education as contained in WAC ((~~308-120-550~~) 246-839-550 through ((~~308-120-575~~) 246-839-575). All such actions shall be effected in accordance with the Administrative Procedure Act and/or the administrative rules and regulations of the board.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-535 REINSTATEMENT OF APPROVAL. The board may consider reinstatement of withdrawn approval of a nursing education program upon submission of satisfactory evidence that the program meets the standards of nursing education, WAC ((~~308-120-550~~) 246-839-550 through ((~~308-120-575~~) 246-839-575).

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-540 APPEAL OF BOARD DECISIONS. A nursing education program deeming itself aggrieved by a decision of the board affecting its approval status shall have the right to appeal the board's decision in accordance with the provisions of chapter 18.88 RCW and the Administrative Procedure Act, chapter ((~~34.04~~) 34.05 RCW.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-545 CLOSING OF AN APPROVED NURSING EDUCATION PROGRAM. (1) Voluntary closing. When a governing institution decides to close a program it shall notify the board in writing, stating the reason, plan, and date of intended closing. The governing institution may choose one of the following closing procedures:

(a) The program shall continue until the last class enrolled is graduated.

(i) The program shall continue to meet the standards for approval WAC ((~~308-120-550~~) 246-839-550 through ((~~308-120-575~~) 246-839-575) until all of the enrolled students have graduated.

(ii) The date of closure is the date on the degree, diploma, or certificate of the last graduate.

(iii) The board shall be notified by the governing institution of the closing date.

(b) The program shall close after assisting in the transfer of students to other approved programs.

(i) The program shall continue to meet the standard required for approval, WAC ((~~308-120-550 through 308-120-575~~) 246-839-550 through 246-839-575) until all students are transferred.

(ii) A list of the names of students who have been transferred to approved programs and the date on which the last student was transferred shall be submitted to the board by the governing institution.

(iii) The date on which the last student was transferred shall be the closing date of the program.

(c) Custody of records.

(i) If the program closes but the governing institution continues to function, it shall assume responsibility for the records of the students and graduates. The board shall be advised of the arrangements made to safeguard the records.

(ii) If the governing institution ceases to exist, the academic records of each student and graduate shall be transferred to the board for safekeeping.

(iii) The board shall be consulted about the disposition of all other records.

(2) Closing as a result of withdrawal of approval. When the board withdraws approval of a nursing education program, the governing institution shall comply with the following procedures:

(a) Students of the program shall be notified in writing of their status and options for transfer to an approved program.

(b) The program shall close after assisting in the transfer of students to other approved programs. A time frame for the transfer process will be established by the board.

(c) A list of the names of students who have transferred to approved programs and the date on which the last student was transferred shall be submitted to the board by the governing institution.

(d) Custody of records.

(i) If the governing institution continues to function, it shall assume responsibility for the records of the students and the graduates. The board shall be advised of the arrangements made to safeguard the records.

(ii) If the governing institution ceases to exist, the academic records of each student and graduate shall be transferred to the board for safekeeping.

(iii) The board shall be consulted about the disposition of all other records.

AMENDATORY SECTION (Amending Order 152B, filed 3/20/91, effective 4/20/91)

WAC 246-839-565 STUDENTS IN APPROVED NURSING EDUCATION PROGRAMS. (1) The approved nursing education program shall:

(a) Provide in writing policies and procedures for selection, admission, progression, graduation, withdrawal, and dismissal. These policies shall be consistent with the policies of the governing institution. Where necessary, policies specific to nursing students may be adopted if justified by the nature and purposes of the nursing program.

(b) Maintain a system of student records.

(c) Provide a written statement of student rights and responsibilities.

(d) Require that students who seek admission by transfer from another approved nursing education program, or readmission for completion of the program, shall meet the equivalent of the program's current standards.

(2) The nursing education program shall provide the student with information on the legal definition and parameters of the nursing technician role, as in WAC ((308-120-100)) 246-839-010(10) and 246-839-840. Such information shall be provided prior to the time of completion of the first clinical course and shall clearly advise the student of their responsibilities, should they choose to be employed as a nursing technician.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-700 STANDARDS OF NURSING CONDUCT OR PRACTICE. The purpose of defining standards of nursing conduct or practice through WAC ((308-120-700)) 246-839-700 and ((308-120-710)) 246-839-710 is to identify responsibilities of the nurse in health care settings and as provided in the Nursing Practice Act chapter 18.88 RCW, and the Uniform Disciplinary Act, chapter 18.130 RCW. Each individual, upon entering the practice of nursing, assumes a measure of responsibility and public trust and the corresponding obligation to adhere to the standards of nursing practice. The nurse shall be responsible and accountable for the quality of nursing care given to clients. This responsibility cannot be avoided by accepting the orders or directions of another person. The standards of nursing conduct or practice include, but are not limited to the following:

(1) Nursing process:

(a) The nurse shall collect pertinent objective and subjective data regarding the health status of the client.

(b) The nurse shall plan and implement nursing care which will assist the client to maintain or return to a state of health or will support a dignified death.

(c) The nurse shall communicate significant changes in the client's status to appropriate members of the health care team. This communication shall take place in a time period consistent with the client's need for care.

(d) The nurse shall document, on essential client records, the nursing care given and the client's response to that care.

(2) Delegation and supervision: The nurse shall be accountable for the safety of clients receiving nursing service by:

(a) Delegating selected nursing functions to others in accordance with their education, credentials, and demonstrated competence.

(b) Supervising others to whom he/she has delegated nursing functions.

(3) Other responsibilities:

(a) The nurse shall have knowledge and understanding of the laws and rules regulating nursing and shall function within the legal scope of nursing practice.

(b) The nurse shall be responsible and accountable for practice based on and limited to the scope of her/his education, demonstrated competence, and nursing experience.

(c) The nurse shall obtain instruction, supervision, and consultation as necessary before implementing new or unfamiliar techniques or practices.

(d) The nurse shall be responsible for maintaining current knowledge in his/her field of practice.

(e) The nurse shall conduct nursing practice without discrimination.

(f) The nurse shall respect the client's right to privacy by protecting confidential information.

(g) The nurse shall report unsafe nursing acts and practices, and illegal acts as defined in WAC ((308-120-730)) 246-839-730.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-710 VIOLATIONS OF STANDARDS OF NURSING CONDUCT OR PRACTICE. The following will serve as a guideline for the nurse as to the acts, practices, or omissions that are inconsistent with generally accepted standards of nursing conduct or practice. Such conduct or practice may be grounds for action with regard to the license to practice nursing pursuant to chapter 18.88 RCW and the Uniform Disciplinary Act, chapter 18.130 RCW. Such conduct or practice includes, but is not limited to the following:

(1) Failure to adhere to the standards enumerated in WAC ((308-120-700)) 246-839-700(1) which may include:

(a) Failing to assess and evaluate a client's status or failing to institute nursing intervention as required by the client's condition.

(b) Willfully or repeatedly failing to report or document a client's symptoms, responses, progress, medication, or other nursing care accurately and/or intelligibly.

(c) Willfully or repeatedly failing to make entries, altering entries, destroying entries, making incorrect or illegible entries and/or making false entries in records pertaining to the giving of medication, treatments, or other nursing care.

(d) Willfully or repeatedly failing to administer medications and/or treatments in accordance with policy and procedure.

(e) Willfully or repeatedly failing to follow the policy and procedure for the wastage of medications where the nurse is employed or working.

(f) Willfully causing or contributing to physical or emotional abuse to the client.

(2) Failure to adhere to the standards enumerated in WAC ((308-120-700)) 246-839-700(2) which may include:

(a) Delegating nursing care function or responsibilities to a person who the nurse knows or has reason to know lacks the ability or knowledge to perform the function or responsibility, or delegating to unlicensed persons those functions or responsibilities the nurse knows or has reason to know are to be performed only by licensed persons. This section should not be construed as prohibiting delegation to family members and other care givers exempted by RCW 18.88.030 or 18.88.280.

(b) Failure to supervise those to whom nursing activities have been delegated. Such supervision shall be adequate to prevent an unreasonable risk of harm to clients.

(3) Failure to adhere to the standards enumerated in WAC ((308-120-700)) 246-839-700(3) which may include:

(a) Performing or attempting to perform nursing techniques and/or procedures for which the nurse lacks the appropriate knowledge, experience, and education and/or failing to obtain instruction, supervision and/or consultation for client safety.

(b) Violating the confidentiality of information or knowledge concerning the client, except where required by law or for the protection of the client.

(c) Writing prescriptions for drugs unless authorized to do so by the board.

(4) Other violations:

(a) Appropriating for personal use medication, supplies, equipment, or personal items of the client, agency, or institution.

(b) Practicing nursing while impaired by any mental, physical and/or emotional condition to the extent that the person may be unable to practice with reasonable skill and safety.

(c) Willfully abandoning clients by leaving a nursing assignment without transferring responsibilities to appropriate personnel or care giver when continued nursing care is required by the condition of the client(s).

(d) Practicing nursing while impaired by alcohol and/or drugs.

(e) Conviction of a crime involving physical abuse or sexual abuse relating to the practice of nursing.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-730 MANDATORY REPORTING DEFINED. It is not the intent of the board of nursing that each and every nursing error be reported or that mandatory reporting take away the disciplinary ability and responsibility from the employer of the nurse. Anyone, including nurses, health care facilities and agencies, and state or local government agencies, knowing of a nurse whose behavior or nursing practice fails to meet accepted standards for the level at which the nurse is licensed, should report the nurse to the person in the work setting who has authority to institute corrective action. Failure of any nurse to comply with the reporting requirements may in itself constitute a violation of nursing standards.

(1) Anyone, including nurses, health care facilities and agencies, and state or local government agencies, who has knowledge or concern that a nurse has committed an act which constitutes unprofessional conduct as provided in RCW 18.130.180, including violations of chapter ~~((308-120-120))~~ 246-839 WAC, or is unable to practice with reasonable skill or safety as the result of a physical or mental condition shall report or cause a report to be made to the board of nursing.

(2) The decision to report a suspected violation of chapters 18.130 or 18.88 RCW or the rules adopted thereunder shall be based on, but not limited to the following:

- (a) The past history of the nurse's performance.
- (b) A demonstrated pattern of unsafe practice or conduct in violation of the standards of nursing.
- (c) The magnitude of any single occurrence for actual or potential harm to the public health and safety.

(3) The following shall always be reported to the board of nursing:

(a) A nurse imposter. As used here "nurse imposter" means an individual who is ineligible for nursing licensure or advanced registered nurse practitioner licensure and who practices or offers to practice nursing or advanced nursing or uses any title, abbreviation, card, or device to indicate that the individual is licensed to practice in Washington.

(b) A person who is practicing nursing when the license has become void due to nonpayment of fees.

(c) A nurse who is practicing nursing as defined in chapter 18.88 RCW unless licensed as a registered nurse, or a person who is practicing as a nurse practitioner as defined in WAC ~~((308-120-300))~~ 246-839-300 while not licensed as an advanced registered nurse practitioner.

(d) A nurse who has been convicted of a crime which relates to the practice of nursing.

(e) A nurse who has been dismissed from employment due to unsafe practice or conduct in violation of the standards of nursing.

(f) Client abuse by a nurse.

(g) A demonstrated pattern of conduct in violation of the standards of nursing as defined by the rules of the board or a single occurrence that creates serious harm or risk to the client.

(h) Any violation of a disciplinary sanction imposed on a nurse's license by the board.

(i) Substance abuse as defined in RCW 18.130.180 (6) and (23). Nursing professionals counseling impaired nurses for substance abuse are exempt from the reporting requirements except as provided in chapter 5.62 RCW.

(k) Any other cause for discipline as defined in RCW 18.130.170 and 18.130.180.

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

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-740 VIOLATIONS CONSIDERED FOR DISCIPLINARY PURPOSES ONLY. The consideration of violations of chapter ~~((308-120))~~ 246-839 WAC are intended only for the purpose of disciplinary action by the board pursuant to chapters 18.88 and 18.130 RCW.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-760 TERMS USED IN WAC ~~((308-120-750))~~ 246-839-750 THROUGH ~~((308-120-780))~~ 246-839-780. (1) "Approved substance abuse monitoring program" or "approved monitoring program" is a program the board has determined meets the requirements of the law and the criteria established by the board in WAC ~~((308-120-770))~~ 246-839-770 which enters into a contract with nurses who have substance abuse problems regarding the required components of the nurse's recovery activity and oversees the nurse's compliance with these requirements. Substance abuse monitoring programs do not provide evaluation or treatment to participating nurses.

(2) "Contract" is a comprehensive, structured agreement between the recovering nurse and the approved monitoring program stipulating the nurse's consent to comply with the monitoring program and its required components of the nurse's recovery activity.

(3) "Approved treatment facility" is a facility approved by the bureau of alcohol and substance abuse, department of social and health services according to chapter 70.96A RCW ~~((70.96A.020(2) or 69.54-030))~~ to provide concentrated alcoholism or drug treatment if located within Washington state. Drug and alcohol treatment programs located out-of-state must be equivalent to the standards required for approval under chapter 70.96A RCW ~~((70.96A.020(2) or 69.54.030))~~.

(4) "Substance abuse" means the impairment, as determined by the board, of a nurse's professional services by an addiction to, a dependency on, or the use of alcohol, legend drugs, or controlled substances.

(5) "Aftercare" is that period of time after intensive treatment that provides the nurse and the nurse's family with group or individual counseling sessions, discussions with other families, ongoing contact and participation in self-help groups and ongoing continued support of treatment program staff.

(6) "Nurse support group" is a group of nurses meeting regularly to support the recovery of its members. The group provides a confidential setting with a trained and experienced nurse facilitator in which nurses may safely discuss drug diversion, licensure issues, return to work and other professional issues related to recovery.

(7) "Twelve steps groups" are groups such as alcoholics anonymous, narcotics anonymous, and related organizations based on a philosophy of anonymity, belief in a power outside of oneself, peer group association, and self-help.

(8) "Random drug screens" are laboratory tests to detect the presence of drugs of abuse in body fluids which are performed at irregular intervals not known in advance by the person to be tested.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-839-830 DETERMINATION AND PRONOUNCEMENT OF DEATH. A nurse may determine and pronounce death, but shall not certify death as defined in RCW 70.58.160 unless the nurse is an ARNP-certified nurse midwife as defined in WAC ~~((308-120-300))~~ 246-839-300.

(1) A nurse may assume responsibility for the determination and pronouncement of death only if there are written policies and procedures relating to the determination and pronouncement of death in the organization with which the nurse is associated as an employee or by contract, provided:

(a) The decedent was under the care of a health care practitioner qualified to certify cause of death; and

(b) The decedent was a patient of the organization with which the nurse is associated; and

(c) There is a "do not resuscitate order" in the patient's record when the decedent was assisted by mechanical life support systems at the time of determination and pronouncement of death.

(2) A nurse who assumes responsibility for the determination and pronouncement of death shall be knowledgeable of the laws and regulations regarding death and human remains which affect the nurse's practice of this responsibility.

(3) A nurse who assumes responsibility for the determination and pronouncement of death shall:

(a) Perform a physical assessment of the patient's condition;

(b) Insure that family and physician and other care givers are notified of the death; and

(c) Document the findings of the assessment and notification in all appropriate records.

AMENDATORY SECTION (Amending Order 152B, filed 3/20/91, effective 4/20/91)

WAC 246-839-840 NURSING TECHNICIAN. The purpose of the role of nursing technician is to provide opportunity for student nurses to gain work experience within the limits of their education, but not limited to the scope of functions of nursing assistant - certified.

(1) The nursing technician is as defined in WAC (~~(308-120-100)~~) 246-839-010(10).

(2) The nursing technician shall have knowledge and understanding of the laws and rules regulating the nursing technician and shall function within the legal scope of nursing practice.

(3) The nursing technician shall be responsible and accountable for practicing within the scope and guidelines of policies defined by the employing agency.

(4) The nursing technician shall not be employed by a temporary agency.

AMENDATORY SECTION (Amending Order 152B, filed 3/20/91, effective 4/20/91)

WAC 246-839-850 USE OF NOMENCLATURE. (1) Any person who meets the qualifications under WAC (~~(308-120-100)~~) 246-839-010(10) and 246-839-860 shall use the title nursing technician and this title shall not be abbreviated.

(2) No other person shall assume such title.

AMENDATORY SECTION (Amending Order 152B, filed 3/20/91, effective 4/20/91)

WAC 246-839-890 RESPONSIBILITIES OF THE EMPLOYING FACILITY. The employer of the nursing technician shall:

(1) Verify the nursing technician's enrollment in a nursing education program approved by the state board of nursing in the state in which the program is located.

(2) Verify satisfactory completion of each academic term (semester or quarter) within two weeks of completion date.

(3) Obtain written documentation from the approved nursing education program of the nursing technician's current level of education preparation and his/her knowledge and skills.

(4) Assign the nursing technician to perform only to the level identified in subsection (3) of this section.

(5) Provide the nursing technician from an educational program approved by a state board of nursing other than the Washington state board of nursing with board authorized information on the legal definition and parameters of the nursing technician role, as in WAC (~~(308-120-100(10) and 308-120-820 through 308-120-850)~~) 246-839-010(10) and 246-839-840 through 246-839-870. Such information shall be provided prior to the commencement of patient care activities by the nursing technician. The facility shall obtain written verification from the nursing technician of receipt and review of this information and the facility shall retain the written verification for a minimum of three years from the last date of employment.

(6) Advise the board of the names and addresses of the nursing technician and the name and address of the nursing education program for any and all nursing technicians employed at the facility.

(7) Identify the student nurse as a "nursing technician."

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-841-400 STANDARDS OF PRACTICE AND COMPETENCIES OF NURSING ASSISTANTS. The following standards are supported by statements of the competencies that a nursing assistant must hold to meet the standard to be certified to practice in the state of Washington. The competencies are statements of skills and knowledge, and are written as descriptions of behaviors which can be observed and measured. All competencies are performed, as per RCW (~~(18-52B-030)~~) 18.88A.030, under the direction and supervision of a licensed (registered) nurse or licensed practical nurse. The level or depth of accomplishment of any given competency is as appropriate to the "assisting" role of basic nursing care under supervision of the licensed nurse.

(1) Basic technical skills. The ((~~nurse~~)) nursing assistant demonstrates basic technical skills which facilitates an optimal level of functioning for the client, recognizing individual, cultural, and religious diversity. Competencies:

(a) Demonstrates proficiency in cardiopulmonary resuscitation (CPR).

- (b) Takes and records vital signs.
- (c) Measures and records height and weight.
- (d) Measures and records fluid and food intake and output of client.
- (e) Recognizes and reports abnormal signs and symptoms of common diseases and conditions.

(f) Demonstrates sensitivity to client's emotional, social, and mental health needs.

(g) Makes observations of client's environment to ensure safety and comfort of client.

(h) Participates in care planning and nursing reporting process.

(2) Personal care skills. The ((~~nurse~~)) nursing assistant demonstrates basic personal care skills. Competencies:

(a) Assists client with bathing, mouth care, and skin care.

(b) Assists client with grooming and dressing.

(c) Provides toileting assistance to client.

(d) Assists client with eating and hydration.

(e) Utilizes proper feeding techniques.

(3) Mental health and social service needs. The ((~~nurse~~)) nursing assistant demonstrates the ability to identify the psychosocial characteristics of all clients including persons with mental retardation, mental illness, dementia, Alzheimer's disease, and related disorders. Competencies:

(a) Modifies his/her own behavior in response to the client's behavior.

(b) Identifies adaptations necessary to accommodate the aging process.

(c) Provides training in, and the opportunity for, self care according to clients' capabilities.

(d) Demonstrates skills supporting client's personal choices.

(e) Identifies ways to use the client's family as a source of emotional support for the patient.

(4) Basic restorative services. The ((~~nurse~~)) nursing assistant incorporates principles and skills of restorative nursing in providing nursing care. Competencies:

(a) Demonstrates knowledge and skill in using assistive devices in ambulation, eating, and dressing.

(b) Demonstrates knowledge and skill in the maintenance of range of motion.

(c) Demonstrates proper techniques for turning/positioning client in bed and chair.

(d) Demonstrates proper techniques for transferring client.

(e) Demonstrates knowledge about methods for meeting the elimination needs of clients.

(f) Demonstrates knowledge and skill for the care and use of prosthetic devices.

(5) Clients' rights and promotion of clients' independence. The ((~~nurse~~)) nursing assistant demonstrates behavior which maintains and respects clients' rights and promotes clients' independence, regardless of race, religion, life-style, sexual preference, disease process, or ability to pay. Competencies:

(a) Recognizes that the client has the right to participate in decisions about his/her care.

(b) Recognizes and respects the clients' need for privacy and maintenance of confidentiality.

(c) Promotes and respects the client's right to make personal choices to accommodate their needs.

(d) Reports client's concerns.

(e) Provides assistance in getting to and participating in activities.

(f) Provides care of client's personal possessions.

(g) Provides care which maintains the client free from abuse, mistreatment or neglect; and reports any instances to appropriate facility staff.

(h) Maintains the client's environment and care through appropriate ((~~nurse~~)) nursing assistant behavior so as to minimize the need for physical and chemical restraints.

(6) Communication and interpersonal skills. The ((~~nurse~~)) nursing assistant uses communication skills effectively in order to function as a member of the nursing team. Competencies:

(a) Reads, writes, speaks, and understands English at the level necessary for performing duties of the nursing assistant.

(b) Listens and responds to verbal and nonverbal communication in an appropriate manner.

(c) Recognizes how one's own behavior influences client's behavior and know resources for obtaining assistance in understanding client's behavior.

(d) Makes adjustments for client's physical or mental limitations.

(e) Uses terminology accepted in the ((nursing)) health care facility to record and report observations and pertinent information.

(f) Records and reports observations, actions, and information accurately and timely.

(g) Demonstrates ability to explain policies and procedures before and during care of the client.

(7) Infection control. The ((nurse)) nursing assistant uses procedures and techniques to prevent the spread of microorganisms. Competencies:

(a) Uses principles of medical asepsis and demonstrates infection control techniques and universal precautions.

(b) Explains how disease causing microorganisms are spread; lists ways that HIV and Hepatitis B can spread from one person to another.

(c) Demonstrates knowledge of cleaning agents and methods which destroy microorganisms on surfaces.

(8) Safety/emergency procedures. The ((nurse)) nursing assistant demonstrates the ability to identify and implement safety/emergency procedures. Competencies:

(a) Provides adequate ventilation, warmth, light, and quiet measures.

(b) Uses measures that promote comfort, rest, and sleep.

(c) Promotes clean, orderly, and safe environment and equipment for the client.

(d) Identifies and utilizes measures for accident prevention.

(e) Identifies and demonstrates principles of body mechanics.

(f) Demonstrates proper use of protective devices in care of clients.

(g) Demonstrates knowledge of fire and disaster procedures.

(h) Identifies and demonstrates principles of health and sanitation in the service of food.

(i) Demonstrates the proper use and storage of cleaning agents and other potentially hazardous materials.

(9) Rules and regulations knowledge. The ((nurse)) nursing assistant demonstrates knowledge of and is responsive to the laws and regulations which affect his/her practice including but not limited to: Client abuse and neglect, client complaint procedures, workers right to know, and the Uniform Disciplinary Act.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-841-410 PURPOSE OF REVIEW AND APPROVAL OF CERTIFIED NURSING ASSISTANT TRAINING PROGRAMS. The board of nursing approves curriculum in nursing assistant education programs qualifying for admission to examination for certification for the following purposes:

(1) To assure preparation for safe practice as a nursing assistant by setting minimum standards for education programs.

(2) To provide guidance for the development of new training programs.

(3) To facilitate the career mobility of ((certified)) nursing assistants-certified in articulating into nursing educational programs in other levels of nursing.

(4) To identify training standards and achieved competencies of ((certified)) nursing assistants-certified in the state of Washington for the purpose of interstate communications and endorsements.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-841-430 DENIAL OF APPROVAL OR WITHDRAWAL OF APPROVAL FOR PROGRAMS FOR WHICH THE BOARD IS THE APPROVING AUTHORITY. (1) The board may deny approval to new programs when it determines that a nursing assistant training program fails substantially to meet the standards for training as contained in WAC ((308-173-260 through 308-173-280)) 246-841-470 through 246-841-510. All such board actions shall be in accordance with the Washington Administrative Procedure Act and/or the administrative rules and regulations of the board.

(2) The board may withdraw approval from existing programs when it determines that a nursing education program fails substantially to meet the standards for nursing assistant training as contained in WAC ((308-173-260 through 308-173-280)) 246-841-470 through 246-841-510. All such actions shall be effected in accordance with the Administrative Procedure Act and/or the administrative rules and regulations of the board.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-841-440 REINSTATEMENT OF APPROVAL. The board may consider reinstatement of withdrawn approval of a nursing assistant training program upon submission of satisfactory evidence that the program meets the standards of nursing assistant training, WAC ((308-173-260 through 308-173-280)) 246-841-470 through 246-841-510.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-841-470 PROGRAM DIRECTORS AND INSTRUCTORS IN APPROVED TRAINING PROGRAMS. (1) The program director will be a registered nurse licensed in the state of Washington.

(2) The program director will meet the minimum qualifications for instructors as required by the superintendent of public instruction in chapter 180-77 WAC or the state board for community college education in chapter 131-16 WAC.

(3) The program director will complete a "train-the-trainer" program approved by the state or have demonstrated competence to teach adults as defined by the state.

(4) The program director will have a minimum of three years of experience as an RN, of which at least one year will be in direct patient care.

(5) Program director responsibilities:

(a) Develop and implement a curriculum which meets as a minimum the requirements of WAC ((308-173-270)) 246-841-490.

(b) Assure compliance with and assume responsibility for all regulations as stipulated in WAC ((308-173-265 through 308-173-280)) 246-841-480 through 246-841-510.

(c) Directly supervise each course offering.

(d) Create and maintain an environment conducive to teaching and learning.

(e) Select and supervise all other instructors involved in the course, to include clinical instructors.

(f) Assure that students are not asked to, nor allowed to, perform any clinical skill with patients or clients until first demonstrating the skill satisfactorily to an instructor in a practice setting.

(g) Assure evaluation of competency of knowledge and skills of students before issuance of verification of completion of the course.

(h) Assure that students receive a verification of completion when requirements of the course have been satisfactorily met.

(6) Additional instructional staff:

(a) The program director may select instructional staff to assist in the teaching of the course, teaching in their area of expertise.

(b) All instructional staff must have a minimum of one year experience within the past three years in caring for the elderly and/or chronically ill of any age.

A guest lecturer, or individual with expertise in a specific course unit may be utilized for the teaching of that unit, following the program director's review of the currency of the content.

(c) All instructional staff must be, where applicable, currently licensed, registered, and/or certified in their field in the state of Washington.

(d) Instructional staff may assist the program director in development of curriculum, teaching modalities, and evaluation but will in all cases be under the supervision of the program director.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-841-490 CORE CURRICULUM IN APPROVED TRAINING PROGRAMS. (1) Curriculum will be competency based; that is composed of learning objectives and activities that will lead to the attainment of knowledge and skills required for the graduate to demonstrate mastery of the core competencies CNAs must hold, as per WAC ((308-173-210)) 246-841-400.

(2) The program director will determine the amount of time required in the curriculum to achieve the objectives as above. The time designated will be expected to vary with characteristics of the learners and teaching/learning variables. In no case will the hours be less than eighty-five hours total, comprised of no less than thirty-five hours of classroom training and no less than fifty hours of clinical training.

(a) Of the thirty-five hours of classroom training, no less than seven hours must be in AIDS education and training, in the subject areas of:

Epidemiology, pathophysiology, infection control guidelines, testing and counseling, legal and ethical issues, medical records, clinical manifestations and diagnosis, treatment and disease management, and psychosocial and special group issues.

(b) Training to orient the student to the health care facility and facility policies and procedures are not to be included in the minimum hours above.

(3) Each unit of the core curriculum will have:

(a) Behavioral objectives, that is statements of specific observable actions and behaviors that the learner is to perform or exhibit.

(b) An outline of information the learner will need to know in order to meet the objectives.

(c) Learning activities (that is, lecture, discussion, readings, film, clinical practice, etc.) that are designed to enable the student to achieve the stated objectives.

(4) Clinical teaching in a given competency area will be closely correlated with classroom teaching, to facilitate the integration of knowledge with manual skills.

(a) An identified instructor(s) will supervise clinical teaching/learning at all times. At no time will the ratio of students to instructor exceed ten students to one instructor in the clinical setting.

(5) The curriculum will include evaluation processes to assure mastery of competencies. Written and oral tests and clinical practical demonstrations are common methods. Students will not be asked to, nor allowed to, perform any clinical skill on patients or clients until first demonstrating the skill satisfactorily to an instructor in the practice setting.

Chapter 246-842 WAC

NURSING ASSISTANTS—~~((ADDENDUM FOR))~~ NURSING HOMES—NURSING ASSISTANTS TRAINING PROGRAM

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-842-100 STANDARDS OF PRACTICE AND COMPETENCIES OF NURSING ASSISTANTS. The following standards are supported by statements of the competencies that a nursing assistant must hold to meet the standard to be certified to practice in the state of Washington. The competencies are statements of skills and knowledge, and are written as descriptions of behaviors which can be observed and measured. All competencies are performed (~~(as per RCW 18.52B.030;)~~) under the direction and supervision of a licensed (registered) nurse or licensed practical nurse. The level or depth of accomplishment of any given competency is as appropriate to the "assisting" role of basic nursing care under supervision of the licensed nurse.

(1) Basic technical skills. The ((nurse)) nursing assistant demonstrates basic technical skills which facilitates an optimal level of functioning for the client, recognizing individual, cultural, and religious diversity. Competencies:

(a) Demonstrates proficiency in cardiopulmonary resuscitation (CPR).

(b) Takes and records vital signs.

(c) Measures and records height and weight.

(d) Measures and records fluid and food intake and output of client.

(e) Recognizes and reports abnormal signs and symptoms of common diseases and conditions.

(f) Demonstrates sensitivity to client's emotional, social, and mental health needs.

(g) Makes observations of client's environment to ensure safety and comfort of client.

(h) Participates in care planning and nursing reporting process.

(2) Personal care skills. The ((nurse)) nursing assistant demonstrates basic personal care skills. Competencies:

(a) Assists client with bathing, mouth care, and skin care.

(b) Assists client with grooming and dressing.

(c) Provides toileting assistance to client.

(d) Assists client with eating and hydration.

(e) Utilizes proper feeding techniques.

(3) Mental health and social service needs. The ((nurse)) nursing assistant demonstrates the ability to identify the psychosocial characteristics of all clients including persons with mental retardation, mental illness, dementia, Alzheimer's disease, and related disorders. Competencies:

(a) Modifies his/her own behavior in response to the client's behavior.

(b) Identifies adaptations necessary to accommodate the aging process.

(c) Provides training in, and the opportunity for, self care according to clients' capabilities.

(d) Demonstrates skills supporting client's personal choices.

(e) Identifies ways to use the client's family as a source of emotional support for the patient.

(4) Basic restorative services. The ((nurse)) nursing assistant incorporates principles and skills of restorative nursing in providing nursing care. Competencies:

(a) Demonstrates knowledge and skill in using assistive devices in ambulation, eating, and dressing.

(b) Demonstrates knowledge and skill in the maintenance of range of motion.

(c) Demonstrates proper techniques for turning/positioning client in bed and chair.

(d) Demonstrates proper techniques for transferring client.

(e) Demonstrates knowledge about methods for meeting the elimination needs of clients.

(f) Demonstrates knowledge and skill for the care and use of prosthetic devices.

(5) Clients' rights and promotion of clients' independence. The ((nurse)) nursing assistant demonstrates behavior which maintains and respects clients' rights and promotes clients' independence, regardless of race, religion, life-style, sexual preference, disease process, or ability to pay. Competencies:

(a) Recognizes that the client has the right to participate in decisions about his/her care.

(b) Recognizes and respects the clients' need for privacy and maintenance of confidentiality.

(c) Promotes and respects the client's right to make personal choices to accommodate their needs.

(d) Reports client's concerns.

(e) Provides assistance in getting to and participating in activities.

(f) Provides care of client's personal possessions.

(g) Provides care which maintains the client free from abuse, mistreatment or neglect; and reports any instances to appropriate facility staff.

(h) Maintains the client's environment and care through appropriate ((nurse)) nursing assistant behavior so as to minimize the need for physical and chemical restraints.

(6) Communication and interpersonal skills. The ((nurse)) nursing assistant uses communication skills effectively in order to function as a member of the nursing team. Competencies:

(a) Reads, writes, speaks, and understands English at the level necessary for performing duties of the nursing assistant.

(b) Listens and responds to verbal and nonverbal communication in an appropriate manner.

(c) Recognizes how one's own behavior influences client's behavior and know resources for obtaining assistance in understanding client's behavior.

(d) Makes adjustments for client's physical or mental limitations.

(e) Uses terminology accepted in the nursing facility to record and report observations and pertinent information.

(f) Records and reports observations, actions, and information accurately and timely.

(g) Demonstrates ability to explain policies and procedures before and during care of the client.

(7) Infection control. The ((nurse)) nursing assistant uses procedures and techniques to prevent the spread of microorganisms. Competencies:

(a) Uses principles of medical asepsis and demonstrates infection control techniques and universal precautions.

(b) Explains how disease causing microorganisms are spread; lists ways that HIV and Hepatitis B can spread from one person to another.

(c) Demonstrates knowledge of cleaning agents and methods which destroy microorganisms on surfaces.

(8) Safety/emergency procedures. The ((nurse)) nursing assistant demonstrates the ability to identify and implement safety/emergency procedures. Competencies:

(a) Provides adequate ventilation, warmth, light, and quiet measures.

(b) Uses measures that promote comfort, rest, and sleep.

(c) Promotes clean, orderly, and safe environment and equipment for the client.

(d) Identifies and utilizes measures for accident prevention.

(e) Identifies and demonstrates principles of body mechanics.

- (f) Demonstrates proper use of protective devices in care of clients.
 - (g) Demonstrates knowledge of fire and disaster procedures.
 - (h) Identifies and demonstrates principles of health and sanitation in the service of food.
 - (i) Demonstrates the proper use and storage of cleaning agents and other potentially hazardous materials.
- (9) Rules and regulations knowledge. The ~~((nurse))~~ nursing assistant demonstrates knowledge of and is responsive to the laws and regulations which affect his/her practice including but not limited to: Client abuse and neglect, client complaint procedures, workers right to know, and the Uniform Disciplinary Act.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-842-130 DENIAL OF APPROVAL OR WITHDRAWAL OF APPROVAL FOR PROGRAMS FOR WHICH THE BOARD IS THE APPROVING AUTHORITY. (1) The board may deny approval to new programs when it determines that a nursing assistant training program fails substantially to meet the standards for training as contained in WAC ~~((308-121-160 through 308-121-180))~~ 246-842-170 through 246-842-210. All such board actions shall be in accordance with the Washington Administrative Procedure Act and/or the administrative rules and regulations of the board.

(2) The board may withdraw approval from existing programs when it determines that a nursing education program fails substantially to meet the standards for nursing assistant training as contained in WAC ~~((308-121-160 through 308-121-180))~~ 246-842-170 through 246-842-210. All such actions shall be effected in accordance with the Administrative Procedure Act and/or the administrative rules and regulations of the board.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-842-140 REINSTATEMENT OF APPROVAL. The board may consider reinstatement of withdrawn approval of a nursing assistant training program upon submission of satisfactory evidence that the program meets the standards of nursing assistant training, WAC ~~((308-121-160 through 308-121-180))~~ 246-842-170 through 246-842-210.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-842-170 PROGRAM DIRECTORS AND INSTRUCTORS IN APPROVED TRAINING PROGRAMS. (1) The program director will be a registered nurse licensed in the state of Washington.

(2) The program director will complete a "train-the-trainer" program approved by the state or have demonstrated competence to teach adults as defined by the state.

(3) The program director will have a minimum of three years of experience as an RN, of which at least one year will be in direct patient care.

(4) Program director responsibilities:

(a) Develop and implement a curriculum which meets as a minimum the requirements of WAC ~~((308-121-170))~~ 246-842-190.

(b) Assure compliance with and assume responsibility for all regulations as stipulated in WAC ~~((308-121-165 through 308-121-180))~~ 246-842-180 through 246-842-210.

(c) Directly supervise each course offering.

(d) Create and maintain an environment conducive to teaching and learning.

(e) Select and supervise all other instructors involved in the course, to include clinical instructors.

(f) Assure that students are not asked to, nor allowed to, perform any clinical skill with patients or clients until first demonstrating the skill satisfactorily to an instructor in a practice setting.

(g) Assure evaluation of competency of knowledge and skills of students before issuance of verification of completion of the course.

(h) Assure that students receive a verification of completion when requirements of the course have been satisfactorily met.

(5) Additional instructional staff:

(a) The program director may select instructional staff to assist in the teaching of the course, teaching in their area of expertise.

(b) All instructional staff must have a minimum of one year experience within the past three years in caring for the elderly and/or chronically ill of any age.

(c) A guest lecturer, or individual with expertise in a specific course unit may be utilized for the teaching of that unit, following the program director's review of the currency of the content.

(d) All instructional staff must be, where applicable, currently licensed, registered, and/or certified in their field in the state of Washington.

(e) Instructional staff may assist the program director in development of curriculum, teaching modalities, and evaluation but will in all cases be under the supervision of the program director.

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246-842-190 CORE CURRICULUM IN APPROVED TRAINING PROGRAMS. (1) Curriculum will be competency based; that is composed of learning objectives and activities that will lead to the attainment of knowledge and skills required for the graduate to demonstrate mastery of the core competencies ~~((CNAs))~~ nursing assistants-certified must hold, as per WAC ~~((308-121-110))~~ 246-842-100.

(2) The program director will determine the amount of time required in the curriculum to achieve the objectives as above. The time designated will be expected to vary with characteristics of the learners and teaching/learning variables. In no case will the hours be less than eighty-five hours total, comprised of thirty-five hours of classroom training and fifty hours of clinical training.

(a) Of the thirty-five hours of classroom training, no less than seven hours must be in AIDS education and training, in the subject areas of: Epidemiology, pathophysiology, infection control guidelines, testing and counseling, legal and ethical issues, medical records, clinical manifestations and diagnosis, treatment and disease management, and psychosocial and special group issues.

(b) Training to orient the student to the health care facility and facility policies and procedures are not to be included in the minimum hours above.

(3) Each unit of the core curriculum will have:

(a) Behavioral objectives, that is statements of specific observable actions and behaviors that the learner is to perform or exhibit.

(b) An outline of information the learner will need to know in order to meet the objectives.

(c) Learning activities (that is, lecture, discussion, readings, film, clinical practice, etc.) that are designed to enable the student to achieve the stated objectives.

(4) Clinical teaching in a given competency area will be closely correlated with classroom teaching, to facilitate the integration of knowledge with manual skills.

An identified instructor(s) will supervise clinical teaching/learning at all times. At no time will the ratio of students to instructor exceed ten students to one instructor in the clinical setting.

(5) The curriculum will include evaluation processes to assure mastery of competencies. Written and oral tests and clinical practical demonstrations are common methods. Students will not be asked to, nor allowed to, perform any clinical skill on patients or clients until first demonstrating the skill satisfactorily to an instructor in the practice setting.

WSR 91-19-020

PROPOSED RULES

DEPARTMENT OF HEALTH

(Board of Examiners for Nursing Home Administrators)

[Filed September 9, 1991, 2:53 p.m.]

Original Notice.

Title of Rule: WAC 246-843-001 Source of authority—Title; 246-843-010 General definitions; 246-843-040 Board of examiners—General powers and responsibilities; 246-843-060 Executive secretary—Hiring and duties; 246-843-080 Application for examination; 246-843-090 Preexamination requirements; 246-843-095

Preceptors for administrator-in-training programs; 246-843-100 Disqualification—Reexamination; 246-843-110 Subjects for examination; 246-843-120 Grading examinations; 246-843-125 Continuing education credit for preceptors for administrators-in-training programs; 246-843-130 Courses of study; 246-843-150 Continuing education requirements to meet the conditions of re-registration for license; 246-843-160 Licenses; 246-843-162 AIDS prevention and information education requirements; 246-843-170 Temporary permits; 246-843-180 Registration of licenses; 246-843-200 Standards of suitability and character; 246-843-205 Standards of conduct; 246-843-220 Complaints and hearing procedures; 246-843-230 Reciprocity; 246-843-240 Restoration and reinstatement of licenses; 246-843-250 Duplicate licenses; 246-843-320 Renewal of licenses; and 246-843-330 Inactive status.

Purpose: Housekeeping changes only. Changing obsolete WAC numbers to the current 246 numbers.

Statutory Authority for Adoption: WAC 246-843-001, 246-843-010, 246-843-040, 246-843-060, 246-843-080, 246-843-090, 246-843-095, 246-843-100, 246-843-110, 246-843-120, 246-843-125, 246-843-130, 246-843-150, 246-843-160, 246-843-170, 246-843-180, 246-843-200, 246-843-205, 246-843-220, 246-843-230, 246-843-240, 246-843-250, 246-843-320 and 246-843-330 is RCW 18.52.100; and WAC 246-843-162 is RCW 18.52.100 and 70.24.270.

Summary: Proposed changes pertain only to the numbering of WAC paragraphs and does not change the content of the paragraph.

Reasons Supporting Proposal: WAC paragraph numbers have previously been changed. However, references made in the narrative portion of paragraphs were not previously changed to reflect the new numbering sequence. This change will improve readability of the WAC by correctly citing WAC reference numbers.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jackson D. Melton, 1300 S.E. Quince Street, Olympia, WA 98504, 586-6350.

Name of Proponent: Board of Examiners for Nursing Home Administrators, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This proposed rule is necessary to correct erroneous WAC citations that resulted from previous rule adoption that changed from nursing home administrator from Title 308 WAC to Title 246 WAC. All changes proposed in this rule are considered housekeeping with no change made to the substance of the existing rule.

Proposal Changes the Following Existing Rules: Housekeeping changes only.

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

Hearing Location: Department of Licensing—Seattle, 464 12th Avenue, Seattle, WA 98122, 3rd Floor, on November 18, 1991, at 9:15 a.m.

Submit Written Comments to: Jackson D. Melton, 1300 S.E. Quince Street, EY-22, Olympia, WA 98504, by November 15, 1991.

Date of Intended Adoption: November 18, 1991.

June 26, 1991

Jackson D. Melton
Program Manager

AMENDATORY SECTION (Amending Order 141B, filed 3/1/91, effective 4/1/91)

WAC 246-843-001 SOURCE OF AUTHORITY—TITLE. The rules and regulations herein contained constitute and shall be known as the rules and regulations of the board of examiners for the licensing of nursing home administrators of the state of Washington, and are hereby promulgated pursuant to the authority granted to said board pursuant to RCW 18.52.100((†4)) (11).

AMENDATORY SECTION (Amending Order 141B, filed 3/1/91, effective 4/1/91)

WAC 246-843-010 GENERAL DEFINITIONS. Whenever used in these rules and regulations, unless expressly otherwise stated, or unless the context or subject matter requires a different meaning, the following terms shall have the following meanings:

(1) "Board" means the state board of examiners for the licensing of nursing home administrators representative of the professions and institutions concerned with the care of the chronically ill and infirm aged patients.

(2) ((†Director)) means the director of the department of licensing.
((†3)) "Nursing home" means any facility or portion thereof licensed under state law as a nursing home.

((†4)) (3) "Nursing home administrator" means an individual in active administrative charge of nursing homes as defined herein, whether or not having an ownership interest in such homes, and although functions and duties may be shared with or delegated to other persons.

((†5)) (4) "Nursing home administrator-in-training" means an individual registered as such with the board, under and pursuant to these rules and regulations.

((†6)) (5) "Person" or "individual" means an individual and does not include the terms firm, institution, public body, joint stock association or any other group of individuals.

(6) "Secretary" means the secretary of the department of health.

AMENDATORY SECTION (Amending Order 141B, filed 3/1/91, effective 4/1/91)

WAC 246-843-040 BOARD OF EXAMINERS—GENERAL POWERS AND RESPONSIBILITIES. The board, with the assistance of the ((director)) secretary for administrative matters, shall have the duties and responsibilities, within the limits of the Nursing Home Administrator Licensing Act and the rules and regulations herein, to:

(1) Develop standards which ((must)) shall be met by individuals in order to receive a license as a nursing home administrator.

(2) Develop appropriate techniques, including examinations and investigations to the extent necessary to determine whether an individual meets such standards for licensing:

(3) Order the ((director)) secretary to issue licenses, provisional licenses or permits to individuals meeting the requirements applicable to them.

(4) Order the ((director)) secretary, after such notice and hearing, as may be required by law, to deny, reprimand, revoke, suspend or refuse to reregister a license of any holder or applicant who fails to meet the requirements of chapter 18.52 RCW.

(5) Investigate, and take appropriate action with respect to any charge or complaint filed with the board or ((director)) secretary to the effect that any individual licensed as a nursing home administrator has failed to comply with the requirements of chapter 18.52 RCW.

(6) Issue rules and regulations which are necessary to carry out the functions of the Nursing Home Administrator License Act.

(7) Implement and carry out the requirements of the Nursing Home Administrator Licensing Act and rules and regulations, with the assistance of the ((director)) secretary for administrative matters, to include such functions as:

(a) Recommending the hiring of consultants to advise on matters requiring expert advice;

(b) The delegating of work responsibilities to committees of the board;

(c) Implement and supervise the administrator-in-training program.

AMENDATORY SECTION (Amending Order 141B, filed 3/1/91, effective 4/1/91)

WAC 246-843-060 ((EXECUTIVE SECRETARY)) PROGRAM MANAGER—HIRING AND DUTIES. A full or part-time ((executive secretary)) program manager for the board may be employed by the ((director)) secretary. The ((executive secretary)) program manager shall be recommended by the board with his duties to include:

- (1) Attendance at all meeting of the board;
(2) Maintaining a full and complete record of minutes of the said meetings;
(3) Notifying the members of the board of the time and place fixed for meetings of the board;
(4) Maintaining, under the supervision of the ((director)) secretary, the records pertaining to licensees and registrants and the rules and regulations;
(5) Countersigning the original certificate of licensure for nursing home administrators;
(6) Conducting all routine correspondence of the board;
(7) Issuing of appropriate notices of meetings and hearings;
(8) Having the responsibility for all books, records, and other state property as may be assigned or under the control of the board;
(9) Receiving all monies and shall pay the same to the treasurer of the state as provided by law;
(10) Keeping such financial records as are considered necessary by the board over and above those required by the department of ((licensing)) health or other fiscal authorities of the state; and
(11) Performing any other duties pertaining to the position of ((executive secretary)) program manager as may be determined by the board or ((director)) secretary.

AMENDATORY SECTION (Amending Order 141B, filed 3/1/91, effective 4/1/91)

WAC 246-843-080 APPLICATION FOR EXAMINATION.

- (1) An applicant for examination and qualification for a license as a nursing home administrator shall make application therefore in writing, on forms approved by the board and provided by the ((director)) secretary. All applications ((must)) shall be completed in every respect.
(2) An applicant, otherwise qualified, who has not administered or does not continue to administer a nursing home, may obtain and maintain a license.
(3) Completed applications ((must)) shall be on file sixty days prior to the examination date.
(4) The application fee ((must)) shall be submitted with the form.

AMENDATORY SECTION (Amending Order 141B, filed 3/1/91, effective 4/1/91)

WAC 246-843-090 PREEXAMINATION REQUIREMENTS.

- No person shall be admitted to or permitted to take an examination for licensure as a nursing home administrator without having first submitted evidence satisfactory to the board that ((he)) the applicant meets the following requirements:
(1) All applicants ((must)) shall be at least twenty-one years of age, and in addition, ((must)) shall otherwise meet the requirements of suitability and character set forth in WAC ((308-54-200)) 246-843-200.
(2) All applicants ((must)) shall complete an application for licensure provided by the division of professional licensing, department of ((licensing)) health, and ((must)) shall include all information requested in said application.
(3)(a) All applicants ((must)) shall submit documentation demonstrating that they meet the minimum requirements set forth in RCW 18.52.070(2) relative to training and experience in nursing home or health facility administration. Applicants who, when graded according to the criteria set forth in (c) of this subsection, accumulate a total of eight points, including at least three points in each management and health care, shall be deemed to have satisfied the statutory requirements.
(b) For the purposes of applying the evaluation criteria set forth below, the following definitions apply:

HEALTH CARE EXPERIENCE

Experience in health care can include employment in any job position which would permit the person to become acquainted with the typical duties, functions of health care personnel and to otherwise become familiar with the terms and language unique to the field of health care. This ((could)) may include employment as a nurse, physician, pharmacist, orderly, corpsman, etc.

MANAGEMENT EXPERIENCE

Management is considered to be an upper level of supervision which includes directing and guiding the operations of the organization towards established goals.

(c) The following criteria shall be utilized to determine if an individual applicant's prior training and/or experience meets the qualification requirement set forth in RCW 18.52.070(2). Training or experience acquired more than seven years prior to the date of application shall ((accumulated)) accumulate points at one-half the value listed.

- I. TRAINING: (NOTE: Courses which incorporate principles of both management and health—such as hospital or health care administration—accumulate points only in one field.)

Management Health Care

A. MANAGEMENT

Table with 2 columns: Category, Description. Rows include College Credit related to management, Noncredit courses related to management, and Board approved courses related to management.

B. HEALTH CARE

Table with 2 columns: Category, Description. Rows include College Credit related to health care and Noncredit courses related to health care.

	Management	Health Care
Board approved courses related to health care	One-half point would be allowed for each 50 classroom hours of instruction with a maximum of one point (1/2-1)

C. UNRELATED TO HEALTH CARE OR MANAGEMENT

College Credit not related to management or health care	College courses not specifically related to either management or health care, such as education, science, etc. ((with)) shall receive a maximum of two points for baccalaureate degree, or one-half point for each 45 quarter hours or the equivalent, whether at the undergraduate or graduate level. Points ((with)) shall accumulate toward satisfaction of the management requirement (1/2-2 1/2)
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II. EXPERIENCE:

A. HEALTH CARE MANAGEMENT

One point for each six months of experience in a management position requiring expertise in the health care field. Examples include, but are not limited to, the following: Nursing home administrator, hospital administrator, assistant administrator of a large health care facility, executive in health care-related industry, director of nursing service in a health care facility. Points accumulate in management and health care

.....

B. NONHEALTH CARE MANAGEMENT

One point for each six months of experience in management not involving health care as an essential element

.....

C. RELATED HEALTH CARE

One point for each six months of experience in the field of health care not involving substantial managerial responsibility

.....

(4) Applicants not meeting the minimum requirements set forth in subsection (3) of this section may apply to the board for permission to undertake an administrator-in-training program as a substitute for said criteria. Such a program shall be on such terms as the board feels necessary to assure that the applicant meets the minimum statutory requirements for licensure set forth in RCW 18.52.070, and shall include, without limitations, the following:

(a) The program shall be under the guidance and supervision of a licensed nursing home administrator, as preceptor, and shall be conducted for a period of not less than six months and not more than two years;

(b) The program shall be designed to provide for individual learning experiences and instruction based upon the person's academic backgrounds, training, and experience;

(c) The prospectus for the program ~~((must))~~ shall be signed by the preceptor, submitted and approved by the board prior to its commencement. Any changes in the program shall be immediately reported in writing to the board, and the board may withdraw the approval given, or alter the conditions under which approval was given, if the board finds that the program as originally submitted and approved has not been or is not being followed;

(d) The program ~~((must))~~ shall include the following components:

(i) A planned systematic rotation through each department of a nursing home;

(ii) Planned reading and written assignments;

(iii) Project assignment including at least one problem-solving assignment to be submitted in writing to the board or a designated board member. Problem-solving project should indicate the definition of an acknowledged problem, the method of approach to the problem such as data gathering, the listing of possible alternatives, the conclusions, and final recommendations to improve the facility or procedure.

(iv) Other planned learning experiences including acquisition of knowledge about other health and welfare agencies in the community; and

(v) A quarterly written report to the board by the applicant including a detailed outline of activities and learning experiences of the reporting period.

(e) The program ~~((must))~~ shall provide for a broad range of experience with a close working relationship between preceptor and trainee. Toward that end, as a general rule, no program ~~((with))~~ shall be approved which would result in an individual preceptor supervising more than two trainees, or if the facility in which the program is to be implemented has a capacity of fewer than 50 beds. Exceptions to this general rule may be granted by the board in unusual circumstances.

(f) In addition, the board may in an individual case, require up to 150 contact hours of board-approved education, based upon the individual applicant's background, experience, and training.

AMENDATORY SECTION (Amending Order 141B, filed 3/1/91, effective 4/1/91)

WAC 246-843-095 PRECEPTORS FOR ADMINISTRATOR-IN-TRAINING PROGRAMS. In reviewing proposed administrator-in-training programs, the board shall utilize the following criteria in determining the qualifications and duties of the preceptor for such program:

(1) Qualifications of preceptor:

(a) The preceptor shall be employed as a licensed nursing home administrator for at least three years.

(b) The preceptor shall be employed full time as the nursing home administrator in the facility where the administrator-in-training is trained.

(c) The preceptor shall have demonstrated ~~((his or her))~~ the ability and skills to provide quality care.

(d) The preceptor shall have demonstrated his or her continued interest in the broadening of his or her professional horizons beyond the requirements of licensure.

(e) The preceptor ~~((must))~~ shall submit, in writing, ~~((his or her))~~ the preceptor's qualifications as described in subsection (1)(a) through (d) of this section and ~~((his))~~ an agreement to perform the duties in subsection (2)(a) and (b) of this section with the administrator-in-training's application.

(f) The preceptor shall participate in and successfully complete any preceptor workshop or other training deemed necessary by the board.

(2) Duties of the preceptor:

(a) The preceptor ~~((must))~~ shall take the time necessary and have at least a weekly supervisory conference between himself or herself and the trainee in the facility to adequately monitor the education and activities of the administrator-in-training relative to ~~((his or her))~~ the training program and the facility.

(b) The preceptor shall evaluate and report to the board on a quarterly basis as to the progress of the administrator-in-training.

AMENDATORY SECTION (Amending Order 141B, filed 3/1/91, effective 4/1/91)

WAC 246-843-100 DISQUALIFICATION-REEXAMINATION. (1) An applicant for examination who has been disqualified shall be given written notification by the ~~((director))~~ secretary, based upon the board's findings, of ~~((his or her))~~ the applicant's disqualification and the reasons therefore.

(2) An applicant for examination who has been disqualified may petition the board in writing within thirty days of notification of disqualification for a hearing and a review of ~~((his or her))~~ the applicant's application.

(3) Where an applicant for examination has been disqualified, ~~((he or she))~~ the applicant may submit a new application for qualification for examination, provided, however, that ~~((he or she))~~ the applicant shall be required to meet the requirements for licensing as shall be in force at the time of such reapplication.

(4) ~~((If a person fails to obtain a passing score, he or she may update his or her application and retake the examination, for a reexamination fee, until he or she obtains))~~ Applicants who fail to obtain a passing score may update their application and retake the examination, for a reexamination fee, until they obtain a passing score.

(5) If there are two examinations involved, and the applicant fails to receive a passing score in one of the examinations, ~~((he or she with))~~ the applicant shall be required to repeat only that examination in which ~~((he or she))~~ the applicant received a below-passing grade.

AMENDATORY SECTION (Amending Order 141B, filed 3/1/91, effective 4/1/91)

WAC 246-843-110 SUBJECTS FOR EXAMINATION. Every applicant for a license as a nursing home administrator, after meeting the requirements for qualification for examination as set forth in WAC ~~((308-54-090 of these rules and regulations))~~ 246-843-090, shall successfully pass an examination. The board may choose to include, but need not be limited to, the following subjects:

- (1) Applicable standards of environmental health and safety
- (2) Washington state nursing home law and regulations
- (3) General administration
- (4) Psychology of patient care
- (5) Principles of medical care
- (6) Personal and social care
- (7) Therapeutic and supportive care and services in long-term care
- (8) Departmental organization and management
- (9) Community interrelationships.

AMENDATORY SECTION (Amending Order 141B, filed 3/1/91, effective 4/1/91)

WAC 246-843-120 GRADING EXAMINATIONS. (1) Every candidate for a nursing home administrator's license shall be required to pass the examination for such license at a grade of at least seventy-five percent.

(2) The board shall determine a method of grading each examination separately, and shall apply such method uniformly to all candidates taking that examination.

(3) The board or the department shall not disclose the individual's score to anyone other than the applicant ~~((himself))~~, unless requested to do so, in writing, by the applicant.

(4) The applicant ~~((with))~~ shall be notified, in writing, ~~((the))~~ of scores received on ~~((his))~~ the applicant's examination.

AMENDATORY SECTION (Amending Order 141B, filed 3/1/91, effective 4/1/91)

WAC 246-843-125 CONTINUING EDUCATION CREDIT FOR PRECEPTORS FOR ADMINISTRATORS-IN-TRAINING PROGRAMS. Any licensed nursing home administrator serving as a preceptor for an administrator in training pursuant to WAC ~~((308-54-090(4)))~~ 246-843-090(4) may be granted continuing education credit at a rate of one hour per month provided that no licensed nursing home administrator shall be granted more than 24 hours of continuing education in any three-year period with regard to ~~((his or her))~~ the preceptorship.

AMENDATORY SECTION (Amending Order 141B, filed 3/1/91, effective 4/1/91)

WAC 246-843-130 COURSES OF STUDY. A course of study provided to satisfy the continuing education requirement of licensed nursing home administrators ~~((must))~~ shall meet the following conditions before approval by the board will be considered:

(1) Such course of study ~~((must))~~ shall be registered before being offered;

(2) Such course of study shall consist of a minimum of one hour of organized instruction with the exception of board-approved correspondence courses of study;

(3) Such course of study may include the following general subject areas or their equivalents, and ~~((must))~~ shall be oriented to the nursing home administrator and reasonably related to the administrator of nursing homes:

- (a) Applicable standards of environmental health and safety
 - (b) Local health and safety regulations
 - (c) General administration
 - (d) Psychology of patient care
 - (e) Principles of medical care
 - (f) Personal and social care
 - (g) Therapeutic and supportive care and services in long-term care
 - (h) Departmental organization and management
 - (i) Community inter-relationships;
- (4) Such course of study shall issue certificates of attendance or other evidence satisfactory to the board; and
- (5) All courses of study for continuing education are subject to board approval.

AMENDATORY SECTION (Amending Order 141B, filed 3/1/91, effective 4/1/91)

WAC 246-843-150 CONTINUING EDUCATION REQUIREMENTS TO MEET THE CONDITIONS OF REREGISTRATION FOR LICENSE. (1) A condition of reregistration for license shall be the requirement that the applicant has attended board-approved courses in continuing education.

(2) The licensee shall present proof that ~~((he or she has obtained))~~ fifty-four classroom hours in approved continuing education courses ~~have been completed~~ during each three-year period of ~~((his or her))~~ licensed tenure. The first three year period shall begin on the date of first renewal of the license, and shall conclude the day before the third anniversary of such renewal. Successive three year periods shall be computed in a similar fashion.

(3) There shall be no carry over of continuing education classroom hours from any three year period to the next three year period.

(4) Applicants for renewal practicing only out of the state of Washington may petition the board for full recognition of the continuing education requirement through fulfillment of their state of practice's licensing and continuing education requirements with the condition that their state has equal hours of continuing education requirements.

AMENDATORY SECTION (Amending Order 141B, filed 3/1/91, effective 4/1/91)

WAC 246-843-160 LICENSES. (1) Upon the ~~((director's))~~ secretary's receipt of the annual registration fee and the application fee and completed application forms provided by the ~~((director))~~ secretary, a nursing home administrator's license shall be issued to any person who has successfully complied with the requirements of the licensing law and standards provided herein. Such licenses shall be issued on a form certifying that the applicant has met the requirements of the laws, rules and regulations entitling ~~((him))~~ the applicant to serve, act, or practice ~~((, and otherwise hold himself out))~~ as a duly licensed nursing home administrator.

(2) Application, registration, or license fees are not refundable or transferable.

AMENDATORY SECTION (Amending Order 141B, filed 3/1/91, effective 4/1/91)

WAC 246-843-162 AIDS PREVENTION AND INFORMATION EDUCATION REQUIREMENTS. (1) Definitions.

(a) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(b) "Office on AIDS" means that section within the department of ~~((social and))~~ health ~~((services))~~ or any successor department with jurisdiction over public health matters as defined in chapter 70.24 RCW.

(2) Application for licensure. ~~((Effective January 1, 1989))~~ Persons applying for licensure shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection ~~((4))~~ (3) of this section.

(3) ~~((Renewal of licenses. Effective with the renewal period beginning January 1, 1989 all persons making application for licensure renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4). Persons whose 1989 license expires on or before March 31, 1989 will, upon written application, be granted an extension to April 15, 1989, to meet the AIDS education requirement.~~

~~((4))~~ AIDS education and training.

(a) Acceptable education and training. The ~~((director with))~~ secretary shall accept education and training that is consistent with the model curriculum available from the office on AIDS. Such education and training shall be a minimum of seven clock hours and shall include, but is not limited to, the following: Etiology and epidemiology; testing and counseling; infection control guidelines; clinical manifestations and treatment; legal and ethical issues to include confidentiality; and psychosocial issues to include special population considerations.

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

(c) Documentation. The applicant shall:

- (i) Certify, on forms provided, that the minimum education and training has been completed (~~((after January 1, 1987))~~);
- (ii) Keep records for two years documenting attendance and description of the learning;
- (iii) Be prepared to validate, through submission of these records, that attendance has taken place.

AMENDATORY SECTION (Amending Order 141B, filed 3/1/91, effective 4/1/91)

WAC 246-843-170 TEMPORARY PERMITS. (1) Upon the (~~((director's))~~ secretary's receipt of the application and temporary permit fees, a temporary permit may be issued by the (~~((director))~~ secretary under the criteria, circumstances, and requirements, stated in this section, and without examination, for a period up to six months. Such permits shall be subject to confirmation, rescission, or modification by order of the board upon review at the next board meeting. A person holding a temporary permit shall work closely with the representative of the board. A permit holder shall not be eligible for a subsequent permit and such permit shall terminate upon the holder being advised of the licensure examination results. A temporary permit shall be valid only for the specific facility for which it is issued and shall terminate upon the permit holder's departure from the facility unless otherwise approved by the board. An applicant shall meet all of the following criteria:

- (a) Be currently licensed and in good standing as a nursing home administrator in another state.
- (b) Have passed the national examination with an equivalent score of 75% or better. Applicants licensed prior to the existence of the national examination (~~((with))~~ shall be individually reviewed.
- (c) The applicant is otherwise eligible for the licensure examination in this state and has met the requirements and applied for the next scheduled examination.
- (d) Have a written agreement for consultation with a Washington state licensed nursing home administrator, which is subject to review by the board at its next regularly scheduled meeting.
- (e) The foregoing provisions of (a) and (b) of this subsection shall not apply in the case of an administrator of a religious care facility described in RCW 18.51.170 and acting under a limited license described in RCW 18.52.070(3).

(2) The following circumstances (~~((with))~~ shall be considered for the issuance of a temporary permit:

- (a) There is a specific vacancy due to the departure of the nursing home administrator from a facility which creates an undue hardship.
- (b) Illness of the current nursing home administrator of the facility which prevents such person from performing (~~((his/her))~~ administrator duties.

AMENDATORY SECTION (Amending Order 141B, filed 3/1/91, effective 4/1/91)

WAC 246-843-180 REGISTRATION OF LICENSES. (1) Every person who holds a valid nursing home administrator's license shall reregister it annually with the director on dates specified by the (~~((director))~~ secretary) secretary by making application for reregistration on forms provided by the (~~((director))~~ secretary). Such reregistration shall be granted automatically upon receipt of the annual fee, provided, however, that the requirement of continuing education as described in WAC (~~((308-54-150))~~ 246-843-150) is fully met.

(2) Any license holder not reregistered within thirty days after the date for reregistration specified by the (~~((director, with))~~ secretary) shall be charged a penalty fee as set forth in WAC (~~((308-54-310))~~ 246-843-990) annually in addition to (~~((his))~~ the) annual registration fee. In the event that the license of an individual is not reregistered within two years from the most recent date for reregistration, such license shall lapse and the individual must again apply for licensing and meet all the requirements for a new applicant.

AMENDATORY SECTION (Amending Order 141B, filed 3/1/91, effective 4/1/91)

WAC 246-843-200 STANDARDS OF SUITABILITY AND CHARACTER. To establish suitability and character to qualify an individual for a license as a nursing home administrator, and prior to being permitted to take the examination for license as a nursing home administrator, the applicant shall furnish evidence satisfactory to the board of:

- (1) Absence of physical or mental impairment which would prevent the applicant from performing the duties of a nursing home administrator.
- (2) Two letters of recommendation (~~((must))~~ shall be submitted certifying to the good moral character of the applicant.

AMENDATORY SECTION (Amending Order 141B, filed 3/1/91, effective 4/1/91)

WAC 246-843-205 STANDARDS OF CONDUCT. (~~((A))~~ Licensed nursing home administrators shall be in active administrative charge of the nursing home or homes in which (~~((he has))~~ they have) consented to serve as administrator.

AMENDATORY SECTION (Amending Order 141B, filed 3/1/91, effective 4/1/91)

WAC 246-843-220 COMPLAINTS AND HEARING PROCEDURES. (1) All proceedings of the (~~((director))~~ secretary) and board for rule making, for contested cases and for appeals shall be conducted in conformity with the Administrative Procedure Act of this state.

(2) Complaints regarding any licensed administrator shall be considered only if submitted to the (~~((director))~~ secretary) in writing. In any case, the complaint (~~((with))~~ shall be fully investigated by the (~~((director))~~ secretary), and referred to the board to determine whether any board action should be initiated.

(3) The (~~((director))~~ secretary), on his or her own initiative may, or upon order of the board, shall(~~((:))~~) initiate an investigation of possible violations of this chapter. The (~~((director))~~ secretary) shall advise the board of all complaints received and action taken.

(4) The board, with the advice of the (~~((director))~~ secretary), shall determine the most appropriate method of hearing from among the following choices:

- (a) Conducted by the board; or
- (b) Conducted by a committee of the board, the majority of which shall be administrator members; or
- (c) Conducted by a hearing examiner engaged by the board who shall be a licensed administrator; or
- (d) Conducted by a hearing examiner of the state.

AMENDATORY SECTION (Amending Order 141B, filed 3/1/91, effective 4/1/91)

WAC 246-843-230 RECIPROCITY. (1) The board, at its discretion, and otherwise subject to the law pertaining to the licensing of nursing home administrators prescribing the qualifications for a nursing home administrator license may endorse a nursing home administrator license issued by the proper authorities of any other state, upon payment of the original license fee and the application fee, and upon submission of evidence satisfactory to the board:

(a) That such other state maintains a system and standard of qualification and examination for a nursing home administrator license, which are substantially equivalent to those required in this state;

(b) That such applicant for endorsement is examined and successfully passes the test related to Washington state local health and safety nursing home regulations; and

(c) That such applicant has not had a nursing home administrator license revoked or suspended in any state (~~((which he or she has received a nursing home administrator license or reciprocal endorsement))~~).

(2) After meeting the preceding requirements, the applicant (~~((must))~~ shall submit the original license fee and is subject to annual renewals and late renewal penalty fees.

AMENDATORY SECTION (Amending Order 141B, filed 3/1/91, effective 4/1/91)

WAC 246-843-240 RESTORATION AND REINSTATEMENT OF LICENSES. (1) Suspended licenses are automatically in force at the expiration of the period of suspension set forth in the board's order, but (~~((must))~~ shall be reregistered in the normal course if they expire during the period of suspension.

(2) Persons whose licenses have been revoked, or to whom reregistration has been refused, may, upon subsequent application, be licensed, relicensed, or reregistered upon evidence satisfactory to the board that the applicant for such restoration of license has removed the disability.

(3) Concerning such application for restoration of a license, the board, at its discretion, may grant the applicant an informal hearing

and if a formal hearing is requested the formal hearing would be conducted in the manner set forth in WAC ((308-54-220)) 246-843-220 (1) and (3).

AMENDATORY SECTION (Amending Order 141B, filed 3/1/91, effective 4/1/91)

WAC 246-843-250 **DUPLICATE LICENSES**. Upon receipt of satisfactory evidence that a license or certificate of registration has been lost, mutilated, or destroyed, the ((director)) secretary may issue a duplicate license or certificate upon payment of the customary fee as established by the department.

AMENDATORY SECTION (Amending Order 141B, filed 3/1/91, effective 4/1/91)

WAC 246-843-320 **RENEWAL OF LICENSES**. ((+)) Effective with the renewal period beginning September 1, 1980, the annual license renewal date for nursing home administrators will be changed to coincide with the licensee's birthdate. Conversion to this staggered renewal system will be accomplished as follows:

(a) Current licensees, as of September 1, 1980. Licensed nursing home administrators desiring to renew their licenses will be required to pay a fee of thirty-five dollars, plus one-twelfth of that amount for each amount, or fraction thereof, in order to extend their license to expire on their birth anniversary date next following September 1, 1981.

(b) On and after September 1, 1980, all) New or initial nursing home administrator licenses ((issued will)) shall expire on the applicant's next birth anniversary date. ((2) After the conversion to a staggered renewal system;) Licensees may then annually renew their license from birth anniversary date to the next birth anniversary date. ((However;)) Licensees who fail to pay the ((license)) renewal fee within thirty days of license expiration ((on or before the license expiration)) date ((with)) shall be subject to the late penalty fee.

AMENDATORY SECTION (Amending Order 149B, filed 3/1/91, effective 4/1/91)

WAC 246-843-330 **INACTIVE STATUS**. A nursing home administrator in good standing may place his or her license on inactive status by giving written notice to the secretary. To maintain an inactive license status, the yearly inactive license fee ((must)) shall be paid by the licensee. The secretary shall determine fees as provided in RCW 43.70.250. The licensee may resume active practice by submitting proof of maintenance of continuing education requirements and payment of current licensing fee. A person whose license is on inactive status shall not practice as a nursing home administrator until his or her license is activated.

WSR 91-19-021
PROPOSED RULES
DEPARTMENT OF HEALTH
(Veterinary Board of Governors)
 [Filed September 9, 1991, 2:54 p.m.]

Original Notice.

Title of Rule: WAC 246-933-010 Definitions; 246-933-020 Objectives; 246-933-030 Degree of skills; 246-933-050 Emergency care of animals of unknown ownership; 246-933-070 Emergency services; 246-933-080 Honesty, integrity and fair dealing; 246-933-090 Validation of health certificate; 246-933-100 Inspection of animals; 246-933-140 Prohibited publicity and advertising; 246-933-150 Honoring of publicity and advertisements; 246-933-240 Practical examination requirement; 246-933-250 Examination procedures; 246-933-260 Frequency and location of examinations; 246-933-270 Examination results; 246-933-280 Examination review procedures; 246-933-310 Definitions; 246-933-320

General requirements for all veterinary medical facilities; 246-933-330 Minimum physical facilities; 246-933-340 Practice management; 246-933-420 Basic requirements—Amount; 246-933-430 Effective date of requirement; 246-933-440 Exceptions; 246-933-450 Qualification of program for continuing education credit; 246-933-470 Continuing education—Certificate of compliance; 246-933-480 AIDS prevention and information education requirements; 246-933-620 Approval of substance abuse monitoring programs; 246-933-630 Participation in approved substance abuse monitoring program; 246-935-010 Definitions; 246-935-020 Applications—Animal technicians; 246-935-030 Grounds for denial, suspension or revocation of registration; 246-935-040 Responsibilities of veterinarian supervising an animal technician or an unregistered assistant; 246-935-060 Approval of post high school courses; 246-935-070 Examination for registration as animal technician; 246-935-080 Grading of examinations; 246-935-090 Examination review procedures; 246-935-100 Reexamination; 246-935-110 Examination procedures; 246-935-120 Frequency and location of examination; 246-935-130 AIDS prevention and information education requirements; and 246-935-140 Disciplinary reinstatement procedures.

Purpose: Housekeeping changes only. Changing obsolete WAC numbers to the current 246 numbers.

Statutory Authority for Adoption: WAC 246-933-010, 246-933-020, 246-933-030, 246-933-050, 246-933-070, 246-933-080, 246-933-090, 246-933-100, 246-933-140, 246-933-150, 246-933-240, 246-933-250, 246-933-260, 246-933-270, 246-933-280, 246-933-310, 246-933-320, 246-933-330, 246-933-340, 246-933-420, 246-933-430, 246-933-440, 246-933-450, 246-933-470, 246-935-010, 246-935-020, 246-935-030, 246-935-040, 246-935-060, 246-935-070, 246-935-080, 246-935-090, 246-935-100, 246-935-110, 246-935-120 and 246-935-140 is RCW 18.92.030; WAC 246-933-480 and 246-935-130 is RCW 18.92.030 and 70.24.270; and WAC 246-933-620 and 246-933-630 is RCW 18.92.030 and 18.130.050.

Summary: Proposed changes pertain only to the numbering of WAC paragraphs and does not change the content of the paragraph.

Reasons Supporting Proposal: WAC paragraph numbers have previously been changed. However, references made in the narrative portion of paragraphs were not previously changed to reflect the new numbering sequence. This change will improve readability of the WAC by correctly citing WAC reference numbers.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jackson D. Melton, 1300 S.E. Quince, Olympia, WA 98504, 586-6350.

Name of Proponent: Veterinary Board of Governors, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This proposed rule is necessary to correct erroneous WAC citations that resulted from previous rule adoption that changed veterinarian from Title 308 WAC to Title 246 WAC. All changes proposed in this rule are

considered housekeeping with no change made to the substance of the existing rule.

Proposal Changes the Following Existing Rules: Housekeeping changes only.

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

Hearing Location: West Coast-SeaTac, Tacoma Room, 18220 Pacific Highway South, Seattle, WA 98188, on October 28, 1991, at 9:15 a.m.

Submit Written Comments to: Jackson D. Melton, 1300 S.E. Quince Street, EY-22, by October 25, 1991.

Date of Intended Adoption: October 28, 1991.

June 26, 1991
Jackson D. Melton
Program Manager

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-010 DEFINITIONS. ~~((1))~~ "Patient" means any animal under the care and treatment of a veterinarian.

(2) "Advertise" means to announce publicly by any form of media in order to aid directly or indirectly in the sale of a commodity or service.

(3) "Veterinary board of governors" is that board appointed by the governor pursuant to chapter 18.93 RCW.

(4) "Health certificate" means a written testimony to the fact that an animal is in a certain state of health.

(5) "Drugs" as defined in RCW 69.50.101.

(6) "Controlled substances" as defined in RCW 69.50.101.

(7) "Animal" means any species normally recognized as treatable by veterinary medicine.

(8) Unless otherwise stated, words used in the singular may be read in the plural.

(9) "Nonnarcotic Schedule II controlled substance" means: Amphetamine, its salts, optical isomers, and salts of its optical isomers; phenmetrazine and its salts; any substance which contains any quantity of methamphetamine, including its salts, isomers, and salts of its isomers; and methyl phenidate.) For the purposes of this chapter, the following words and phrases shall have the following meanings unless the context clearly indicates otherwise. Unless stated, words used in the singular may be read in the plural.

(1) "Advertise" means to announce publicly by any form of media in order to aid directly or indirectly in the sale of a commodity or service.

(2) "Animal" means any species normally recognized as treatable by veterinary medicine.

(3) "Controlled substances" as defined in RCW 69.50.101.

(4) "Department" means the department of health.

(5) "Drugs" as defined in RCW 69.50.101.

(6) "Health certificate" means a written testimony to the fact that an animal is in a certain state of health.

(7) "Nonnarcotic Schedule II controlled substance" means: Amphetamine, its salts, optical isomers, and salts of its optical isomers; phenmetrazine and its salts; any substance which contains any quantity of methamphetamine, including its salts, isomers, and salts of its isomers; and methyl phenidate.

(8) "Patient" means any animal under the care and treatment of a veterinarian.

(9) "Secretary" means the secretary of the department of health.

(10) "Veterinary board of governors" is that board appointed by the governor pursuant to chapter 18.92 RCW.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-020 OBJECTIVES. The principal objectives of the veterinary profession are to render veterinary services to society, to assist in conserving livestock resources, and to assist in relieving suffering of animals. The veterinarian shall always endeavor to ~~((conduct himself or herself))~~ act in such a manner to further these objectives.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-030 DEGREE OF SKILLS. The ~~((veterinarian owes to his or her patients a reasonable degree of skill and care. To this end, the))~~ veterinarian shall endeavor to keep abreast of new developments in veterinary medicine, surgery and dentistry, and shall endeavor to improve his or her knowledge and skill in the practice of veterinary medicine, surgery and dentistry.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-050 EMERGENCY CARE OF ANIMALS OF UNKNOWN OWNERSHIP. The veterinarian shall endeavor to provide at least minimal treatment to alleviate the suffering of an animal presented in the absence of the owner or ~~((his))~~ the owner's agent.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-070 EMERGENCY SERVICES. (1) Emergency services shall mean the delivery of veterinary care by a licensed veterinarian during the hours when the majority of regional, daytime veterinary practices have no regularly scheduled office hours (are closed).

(2) Emergency service shall be provided at all times. This requirement does not mean that a veterinary medical facility ~~((must))~~ shall be open to the public at all times but that the provision of professional services must be accomplished by appropriate means including the assignment of veterinarians or cooperation between practices or after-hours emergency veterinary medical facilities serving the area. In the absence of an emergency veterinary medical facility serving the area, the phone shall be answered at all times so that inquirers can be told if the veterinarian is available and, if not, where emergency service is available.

(3) A veterinarian who represents, in any way, that he or she provides emergency veterinary services, including but not limited to, using names or terms such as "after hours clinic," or "after hours veterinary hospital," or use of the word "emergency" in any way, shall include in all advertisements the following information:

The availability of the veterinarian who is to provide emergency services, in print at least as large as that used to advertise the availability of emergency services, as either:

(a) "Veterinarian on premises," or term of like import, which phrase shall be used when there is a veterinarian actually present at the facility who is prepared to render veterinary services and the hours such services are available; or

(b) "Veterinarian on call," or term of like import, which phrase shall be used when the veterinarian is not present at the hospital, but is able to respond within a reasonable time to requests for emergency veterinary services and has been designated to so respond.

(4) All licensees shall comply with this section by December 1, 1989.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-080 HONESTY, INTEGRITY AND FAIR DEALING. A veterinarian's ~~((shall conduct his/her))~~ practice shall be conducted on the highest plane of honesty, integrity and fair dealing with ~~((his/her))~~ clients in time and services rendered, and in the amount charged for services, facilities, appliances and drugs. It is unprofessional and unethical for a veterinarian to attempt to mislead or deceive a client or to make untruthful statements or representations to a client.

It is also unprofessional and unethical for a veterinarian to attempt to dissuade a client from filing a disciplinary complaint by, but not limited to, a liability release, waiver, or written agreement, wherein the client assumes all risk or releases the veterinarian from liability for any harm, damage, or injury to an animal while under the care, custody, or treatment by the veterinarian.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-090 VALIDATION OF HEALTH CERTIFICATE. It is unethical to sign or otherwise validate any health certificate without actually, physically inspecting the animal. A health certificate ~~((must))~~ shall be dated as of the time of examination.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-100 INSPECTION OF ANIMALS. It is unethical for a veterinarian when employed to inspect an animal for health and soundness, to accept a fee or other compensation in relation to the inspection from a person other than ~~((his))~~ the veterinarian's employer.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-140 PROHIBITED PUBLICITY AND ADVERTISING. A veterinarian shall not, on behalf of himself or herself, ~~((his or her))~~ any partner, associate or ~~((any))~~ other veterinarian affiliated with his or her office or clinic, use or allow to be used any form of public communication or advertising which:

- (1) Is false, fraudulent, deceptive or misleading;
- (2) Refers to secret methods of treatment;
- (3) Is not identified as a paid advertisement or solicitation;
- (4) States or implies that a veterinarian is a certified specialist unless ~~((he or she))~~ the veterinarian is certified in such specialty by a board recognized by the American ~~((Veterinarian))~~ Veterinary Medical Association.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-150 HONORING OF PUBLICITY AND ADVERTISEMENTS. (1) If a veterinarian advertises a fee for a service, the veterinarian ~~((must))~~ shall render that service for no more than the fee advertised.

(2) Unless otherwise specified in the advertisement, if a veterinarian publishes any fee information, the veterinarian shall be bound by any representation made therein for the periods specified in the following categories:

- (a) If in a publication which is published more frequently than one time per month, for a period of not less than thirty days after such publication.
- (b) If in a publication which is published once a month or less frequently, until the publication of the succeeding issue.
- (c) If in a publication which has no fixed date for publication of the succeeding issue, for a reasonable period of time after publication, but in no event less than one year.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-240 PRACTICAL EXAMINATION REQUIREMENT. ~~((In order to be licensed, any))~~ An applicant for licensure ~~((after November 1, 1979))~~ who has a current license by examination in another state, or who has passed a written examination approved by the board ~~((with))~~ shall be required to pass a practical examination prepared and administered by the board. This requirement may be waived for applicants who apply to licensure pursuant to RCW 18.92.130.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-250 EXAMINATION PROCEDURES. (1) The examination consists of three parts: The National Board Examination for Veterinary Medical Licensing (NBE), the Clinical Competency Test (CCT), and the Washington state examination. No part of the examination may be taken prior to six months preceding graduation from a course of instruction as described in WAC ~~((308-151-050))~~ 246-933-220.

(2) Failure to follow written or oral instructions relative to the conduct of the examination, including termination times of the examination ~~((with))~~ shall be considered grounds for expulsion from the examination.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-260 FREQUENCY AND LOCATION OF EXAMINATIONS. (1) The examination for veterinarians shall be scheduled at such times and places as the ~~((director))~~ secretary may authorize.

(2) Should an applicant fail to appear for examination at the designated time and place, ~~((he or she))~~ the applicant shall forfeit the examination fee unless ~~((he or she))~~ the applicant has notified the division of professional licensing services in writing of his or her inability to appear for the scheduled exam at least five days before the designated time.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-270 EXAMINATION RESULTS. (1) In order to pass the examination for licensure as a veterinarian, the applicant ~~((must))~~ shall attain a minimum grade of:

- (a) 1.5 standard deviations below the national mean of the criterion population on the National Board Examination, and
- (b) 1.5 standard deviations below the national mean of the criterion population on the Clinical Competency Test, and
- (c) 70% in the Washington state examination.

(2) Applicants who fail the National Board Examination, the Clinical Competency Test, or the Washington state examination may retake the examination that they failed (NBE, CCT or state) by again completing an application and by submitting the reexamination fee to the division of professional licensing services: Provided, however, that a passing CCT score remains acceptable only if obtained within the last five years at the time of application ~~((and if taken after 1983))~~, and that only the most recently obtained CCT and NBE scores will be considered in an application.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-280 EXAMINATION REVIEW PROCEDURES. (1) Each individual who takes the Washington state examination for licensure as a veterinarian and does not pass the Washington state examination section may request review ~~((by the board of his or her examination results))~~ of the examination results by the board. This request ~~((must))~~ shall be in writing and ~~((must))~~ shall be received by the board within thirty days of notification of the examination results. The request ~~((must))~~ shall state the reason or reasons the applicant feels the results of the examination should be changed. The board ~~((with))~~ shall not consider any challenges to examination scores unless the total revised score could result in the issuance of a license. The board ~~((with))~~ shall consider the following to be adequate reasons for consideration for review and possible modification of examination results:

- (a) A showing of a significant procedural error in the examination process;
- (b) Evidence of bias, prejudice or discrimination in the examination process;
- (c) Other significant errors which result in substantial disadvantage to the applicant.

(2) Any applicant who is not satisfied with the result of the examination review may appeal the board's decision and may request a formal hearing to be held before the board pursuant to the Administrative Procedure Act. Such hearing ~~((must))~~ shall be requested within twenty days of receipt of the result of the board's review of the examination results. The board ~~((with))~~ shall not consider any challenges to examination scores unless the total revised score could result in the issuance of a license.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-310 DEFINITIONS. (1) Veterinary medical facility: Any premise, unit, structure or vehicle where any animal is received and/or confined to be examined, diagnosed or treated medically, surgically or prophylactically, as defined in RCW 18.92.010.

(2) Mobile clinic: A vehicle, including a camper, motor home, trailer or mobile home, used as a veterinary medical facility. A mobile clinic is not required for house calls or farm calls.

(3) Aseptic surgery: Aseptic surgical technique exists when everything that comes in contact with the wound is sterile and precautions are taken to ensure such sterility during the procedure. These precautions include, but are not limited to, such things as the surgery room itself, sterilization procedures, scrubbing hands and arms, sterile gloves, caps and masks, sterile long-sleeved gowns, and sterile draping and operative techniques.

(4) Antiseptic surgery: Antiseptic surgical technique exists when care is taken to avoid bacterial contamination but the precautions are not as thorough and extensive as in aseptic surgery. Surgeons and surgical assistants ((must)) shall wear clean attire and sterile gloves, and the patient ((must)) shall be appropriately draped. A separate sterile surgical pack ((must)) shall be used for each animal.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-320 GENERAL REQUIREMENTS FOR ALL VETERINARY MEDICAL FACILITIES. (1) Construction and maintenance: All facilities ((must)) shall be so constructed and maintained as to provide comfort and safety for patients and clients. All areas of the premises shall be maintained in a clean and orderly condition, free of objectionable odors. All facilities ((must)) shall comply with applicable state, county and municipal laws, ordinances and regulations.

(2) Ventilation: Adequate heating and cooling ((must)) shall be provided for the comfort of the animals, and the facility ((must)) shall have sufficient ventilation in all areas.

(3) Lighting: Proper lighting ((must)) shall be provided in all rooms utilized for the practice of veterinary medicine. Outside lighting ((should)) shall be adequate to identify the building and to assist the clients.

(4) Water: Potable water ((must)) shall be provided.

(5) Basic sanitation: Any equipment, instruments or facilities used in the treatment of animals ((must)) shall be clean and sanitary at all times to protect against the spread of diseases, parasites and infection.

(6) Waste disposal: Covered waste containers, impermeable by water, ((must)) shall be used for the removal and disposal of animal and food wastes, bedding, animal tissues, debris and other waste.

Disposal facilities shall be so operated as to minimize insect or other vermin infestation, and to prevent odor and disease hazards or other nuisance conditions.

The facility shall employ a procedure for the prompt, sanitary and esthetic disposal of dead animals which complies with all applicable state, county and municipal laws, ordinances and regulations.

(7) Records: Every veterinarian shall keep daily written reports of the animals he or she treats. Records for companion animals shall be kept for each animal, but records for economic animals may be maintained on a group or client basis. These records ((must)) shall be readily retrievable and ((must)) shall be kept for a period of three years following the last treatment or examination. They shall include, but not be limited to, the following:

- (a) Name, address and telephone number of the owner.
- (b) Name, number or other identification of the animal or group.
- (c) Species, breed, age, sex and color of the animal.
- (d) Immunization record.
- (e) Beginning and ending dates of custody of the animal.
- (f) A short history of the animal's condition as it pertains to its medical status.
- (g) Physical examination findings and any laboratory data.
- (h) Provisional or final diagnosis.
- (i) Treatment and medication administered, prescribed or dispensed.
- (j) Surgery and anesthesia.
- (k) Progress of the case.

(8) Storage: All supplies, including food and bedding, shall be stored in facilities which adequately protect such supplies against infestation, contamination or deterioration. Refrigeration shall be provided for all supplies that are of a perishable nature, including foods, drugs and biologicals.

(9) Biologicals and drugs: Biologicals and other drugs shall be stored in such a manner as to prevent contamination and deterioration in accordance with the packaging and storage requirements of the current editions of the U.S. Pharmacopeia, 12601 Twinbrook Parkway, Rockville, Maryland 20852, and the National Formulary, Mack Publishing Company, 20th and Northampton Streets, Easton, Pennsylvania 18042 and/or manufacturers' recommendation.

All controlled substances shall be maintained in a locked cabinet or other suitable secure container in accordance with federal and Washington state laws.

Controlled substance records shall be readily retrievable, in accordance with federal and Washington state laws.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-330 MINIMUM PHYSICAL FACILITIES. All veterinary medical facilities in which animals are received for medical, surgical or prophylactic treatment ((must)) shall have the following minimum facilities, but are not limited to only these facilities:

(1) Reception room and office: Or a combination of the two.

(2) Examination room: Should be separate but may be combined with a room having a related function, such as a pharmacy or laboratory. It must be of sufficient size to accommodate the veterinarian, patient and client.

Examination tables ((must)) shall have impervious surfaces. Waste receptacles ((must)) shall be lined, covered or in a closed compartment, and properly maintained. A sink with clean or disposable towels must be within easy access.

(3) Surgery: If surgery is performed, a separate and distinct area so situated as to keep contamination and infection to a minimum; provided, however, ((~~that effective January 1, 1988;~~)) a separate and distinct room so situated as to keep contamination and infection to a minimum ((will)) shall be required.

(4) Laboratory: ((~~May~~)) Shall be either in the facility or through consultative facilities, adequate to render diagnostic information.

(5) Radiology: Facilities for diagnostic radiography ((must)) shall be available either on or off the premises. The facilities ((must)) shall meet federal and Washington state protective requirements and be capable of producing good quality diagnostic radiographs.

(6) Animal housing areas: Any veterinary medical facility confining animals ((must)) shall have individual cages, pens, exercise areas or stalls to confine said animals in a comfortable, sanitary and safe manner.

Cages and stalls ((must)) shall be of impervious material and of adequate size to assure patient comfort and sanitation.

Runs and exercise pens ((must)) shall be of a size to allow patient comfort and exercise. ((~~Effective January 1, 1988;~~)) Runs and exercise pens ((must)) shall provide and allow effective separation of adjacent animals and their waste products, and ((must)) shall be constructed in such a manner as to protect against escape or injury. Floors of runs ((must)) shall be of impervious material.

Animals that are hospitalized for treatment of contagious diseases ((must)) shall be isolated in such a manner as to prevent the spread of contagious diseases.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-340 PRACTICE MANAGEMENT. All veterinary medical facilities shall maintain a sanitary environment to avoid sources and transmission of infection. This includes the proper sterilization or sanitation of all equipment used in diagnosis or treatment and the proper routine disposal of waste materials.

(1) Surgery: Surgery shall be performed in a manner compatible with current veterinary practice with regard to anesthesia, asepsis or antiseptics, life support and monitoring procedures, and recovery care. The minimum standards for surgery shall be:

(a) ((~~Effective January 1, 1988;~~)) Aseptic or antiseptic surgery shall be performed in a room designated and reserved for surgery and directly related noncontaminating activities.

(b) The surgery room shall be clean, orderly, well lighted and maintained in a sanitary condition, free of offensive odors.

(c) Storage in the surgery room shall be limited only to items and equipment related to surgery and surgical procedures.

(d) Instruments and equipment utilized in the surgery room shall be appropriate for the type of surgical service being provided.

(e) The operating table shall be constructed of a smooth and impervious material.

(f) Chemical disinfection ("cold sterilization") may be used only for field conditions or minor surgical procedures. Sterilizing of all appropriate equipment is required. ((~~Effective January 1, 1988;~~)) Provisions for sterilization ((must)) shall include a steam pressure sterilizer (autoclave) or a gas sterilizer (e.g., ethylene oxide).

(g) Surgical packs include towels, drapes, gloves, sponges and proper instrumentation. They shall be properly prepared for sterilization by heat or gas (sufficient to kill spores) for each sterile surgical procedure.

(h) For any major procedure, such as opening the abdominal or thoracic cavity or exposing bones or joints, a separate sterile surgical pack ((must)) shall be used for each animal. Surgeons and surgical

assistants shall use aseptic technique throughout the entire surgical procedure.

(i) Uncomplicated ovariohysterectomy or castration of normal healthy animals, and minor surgical procedures, such as excising small skin lesions or suturing superficial lacerations, may be performed under clean, aseptic conditions. Surgeons and surgical assistants shall wear clean attire and sterile gloves, and care shall be taken to avoid introducing bacterial contamination.

(j) All animals shall be properly prepared for surgery as follows:

(i) Clipping and shaving of the surgical area for major procedures requiring aseptic technique as in (h) ~~((must))~~ of this subsection shall be performed in a room other than the surgery room. Loose hair ~~((must))~~ shall be removed from the surgical area.

(ii) Scrubbing the surgical area with soap and water.

(iii) Disinfecting the surgical area.

(iv) Draping the surgical area if appropriate.

(k) Anesthetic equipment appropriate for the type of patient and surgery performed shall be available at all times.

(l) Compressed oxygen or other adequate means shall be available to be used for resuscitation.

(m) Emergency drugs ~~((must))~~ shall be available to the surgery area.

(n) Grossly contaminated procedures, such as lancing and draining abscesses, shall not be performed in the room designated for aseptic or antiseptic surgery.

(2) Library: A library of appropriate veterinary journals and textbooks shall be available on the premises for ready reference.

(3) Laboratory: Veterinary medical facilities shall have the capability for use of either in-house or consultant laboratory service for blood chemistry, bacterial cultures and antibiotic sensitivity examinations, complete blood counts, histopathologic examinations and complete necropsies. The in-house laboratory facility shall meet the following minimum standards:

(a) The laboratory room shall be clean and orderly with provision for ample storage.

(b) Ample refrigeration shall be provided.

(c) Any tests performed shall be properly conducted by currently recognized methods to assure reasonable accuracy and reliability of results.

(4) Radiology: Veterinary medical facilities shall have the capability for use of either in-house or consultant services for obtaining radiographs of diagnostic quality. Radiology equipment and use ~~((must))~~ shall be in compliance with federal and Washington state laws, and ~~((should))~~ shall follow the guidelines approved by the American Veterinary Medical Association.

(5) Biologicals and drugs: The minimum standards for drug procedures shall be:

(a) All controlled substances shall be stored, maintained, administered, dispensed and prescribed in compliance with federal and Washington state laws.

(b) Among things otherwise provided by RCW 69.41.050, legend drugs dispensed by a veterinarian shall be labeled with the following:

(i) Name of client or identification of animal.

(ii) Date dispensed.

(iii) Complete directions for use.

(iv) Name and strength of the drug.

(v) Name of prescribing veterinarian.

(c) A record of all drugs administered or dispensed shall be kept in the client's record. In the case of companion animals this record shall be by individual animal.

(6) Limited services: If veterinary medical services are limited to specific aspects of practice,

(a) The public shall be informed of the limitation of services provided.

(b) All veterinary services provided in the facility ~~((must))~~ shall conform to the requirements for those services listed in WAC ~~((308-153-030))~~ 246-933-330 and this section.

(c) The general requirements prescribed in WAC ~~((308-153-020))~~ 246-933-320 shall apply to all veterinary medical facilities.

(7) Exceptions:

(a) The standards and requirements prescribed in WAC ~~((308-153-030))~~ 246-933-330(3) and subsection (1)(a), (c), (j)(i), (n) of this section, shall not apply to equine or food animal veterinary procedures performed in medical facilities.

(b) The standards and requirements prescribed in WAC ~~((308-153-020))~~ 246-933-320 (1), (2), (3), (4), (6), (8), ~~((308-153-030))~~ 246-933-330 and subsections (1)(a), (b), (c), (e), (h), (j)(i), (l), (n), (2),

(3), (4), (6)(b), (c) of this section, shall not apply to equine or food animal veterinary procedures performed on the owner's premises by a veterinarian.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-420 BASIC REQUIREMENT—AMOUNT. In the three-year period immediately preceding the annual renewal of the license to practice veterinary medicine, the applicant ~~((must))~~ shall have completed 3-3/4 days or accumulated thirty hours of acceptable continuing education.

(1) Measurement is in full academic hours only (a 50-minute period equals one hour). A one-day course ~~((with))~~ shall constitute eight hours of credit.

(2) Credit ~~((with))~~ shall be granted only for class hours, and not preparation hours.

~~((3) Acceptable courses taken after July 1, 1977 may be included in the first computation of continuing education hours necessary for renewal.))~~

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-430 EFFECTIVE DATE OF REQUIREMENT. ~~((+))~~ The effective date of the continuing education requirement ~~((with))~~ shall be three years after ~~((the 1977 renewal date. Therefore, the required number of hours must first be met by the 1980 license renewal date.))~~

~~((2) With respect to any individual, the regulation will become effective on the 1980 renewal or three years after))~~ initial licensure in this state ~~((, whichever is later)).~~

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-440 EXCEPTIONS. The following are exceptions from the continuing education requirements:

~~((+))~~ Upon a showing of good cause by a licensee to the board, the board may exempt such licensee from any, all ~~((+))~~, or part of the continuing education requirement. Good cause includes, but is not limited to:

~~((+))~~ (1) Illness;

~~((+))~~ (2) Hardship to practice.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-450 QUALIFICATION OF PROGRAM FOR CONTINUING EDUCATION CREDIT. Generally: Generally a formal completion of program of learning which contributes directly to the professional competence of an individual to practice veterinary medicine after he/she has been licensed to do so ~~((with))~~ shall qualify an individual to receive credit for continuing education.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-470 CONTINUING EDUCATION—CERTIFICATION OF COMPLIANCE. (1) In conjunction with the application for renewal of licensure at the end of each three-year period as provided for in WAC ~~((308-154-030))~~ 246-933-430, each licensee shall submit an affidavit of compliance on a form supplied by the board indicating the thirty hours of continuing education completed by the licensee.

(2) The board reserves the right to require any licensee to submit evidence, e.g., course or program certificate of training, transcript, course or workshop brochure description, evidence of attendance, etc., in addition to the affidavit form in order to demonstrate compliance with the continuing education requirement. It is therefore the responsibility of each licensee to maintain records, certificates or other evidence of compliance with the continuing education requirements.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-480 AIDS PREVENTION AND INFORMATION EDUCATION REQUIREMENTS. (1) Definitions.

(a) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(b) "Office on AIDS" means that section within the department of ~~((social and))~~ health ~~((services))~~ or any successor department with jurisdiction over public health matters as defined in chapter 70.24 RCW.

(2) Application for licensure. ~~((Effective September 1, 1989))~~ Persons applying for licensure shall submit, prior to obtaining a license, and in addition to the other requirements for licensure, evidence to show compliance with the education requirements of subsection ~~((4))~~ (3) of this section.

~~((3))~~ ~~((Renewal of licenses. Effective with the renewal period beginning September 1, 1989 and ending August 31, 1990, all persons making application for licensure renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4).))~~

~~((4))~~ AIDS education.

(a) Acceptable education. The board ~~((with))~~ shall accept education that is consistent with the topical outline available from the office on AIDS. Alternatives to formal coursework may be in the form of video tapes, professional journal articles, periodicals, or audio tapes, that contain current or updated information. Such education shall include the subjects of prevention, transmission and treatment of AIDS, and may include the following: Etiology and epidemiology; testing and counseling; infection control guidelines; clinical manifestations and treatment; legal and ethical issues including confidentiality; and psychosocial issues to include special population considerations.

(b) ~~((Implementation. Effective September 1, 1989;))~~ The requirements for licensure, renewal, or reinstatement of any license on lapsed, inactive, or disciplinary status shall include completion of AIDS education. All persons affected by this section shall show evidence of completion of education which meets the requirement of ~~((subsection))~~ (a) of this subsection.

(c) Documentation. The licensee shall:

(i) Certify, on forms provided, that the minimum education has been completed ~~((after January 1, 1987))~~;

(ii) Keep records for two years documenting attendance or description of the learning;

(iii) Be prepared to validate, through submission of these records, that attendance or learning has taken place.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-620 APPROVAL OF SUBSTANCE ABUSE MONITORING PROGRAMS. The board ~~((with))~~ shall approve the monitoring program(s) which ~~((with))~~ shall participate in the recovery of veterinarians. The board ~~((with))~~ shall enter into a contract with the approved substance abuse monitoring program(s) on an annual basis.

(1) An approved monitoring program may provide referrals for evaluations and/or treatment to the participating veterinarians.

(2) An approved monitoring program staff ~~((must))~~ shall have the qualifications and knowledge of both substance abuse as defined in this chapter and the practice of veterinary medicine to be able to evaluate:

(a) Drug screening laboratories;

(b) Laboratory results;

(c) Providers of substance abuse treatment, both individual and facilities;

(d) Veterinarians' support groups;

(e) The veterinarians' work environment; and

(f) The ability of the veterinarian to practice with reasonable skill and safety.

(3) An approved monitoring program ~~((with))~~ shall enter into a contract with the veterinarian and the board to oversee the veterinarian's compliance with the requirements of the program.

(4) An approved monitoring program staff ~~((should))~~ shall evaluate and recommend to the board, on an individual basis, whether a veterinarian will be prohibited from engaging in the practice of veterinary medicine for a period of time and restrictions, if any, on the veterinarian's access to controlled substances in the work place.

(5) An approved monitoring program shall maintain records on participants.

(6) An approved monitoring program ~~((with))~~ shall be responsible for providing feedback to the veterinarian as to whether treatment progress is acceptable.

(7) An approved monitoring program shall report to the board any veterinarian who fails to comply with the requirements of the monitoring program.

(8) An approved monitoring program shall provide the board with a statistical report on the program, including progress of participants, at least annually, or more frequently as requested by the board. Progress reports shall not include names or any identifying information regarding voluntary participants.

(9) The board shall approve and provide the monitoring program guidelines on treatment, monitoring, and/or limitations on the practice of veterinary medicine for those participating in the program.

(10) An approved monitoring program shall provide for the board a complete financial breakdown of cost for each individual veterinary participant by usage at an interval determined by the board in the annual contract.

(11) An approved monitoring program shall provide for the board a complete annual audited financial statement.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-933-630 PARTICIPATION IN APPROVED SUBSTANCE ABUSE MONITORING PROGRAM. (1) In lieu of disciplinary action, the veterinarian may accept board referral into an approved substance abuse monitoring program.

(a) The veterinarian shall undergo a complete physical and psychosocial evaluation before entering the approved monitoring program. This evaluation will be performed by health care professionals with expertise in chemical dependency.

(b) The veterinarian shall enter into a contract with the approved substance abuse monitoring program to comply with the requirements of the program which shall include, but not be limited to the following:

(i) The veterinarian ~~((with))~~ shall agree to remain free of all mind-altering substances, including alcohol, except for medications prescribed by an authorized prescriber, as defined in RCW 69.41.030 and 69.50.101.

(ii) The veterinarian ~~((with))~~ shall submit to random drug screening as specified by the approved monitoring program.

(iii) The veterinarian shall sign a waiver allowing the approved monitoring program to release information to the board if the veterinarian does not comply with the requirements of this contract.

(iv) The veterinarian ~~((with))~~ shall undergo approved substance abuse treatment in an approved treatment facility.

(v) The veterinarian ~~((must))~~ shall complete the prescribed after-care program of the approved treatment facility, which may include individual and/or group psychotherapy.

(vi) The veterinarian ~~((must))~~ shall cause the treatment counselor(s) to provide reports to the approved monitoring program at specified intervals. Reports shall include treatment prognosis and goals.

(vii) The veterinarian ~~((with))~~ shall attend veterinarians' support groups and/or twelve-step group meetings as specified by the contract.

(viii) The veterinarian ~~((with))~~ shall comply with specified practice conditions and restrictions as defined by the contract.

(ix) Except for (b)(i) through (iii) of this subsection, an approved monitoring program may make an exception to the foregoing requirements on individual contracts.

(c) The veterinarian is responsible for paying the costs of the physical and psychosocial evaluation, substance abuse treatment, random drug screens, and therapeutic group sessions.

(d) The veterinarian may be subject to disciplinary action under RCW 18.130.160 and 18.130.180 if the veterinarian does not consent to be referred to the approved monitoring program, does not comply with specified practice restrictions, or does not successfully complete the program.

(2) A veterinarian who is not being investigated or monitored by the board for substance abuse and who is not currently the subject of current disciplinary action, may voluntarily participate in the approved substance abuse monitoring program without being referred by the board. Such voluntary participants shall not be subject to disciplinary action under RCW 18.130.160 and 18.130.180 for their substance abuse, and shall not have their participation made known to the board if they meet the requirements of the approved monitoring program:

(a) The veterinarian shall undergo a complete physical and psychosocial evaluation before entering the approved monitoring program. This evaluation ~~((with))~~ shall be performed by health care professional(s) with expertise in chemical dependency.

(b) The veterinarian shall enter into a contract with the approved substance abuse monitoring program to comply with the requirements of the program which may include, but not be limited to the following:

(i) The veterinarian ~~((with))~~ shall undergo approved substance abuse treatment in an approved treatment facility.

(ii) The veterinarian (~~with~~) shall agree to remain free of all mind-altering substances, including alcohol, except for medications prescribed by an authorized prescriber as defined in RCW 69.41.030 and 69.50.101.

(iii) The veterinarian (~~must~~) shall complete the prescribed after-care program of the approved treatment facility, which may include individual and/or group psychotherapy.

(iv) The veterinarian (~~must~~) shall cause the treatment counselor(s) to provide reports to the approved monitoring program at specified intervals. Reports shall include treatment prognosis and goals.

(v) The veterinarian (~~with~~) shall submit to random observed drug screening as specified by the approved monitoring program.

(vi) The veterinarian (~~with~~) shall attend veterinarians' support groups and/or twelve-step group meetings as specified by the contract.

(vii) The veterinarian (~~with~~) shall comply with practice conditions and restrictions as defined by the contract.

(viii) The veterinarian shall sign a waiver allowing the approved monitoring program to release information to the board if the veterinarian does not comply with the requirements of this contract.

(ix) Except for (b)(ii) through (iii) of this subsection, an approved monitoring program may make an exception to the foregoing requirements on individual contracts.

(c) The veterinarian is responsible for paying the costs of the physical and psychosocial evaluation, substance abuse treatment, random drug screens, and therapeutic group sessions.

(3) Treatment and pretreatment records shall be confidential as provided by law.

FEEs AND LICENSEs

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-935-010 DEFINITIONS. (1) "Animal technician" shall mean any person who has met the requirements of RCW 18.92.015 and who is registered as required by chapter 18.92 RCW.

~~(2) ("Veterinarian" shall mean a person authorized by chapter 18.92 RCW to practice veterinary medicine in the state of Washington.~~

~~(3) "Unregistered assistant" shall mean any individual who is not an animal technician or veterinarian.~~

~~(4) "Supervisor" shall mean a veterinarian or, if a task so provides, an animal technician.~~

~~(5) "Immediate supervision" shall mean the supervisor is in audible and visual range of the animal patient and the person treating the patient.~~

~~(6) "Direct supervision" shall mean the supervisor is on the premises, is quickly and easily available and the animal has been examined by a veterinarian at such times as acceptable veterinary medical practice requires, consistent with the particular delegated animal health care task.~~

~~(7) "Indirect supervision" shall mean the supervisor is not on the premises, but has given either written or oral instructions for treatment of the animal patient and the animal has been examined by a veterinarian at such times as acceptable veterinary medical practice requires, consistent with the particular delegated animal health care task and the animal is not anesthetized.~~

~~(8) "Veterinary medical facility" is as defined by WAC 308-153-010.~~

~~(9) "Emergency" means that the animal has been placed in a life-threatening condition where immediate treatment is necessary to sustain life.) "Direct supervision" shall mean the supervisor is on the premises, is quickly and easily available and the animal has been examined by a veterinarian at such times as acceptable veterinary medical practice requires, consistent with the particular delegated animal health care task.~~

~~(3) "Emergency" means that the animal has been placed in a life-threatening condition where immediate treatment is necessary to sustain life.~~

~~(4) "Immediate supervision" shall mean the supervisor is in audible and visual range of the animal patient and the person treating the patient.~~

~~(5) "Indirect supervision" shall mean the supervisor is not on the premises, but has given either written or oral instructions for treatment of the animal patient and the animal has been examined by a veterinarian at such times as acceptable veterinary medical practice requires, consistent with the particular delegated animal health care task and the animal is not anesthetized.~~

~~(6) "Supervisor" shall mean a veterinarian or, if a task so provides, an animal technician.~~

~~(7) "Unregistered assistant" shall mean any individual who is not an animal technician or veterinarian.~~

~~(8) "Veterinarian" shall mean a person authorized by chapter 18.92 RCW to practice veterinary medicine in the state of Washington.~~

~~(9) "Veterinary medical facility" is as defined by WAC 246-933-310.~~

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-935-020 APPLICATIONS—ANIMAL TECHNICIANS. Applications for registration as an animal technician shall be made on forms prepared by the (~~director~~) secretary of the department of (~~licensing~~) health and submitted to the division of professional licensing. Applications (~~must~~) shall be received at least forty-five days prior to the scheduled examination.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-935-030 GROUNDS FOR DENIAL, SUSPENSION OR REVOCATION OF REGISTRATION. The board may suspend, revoke or deny the issuance or renewal of registration of any animal technician and file its decision in the (~~director's~~) secretary's office if the animal technician:

(1) Has employed fraud or misrepresentation in applying for or obtaining the registration;

(2) Has within ten years prior to the date of application been found guilty of a criminal offense relating to the practice of veterinary medicine, surgery and dentistry, including, but not limited to:

(a) Any violation of the Uniform Controlled Substances Act or the Legend Drug Act;

(b) Chronic inebriety;

(c) Cruelty to animals;

(3) Has violated or attempted to violate any provision of chapter 18.92 RCW or any rule or regulation adopted pursuant to that chapter;

(4) Has assisted, abetted or conspired with another person to violate chapter 18.92 RCW, or any rule or regulation adopted pursuant to that chapter;

(5) Has performed any animal health care service not authorized by WAC ((308-156-045 or 308-156-050)) 246-935-040 or 246-935-050.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-935-040 RESPONSIBILITIES OF VETERINARIAN SUPERVISING AN ANIMAL TECHNICIAN OR AN UNREGISTERED ASSISTANT. (1) No veterinarian shall:

(a) Permit any registered animal technician in his/her employ to perform any animal health care services not authorized by WAC ((308-156-045 or 308-156-050)) 246-935-040 or 246-935-050.

(b) Permit any unregistered assistant to perform any animal health care services not authorized by WAC ((308-156-045 or 308-156-050)) 246-935-040 or 246-935-050.

(2) For purposes of the rules and regulations applicable to animal health care tasks for animal technicians and unregistered assistants, the supervising veterinarian of an animal technician or unregistered assistant shall:

(a) Have legal responsibility for the health, safety and welfare of the animal patient which the animal technician or unregistered assistant serves.

(b) Not delegate an animal health care task to an animal technician or unregistered assistant who is unqualified to perform the particular task.

(c) Not use a level of supervision which is lower than that designated for a specific task.

(d) Make all decisions relating to the diagnosis, treatment, management, and future disposition of an animal patient.

(e) Not authorize more than two unregistered assistants to act under indirect supervision at any single time.

(3) A supervising veterinarian shall have examined the animal patient prior to the delegation of any animal health care task to either an animal technician or unregistered assistant. The examination of the

animal patient shall be conducted at such times as acceptable veterinary medicine practice requires, consistent with the particular delegated animal health care task.

(4) Where an animal technician is authorized, pursuant to these regulations, to provide supervision for an unregistered assistant performing a specified health care task, the animal technician shall be under the same degree of supervision by the veterinarian, as specified in these regulations, as if the animal technician were performing the task.

(5) Unless specifically so provided by regulation, a veterinarian shall not authorize an animal technician or an unregistered assistant to perform the following functions:

- (a) Surgery, other than injections or inoculations;
- (b) Diagnosis and prognosis of animal disease;
- (c) Prescribing of drugs, medicines and appliances.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-935-060 APPROVAL OF POST HIGH SCHOOL COURSES. The board, pursuant to RCW ((+8-92.015)) 18.92.030, hereby adopts the accreditation standards of the American Veterinary Medical Association (AVMA), "Accreditation policies and procedures" of the committee (~~(for animal technician activities and training (CATAT))~~) on veterinary technician education and activities (CVTEA), in effect as of July 31, 1983, or as subsequently amended, and approved by the board. The board approves all and only those institutions accredited by, and in good standing with, the AVMA in accordance with these standards. Other institutions which apply for the board's approval and which meet the standards to the board's satisfaction may be approved, but it is the responsibility of an institution to apply for approval and of a student to ascertain whether or not a school has been approved by the board.

The board reserves the right to withdraw approval of any post high school course which ceases to meet the approval of the board and/or the AVMA after notifying the institution in writing and granting it an opportunity to contest the board's proposed withdrawal.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-935-070 EXAMINATION FOR REGISTRATION AS ANIMAL TECHNICIAN. (1) All applicants shall be required to complete an examination consisting of a written and practical test.

(2) The written test ((with)) shall consist of questions on any of the following subjects as they pertain to the animal health care services technicians may perform:

- (a) Anatomy
- (b) Physiology
- (c) Chemistry
- (d) Obstetrics
- (e) Bacteriology
- (f) Histology
- (g) Radiology
- (h) Nursing techniques
- (i) Hygiene
- (j) Dental prophylaxis
- (k) Laboratory procedures
- (l) Other subjects prescribed by the board.

The questions ((with)) shall be divided equally between large and small animal health care problems and shall be sufficient in number to satisfy the board of governors that the applicant has been given adequate opportunity to express his or her knowledge relating to these subjects.

(3) The practical examination ((with)) shall be supervised by the board of governors or their designees. Each applicant may be required to perform or demonstrate basic animal health care techniques as directed by the board. During the practical examination, each applicant may be required to demonstrate ((his/her)) the ability to:

- (a) Take accurate case histories;
- (b) Prepare patient instruments;
- (c) Perform dental prophylaxis;
- (d) Monitor anesthesia or oxygen equipment;
- (e) Apply wound and surgical dressings;
- (f) Administer inoculations or vaccinations;
- (g) Properly analyze laboratory specimens;
- (h) Restrain animals;
- (i) Other animal health care services authorized by the board.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-935-080 GRADING OF EXAMINATIONS. (1) The grading of the written and practical portions of the animal technician examination ((with)) shall be based on a possible score of 100 percent and the minimum passing score ((with)) shall be 70 percent.

(2) Each applicant ((must)) shall obtain a final grade of 70 percent or better on both the written and the practical portions of the examination to be considered technically qualified and approved for registration by the board.

(3) All scores shall be expressed in whole numbers, fractions being rounded to the closest whole number.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-935-090 EXAMINATION REVIEW PROCEDURES. (1) Each individual who takes the examination for registration as an animal technician and does not pass the examination may request review by the board of his or her examination results. This request ((must)) shall be in writing and ((must)) shall be received by the board within thirty days of notification of the examination results. The request ((must)) shall state the reason or reasons the applicant feels the results of the examination should be changed. The board ((with)) shall not consider any challenges to examination scores unless the total revised score could result in the issuance of a registration. The board ((with)) shall consider the following to be adequate reasons for consideration for review and possible modification of examination results:

(a) A showing of a significant procedural error in the examination process;

(b) Evidence of bias, prejudice or discrimination in the examination process;

(c) Other significant errors which result in substantial disadvantage to the applicant.

(2) Any applicant who is not satisfied with the result of the examination review may appeal the board's decision and may request a formal hearing to be held before the board pursuant to the Administrative Procedure Act. Such hearing ((must)) shall be requested within twenty days of receipt of the result of the board's review of the examination results. The board ((with)) shall not consider any challenges to examination scores unless the total revised score could result in the issuance of a registration.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-935-100 REEXAMINATION. An applicant who has failed the animal technician examination may apply for reexamination, provided the required reexamination fee is submitted. Applicants who have failed either the written or the practical portion of the examination ((with)) shall be required to be reexamined in the specific portion of the examination previously failed.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-935-110 EXAMINATION PROCEDURES. Failure to follow written or oral instructions relative to the conduct of the examination, including termination times of the examination, ((with)) shall be considered grounds for expulsion from the examination.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-935-120 FREQUENCY AND LOCATION OF EXAMINATION. (1) The examination for animal technicians shall be given at least once a year at such times and places as the director may authorize.

(2) Should an applicant fail to appear for examination at the designated time and place, ((he or she)) the applicant shall forfeit the examination fee unless ((he or she)) the applicant has notified the division of professional licensing services in writing of ((his or her)) an inability to appear for the scheduled exam at least five days before the designated time.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-935-130 AIDS PREVENTION AND INFORMATION EDUCATION REQUIREMENTS. (1) Definitions.

(a) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(b) "Office on AIDS" means that section within the department of ~~((social and))~~ health ~~((services))~~ or any successor department with jurisdiction over public health matters as defined in chapter 70.24 RCW.

(2) Application for registration. ~~((Effective September 1, 1989))~~ Persons applying for registration shall submit prior to becoming registered and in addition to the other requirements for registration, evidence to show compliance with the education requirements of subsection ~~((4))~~ (3) of this section.

(3) ~~((Renewal of registration. Effective with the renewal period beginning September 1, 1989 and ending August 31, 1990, all persons making application for registration renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4):~~

~~((4))~~ AIDS education.

(a) Acceptable education. The board ~~((will))~~ shall accept education that is consistent with the topical outline available from the office on AIDS. Alternatives to formal coursework may be in the form of video tapes, professional journal articles, periodicals, or audio tapes, that contain current or updated information. Such education shall include the subjects of prevention, transmission and treatment of AIDS, and may include the following: Etiology and epidemiology; testing and counseling; infection control guidelines; clinical manifestations and treatment; legal and ethical issues including confidentiality; and psychosocial issues to include special population considerations.

(b) ~~((Implementation. Effective September 1, 1989:))~~ The requirements for registration, renewal, or reinstatement of any registration on lapsed, inactive, or disciplinary status shall include completion of AIDS education. All persons affected by this section shall show evidence of completion of education which meets the requirement of ~~((subsection))~~ (a) of this subsection.

(c) Documentation. The registrant shall:

(i) Certify, on forms provided, that the minimum education has been completed ~~((after January 1, 1987))~~;

(ii) Keep records for two years documenting attendance or description of the learning;

(iii) Be prepared to validate, through submission of these records, that attendance or learning has taken place.

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)WAC 246-935-140 DISCIPLINARY REINSTATEMENT PROCEDURES. (1) Unless a final order of the board indicates otherwise, all persons whose ~~((license))~~ registration has been suspended, revoked, or placed on probation shall:

(a) Submit a written request to the board for reinstatement of the ~~((license))~~ registration when eligible to do so;

(b) Be scheduled for an appearance before the board in the form of a reinstatement hearing;

(c) Have the burden of proving to the board that the ~~((license))~~ registration should be reinstated.

(2) The board, in reviewing a request for reinstatement subsequent to disciplinary action, may consider the following criteria:

(a) The ~~((applicant's))~~ individual's character, standing, and professional reputation in the community in which ~~((he or she))~~ the individual resided and ~~((practiced))~~ worked prior to discipline;

(b) The ethical standards which ~~((he or she))~~ the individual observed in the practice of veterinary medicine;

(c) The nature and character of the charge(s) for which ~~((he or she))~~ the individual was disciplined;

(d) The sufficiency of the punishment undergone in connection therewith, and the compliance or failure to comply with the board's order;

(e) ~~((His or her))~~ The individual's attitude, conduct, and reformation subsequent to discipline;

(f) The time that has elapsed since discipline;

(g) ~~((His or her))~~ The individual's current proficiency in ~~((veterinary medicine))~~ animal technology; and

(h) The sincerity, frankness, and truthfulness of the ~~((applicant))~~ individual in presenting and discussing the factors relating to the discipline and reinstatement.

(3) The board reserves the right to reinstate a ~~((license))~~ registration subject to terms and conditions deemed appropriate.

WSR 91-19-022

EMERGENCY RULES

DEPARTMENT OF HEALTH

[Order 193—Filed September 9, 1991, 2.55 p.m.]

Date of Adoption: September 9, 1991.

Purpose: To regulate and maintain professional standards and ethics among the sex offender treatment providers.

Statutory Authority for Adoption: RCW 18.155.040.

Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: Chapter 18.155 RCW required this program be implemented by July 1, 1991. Rules must be in place as soon as possible to regulate chapter 18.155 RCW.

Effective Date of Rule: Immediately.

September 9, 1991

Pamela C. Mead
for Kristine M. Gebbie
Secretary

**SEX OFFENDER TREATMENT
PROVIDER PROFESSIONAL STANDARDS AND
ETHICS**

NEW SECTION

WAC 246-930-301 PURPOSE - PROFESSIONAL STANDARDS AND ETHICS. (1) Sex Offender Treatment Providers (SOTP) must be otherwise credentialed health professionals, and are subject to the standards of practice of their primary field of practice. However, standards of practice vary from profession to profession, and sex offender evaluation and treatment represents significant differences in practice from general mental health interventions.

(2) Given the uniqueness of this area of practice, the degree of control that a provider exercises over the lives of clients, and the community protection issues inherent in this work, standards of practice specific to this area of specialization are necessary.

(3) The purpose of these rules is to establish standards of practice for sex offender treatment providers (SOTP). Failure to comply with these standards in providing treatment to clients sentenced under SSOSA or SSODA may constitute unprofessional conduct pursuant to RCW 18.130.180(7).

NEW SECTION

WAC 246-390-310 STANDARDS FOR PROFESSIONAL CONDUCT AND CLIENT RELATIONSHIPS (1) General Considerations. Sex Offender Treatment Providers (SOTP/Provider) shall:

(a) Protect the public and report to the Department of Health unethical, incompetent and dishonorable practices by other sex offender treatment providers.

(b) Not discriminate against clients with regard to race, religion, gender or disability.

(c) Treat clients with dignity and respect, regardless of the nature of their crimes or offenses.

(2) Competence in Practice. Providers shall:

(a) Be fully aware of the standards of their area of credentialing as a health professional and adhere to those standards.

(b) Be knowledgeable of statutes and scientific data relevant to this area of specialized practice.

(c) Be familiar with the general statutory requirements for assessments, treatment plans and reports for the court for Sex Offender Special Sentencing Alternative (SSOSA) and Special Sex Offender Dispositional Alternative (SSODA).

(d) Perform professional duties with the highest level of integrity, maintaining confidentiality within the scope of statutory responsibilities.

(e) Be committed to community protection and safety.

(f) Not make claims regarding the efficacy of treatment that exceed what can be reasonably expected.

(g) Make appropriate referrals when they are not qualified or are otherwise unable to offer services to a client.

(h) Exercise due prudence and care in making referral to other professionals.

(3) Confidentiality. Providers shall:

(a) Insure that the client fully understands the scope and limits of confidentiality, and the relevance to the client's particular situation. The provider shall inform the client of the provider's method of reporting disclosures of the client and to whom disclosures are made, before evaluation and treatment commences, and update periodically, thereafter.

(b) Inform clients of any circumstances which may trigger an exception to the agreed upon confidentiality.

(c) Not require or seek waivers of privacy or confidentiality beyond the requirements of treatment, training, or community safety. Providers will evaluate the impact of authorizations for release of information upon their clients.

(d) Understand and explain to their juvenile clients the rights of their parents and/or guardians to obtain information relating to the client.

(4) Conflict of Interest. Providers shall:

(a) Refrain from using professional relationships to further their personal, religious, political, or economic interest other than accepting customary fees.

(b) Avoid relationships with clients which may constitute a conflict of interest, impair professional judgment and risk exploitation. (For example, bartering, service for service, and/or treating individuals where a social, business, or personal relationship exists.)

(c) Refrain from sexual relationships with a client.

(5) Fee-Setting and Client Interaction. Providers shall:

(a) Prior to commencing service, fully inform the client of the scope of professional services to be provided and the fees associated with the services.

(b) Review any changes in financial arrangements and requirements with the client pursuant to the rules initially specified.

(c) Neither offer nor accept payment for referral.

(6) Termination or Alteration of Therapist/Client Relationship. Providers shall:

(a) Not withdraw services to clients in a precipitous manner and shall take care to minimize possible adverse effects on the client and the community.

(b) Notify clients promptly when termination or disruptions of services are anticipated, and provide for a transfer, referral or continuation of service consistent with client needs and preferences, when appropriate.

(c) Refrain from knowingly offering services to a client who is in treatment with another health care professional without initial consultation with the current provider.

(7) Use of Plethysmography. PLETHYSMOGRAPHY: The use of physiological assessment measures, such as penile plethysmography, can yield valuable information regarding the sexual arousal patterns of sex offenders. This data can be useful in assessing therapy progress and in monitoring for community safety. Physiological assessment data shall not be used as the sole basis for offender risk assessment and shall not be used to determine if an individual has committed a specific sexually deviant act. Providers who utilize this data shall be aware of the limitations of the plethysmograph and shall recognize that plethysmograph data is only meaningful within the context of a comprehensive evaluation and/or treatment process. Sex offender treatment providers shall insure that physiologic assessment data is interpreted only by sex offender treatment providers who possess the necessary training and experience. Sex offender treatment providers shall insure that particular care is taken when performing physiological assessment with juvenile offenders and other special populations, due to concerns about exposure to deviant materials. Given the intrusiveness of this procedure, care shall be given to the dignity of the client.

(8) Use of Polygraph. POLYGRAPH: The use of the polygraph examination may enhance the treatment and monitoring process by encouraging disclosure of information relevant and necessary to understanding the extent of present risk and compliance with treatment and court requirements. The polygraph data achieved through periodic examinations is an important asset in monitoring the sex offender client in the community. Other alternative sources of verification may also be utilized. Sex offender treatment providers shall be knowledgeable of the limitations of the polygraph and shall take into account its appropriateness with each individual client and special client populations. Examinations shall be given in accordance with the treatment plan and the needs shown in the evaluation. Sex offender treatment providers shall not base treatment plan decisions solely on the results of the polygraph examination.

Reviser's note: The above new section was filed by the agency as WAC 246-390-310. This section is placed among sections forming new chapter 246-930 WAC, and therefore should be numbered WAC 246-930-310. Pursuant to the requirements of RCW 34.08.040, the section is published in the same form as filed by the agency.

NEW SECTION

WAC 246-930-320 STANDARDS FOR ASSESSMENT AND EVALUATION REPORTS. (1) General Considerations in Evaluating SSOSA and SSODA Clients. Providers shall:

(a) Be thoroughly familiar with assessment procedures. Be aware of the strengths and limitations of self-report and make reasonable efforts to verify information provided by the offender.

(b) Be completely familiar with the client's legal status. Have a full understanding of the SSOSA and SSODA process and be knowledgeable of relevant criminal and legal considerations.

(c) Be impartial; provide an objective and accurate base of data.

(d) Avoid addressing or responding to referral questions which exceed the present level of knowledge in the field or the expertise of the evaluator.

(e) Assure that their written reports are accurate, comprehensive and address all of the issues necessary for court disposition.

(f) Assure that their written reports present all knowledge relevant to the matters at hand in a clear and organized manner.

(g) Assure that their written reports include the referral sources, the conditions surrounding the referral and the referral questions addressed.

(h) Assure that their written reports state the sources of information utilized in the evaluation.

(2) Scope of Assessment Data.

(a) Comprehensive evaluations shall include a compilation of data from as many sources as reasonable and appropriate. The following data should be considered in forming opinions and making recommendations:

(i) Collateral information (i.e. police reports, CPS information, criminal history and victim statements).

(ii) Psychological testing information.

(iii) Physiologic testing information.

(iv) Interviews with the offender.

(v) Previous assessments conducted (i.e. medical, substance abuse, psychological, sexual deviancy).

(vi) Interviews with significant others.

(b) The written report shall reflect the information considered including:

(i) A description of the current offense(s) including, but not limited to, the evaluator's conclusion about the reasons for any discrepancies between the official and offender's versions of the offenses.

(ii) A sexual history, sexual offense history and patterns of sexual arousal/preference/interest.

(iii) Prior attempts to remediate and control offense behavior including prior treatment.

(iv) Perceptions of significant others, when appropriate, including their ability and/or willingness to support treatment efforts.

(v) Potentiators of offending behavior to include alcohol and drug abuse, stress, mood, sexual patterns, use of pornography, and social and environmental influences.

(vi) A personal history to include medical, marital/relationships, employment, education and military.

(vii) A family history.

(viii) History of violence and/or criminal behavior.

(xi) Mental health functioning to include coping abilities, adaptational styles, intellectual functioning and personality attributes.

(xii) The overall findings of psychological/physiologic/medical assessment when such assessments have been conducted.

(3) Conclusions and Recommendations. The conclusions and recommendations shall flow from the data presented in the body of the report and include:

(a) The evaluator's conclusions regarding the appropriateness of community treatment.

(b) A summary of the clinician's diagnostic impressions.

(c) A specific assessment of risk factors, the extent of the offender's dangerousness in the community at large.

(d) The client's amenability to outpatient treatment and conditions of treatment necessary to maintain a safe treatment environment.

(4) Treatment Plan. The plan shall be described with sufficient detail and clarity and include:

(a) Anticipated length of treatment, frequency and type of contact with providers, supplemental or adjunctive treatment.

(b) The specific issues to be addressed in treatment and a description of planned treatment interventions including involvement of significant others in treatment and ancillary treatment activities.

(c) Recommendations for specific treatment prohibitions, requirements and restrictions on lifestyle that are necessary to the treatment process and community safety.

(d) Proposed methods for monitoring and verifying compliance with the conditions and prohibitions of the treatment program.

(e) If the evaluator will not be providing the ensuing treatment, a specific certified provider should be presented to the Court.

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

NEW SECTION

WAC 246-930-330 STANDARDS FOR TREATMENT. INTRODUCTION-SSOSA/SSODA OFFENDER TREATMENT: It is recognized that effective sexual deviancy treatment will involve a broad set of planned therapeutic experiences and interventions designed to reduce the risk of a client engaging in criminal sexual behavior. Such treatment shall be consistent with current professional literature and practices and shall maximize community safety.

(1) GENERAL CONSIDERATIONS.

(a) Clients shall generally be seen a minimum of once per week for at least 45 minutes by a certified or affiliate sex offender treatment provider.

(b) Circumstances may make a reduction in duration or frequency of contacts appropriate and shall be determined on an individual case basis.

(c) Any reduction in frequency or duration of therapy sessions or changes in treatment plans shall not unduly

compromise treatment effectiveness or public safety and shall be reported to the Supervising Officer.

(d) The treatment methods employed by the provider shall:

(i) Be supportable by the professional literature and practice,

(ii) Reflect concern for the well being of clients, victims and the safety of potential victims,

(iii) Take into account the legal/civil rights of clients, including the right to refuse therapy and return to court for review,

(iv) Be individualized to meet the unique needs of each client.

(2) **PLANNING AND INTERVENTIONS.** The treatment plan and the interventions used by the provider to achieve the goals of the plan shall:

(a) Be based on the needs detailed in the evaluation,

(b) Include provisions for the protection for victims and potential victims,

(c) Prioritize those therapy events most necessary to avoid sexual reoffense,

(d) Take reasonable care to not cause victims to have unsafe, or unwanted contact with their offenders,

(e) Be presented to the client and to the Supervising Officer within 90 days of the start of treatment and include treatment expectations and all of the rules of treatment agreed to by the offender and the provider.

(3) **TREATMENT: METHODS.** The methods used by the provider shall

(a) Address clients' deviant sexual urges and recurrent deviant sexual fantasies as necessary to prevent sexual reoffense,

(b) Attempt to educate clients and the individuals who are part of their support systems about the objective risk of reoffense,

(c) Attempt to teach clients to utilize self control methods to avoid sexual reoffending where applicable,

(d) Consider the effects of trauma and past victimization as factors in reoffense potential where applicable,

(e) Address clients thought processes which facilitate sexual reoffense and other victimizing or assaultive behaviors,

(f) Attempt to modify client thinking errors and cognitive distortions where possible,

(g) Attempt to enhance clients appropriate adaptive/legal sexual functioning,

(h) Attempt to insure that clients have accurate knowledge about the effect of sexual offending upon victims, their families, and the community,

(i) Assist clients to develop a sensitivity to the effects of sexual abuse upon victims,

(j) Address clients' personality traits and personality deficits which are related to increased reoffense potential,

(k) Address clients' deficits in coping skills in present life circumstances where applicable,

(l) Include and integrate a client's family into the therapy process when appropriate,

(m) Attempt to maintain communication with clients' spouse and families where appropriate to assist in meeting treatment goals.

(4) **MONITORING OF TREATMENT AND SENTENCE REQUIREMENTS.** The monitoring of the client's compliance with treatment and sentence requirements by the provider shall:

(a) Recognize the reoffense potential of the sex offender client, the damage that may be caused by sexual reoffense or attempted reoffense, and the limits of self report by the sex offender client,

(b) Employ multiple sources of input regarding the client's out of office behavior when possible and utilize methods which are objective in nature,

(c) As a general principle, increase monitoring during those times of increased risk and notify the Supervising Officer

(i) When a client is in crisis,

(ii) When visits with victims or potential victims are authorized,

(iii) When clients are in high risk environments,

(d) Work in collaboration with the supervising officer in the independent verification of a client's

(i) Compliance with sentence requirements and treatment directives,

(ii) Cessation of sexually deviant behaviors,

(iii) Reduction in those behaviors most likely to be related to sexual reoffense,

(iv) Reports of living, work and social environments to insure that these environments have sufficient protection against clients' reoffense potential.

(5) **CONTACTS WITH VICTIMS/VULNERABLE CHILDREN.** When the sex offender client has any contact with the victims or children, the provider shall:

(a) Consider victims' wishes about contact and ensure that all contact is safe and in accordance with any court directives,

(b) Limit child molester decision making authority over vulnerable children,

(c) Collaborate with other relevant professionals and solicit their input regarding contact with victims, rather than make isolated decisions,

(d) Consult with parents, custodial parents, or guardians prior to authorizing any contact between offenders and children,

(e) Recognize that supervision during contact with children is critical for those offenders who have had crimes against children, or have the potential to abuse children,

(f) Include educational experiences for chaperones/supervisors of child molester clients,

(g) Establish a plan/protocol for returning child molester clients to homes where children reside that insures child safety under this new situation when such a return home is appropriate.

(6) **DOCUMENTATION OF TREATMENT.** Providers shall maintain client files in accordance with the professional standards of their individual disciplines and with Washington State law regarding health care records and shall:

(a) Document the goals of treatment, the methods used and the observed progress of clients towards reaching the goals,

(b) Insure that the client files accurately reflect treatment progress, sessions attended and treatment plan

change information necessary for completion of the required SSOSA/SSODA reports,

(c) Safeguard the confidentiality of client files in recognition of the sensitive nature of the contents,

(6) **COMPLETION OF COURT ORDERED TREATMENT.** SOTP shall make treatment completion decisions that logically follow the evaluation, treatment plan, course of treatment sequence. In addition to fulfilling the SSOSA/SSODA requirements for the end of court ordered treatment hearing the treatment provider shall:

(a) Assess actual changes in a client's reoffense potential prior to recommending treatment termination,

(b) Attempt to repeat, where appropriate, those assessments which might show client change,

(c) Document how the goals of the treatment plan have been met, what actual changes in the client's reoffense potential have been accomplished, what risk factors remain,

(e) Seek input from others knowledgeable about a client's progress as part of the treatment completion/termination decision process,

(f) Recommend any further treatment and monitoring necessary to the court, and to the client,

(g) Report to the court if the client is no longer amenable to treatment at the end of the court ordered treatment term.

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

NEW SECTION

RCW 246-930-340 STANDARDS FOR COMMUNICATION WITH OTHER PROFESSIONALS. (1) *Professional Relationships with Corrections/Probation Officers and Other Supervising Agencies.*

(a) The provider shall establish a cooperative and collaborative relationship with the supervising officer and/or responsible agency for purposes of the effective supervision and monitoring of an offender's behavior in the community.

(b) Violations of the treatment contract shall be reported immediately to the supervising officer.

(c) Quarterly progress reports documenting attendance, treatment activities and duration, changes in the treatment plan, and treatment progress shall be made in a timely manner to the supervising officer. Providers shall provide additional information regarding treatment progress when requested by the supervising officer. All violations of the treatment contract shall be reported in the progress report.

(d) Specific plans for any and all contact with the victim, potential victims and plans for family reunification (where appropriate) should be reviewed with the supervising officer.

(e) The provider shall collaborate with the supervising officer when approving chaperones and knowledgeable supervisors for offender contact with children.

(2) *Communication with the Department of Social and Health Services.* When appropriate, the provider shall seek an authorization for release of information from the client to communicate with the Department of Social and Health Services.

(3) *Communication with Others.* Where appropriate and consistent with the offender's informed consent, Providers shall collaborate with the victim's therapist, Guardian Ad Litem, custodial parent, guardian, caseworker, or other involved professional in making decisions regarding family reunification or victim contact with the offender.

(4) *Reporting of Additional Victims.*

(a) Providers are expected to comply with the mandatory reporting law, RCW 26.44.030.

(b) All clients shall be notified of the limits of confidentiality imposed on therapists by the mandatory reporting law (RCW 26.44.030).

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

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

WSR 91-19-023

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 91-84—Filed September 9, 1991, 4:39 p.m., effective September 10, 1991, 7:00 a.m.]

Date of Adoption: September 9, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Amending WAC 220-33-010.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: Harvestable numbers of coho salmon are available in the Columbia River. This rule is consistent with the actions of the August 29, 1991, meeting of the Columbia River Compact.

Effective Date of Rule: 7:00 a.m., September 10, 1991.

September 9, 1991

Helen Small

for Joseph R. Blum

Director

NEW SECTION

WAC 220-33-01000Y COLUMBIA RIVER SALMON SEASONS BELOW BONNEVILLE. Notwithstanding the provisions of WAC 220-33-005, 220-33-010, 220-33-020, and 220-33-030, it is unlawful for a person to take or possess salmon, shad or sturgeon taken for commercial purposes from Columbia River SMCRA 1A, 1B, 1C, 1D or 1E, except under the following provisions:

(1) **ALLOWABLE SPECIES:**

Open to the taking of salmon, sturgeon and shad.

(2) OPEN TIME PERIODS:

7 AM to 7 PM September 10, 1991.

(3) OPEN AREA:

That portion of SMCRA 1A that is upstream of a line projected from the Western orange hydro-tower on the Oregon shore to Buoy 14 and thence in a straight line through green day marker No. 1 on Sand Island to the Washington mainland shore, except that the following sanctuaries remain closed: Gnat Creek, Abernathy Creek, Grays River, Elokomin-B and Big Creek. SMCRA 1B and that portion of 1C downstream of the Lord Island Power Lines.

(4) ALLOWABLE GEAR:

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

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

(c) Nets that are hung even with no strings, slackers, trammels, or rip lines that are used to slacken net.

(d) Gill net gear that has 6 inch maximum mesh.

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

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

WSR 91-19-024**PERMANENT RULES****DEPARTMENT OF****SOCIAL AND HEALTH SERVICES****(Public Assistance)**

[Order 3244—Filed September 10, 1991, 8:25 a.m.]

Date of Adoption: September 10, 1991.

Purpose: To amend FIP WAC to agree with proposed changes in AFDC WAC 388-24-074.

Citation of Existing Rules Affected by this Order: Amending WAC 388-77-240 FIP—Eligibility for qualifying a parent.

Statutory Authority for Adoption: RCW 74.21.070.

Pursuant to notice filed as WSR 91-15-062 on July 19, 1991.

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

September 10, 1991

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2805, filed 6/1/89)

WAC 388-77-240 FIP—ELIGIBILITY FOR QUALIFYING A PARENT. (1) A child residing with two parents, when neither is incapacitated, shall be categorically eligible for FIP when the qualifying parent:

(a) Is not employed more than one hundred hours a month except for intermittent temporary jobs; and

(b) Has been unemployed as defined by subsection (1)(a) of this section for thirty days or more prior to the date FIP is authorized; and

(c) Meets the work quarter or unemployment compensation requirement in subsection (3) of this section. The work quarter and unemployment requirements shall only apply to:

(i) Initial applications filed on or after July 1, 1989; or

(ii) Reapplications following a one-month break or more in assistance, filed on or after July 1, 1989; and

(d) Has not refused a bona fide offer of employment or employment training; or

(e) Has not voluntarily left a job without good cause during the thirty days prior to the date FIP is authorized; or

(f) Has not refused to apply for or accept unemployment compensation, if eligible.

(2) The qualifying parent is that parent earning the greater amount of income in the twenty-four-month period immediately preceding the month in which the application for FIP assistance is filed.

(a) The household shall designate the qualifying parent if both parents earned an identical amount of income, or had no earnings.

(b) The designated qualifying parent remains the qualifying parent for each consecutive month the family remains on assistance.

(3) The qualifying parent shall meet the work quarter or unemployment compensation requirement if:

(a) Within one year prior to application, the qualifying parent:

(i) Received, or was eligible to receive, unemployment compensation had the parent applied; or

(ii) For noncovered employment, had a work history such that had the employment been covered the parent would have been eligible for unemployment compensation; or

(b) The qualifying parent had six or more quarters of work within any thirteen calendar quarter period ending within one year prior to the request for benefits:

(i) A quarter of work means a calendar quarter in which the qualifying parent received earned income of not less than fifty dollars, or participated in (~~the work incentive (WIN) program or community work experience program (CWEP)~~) Opportunities; education, training, or employment related FIP Services; or JOBS; and

(ii) A calendar quarter means a period of three consecutive calendar months ending March 31st, June 30th, September 30th, or December 31st.

(4) The department shall consider the following conditions good cause for refusal of an offer of employment or refusal to continue employment:

(a) Physical, mental, or emotional inability of the qualifying parent to satisfactorily perform the work required;

(b) Inability of the qualifying parent to get to and from the job without undue cost or hardships;

(c) The nature of the work would be hazardous to the qualifying parent;

(d) The wages do not meet any applicable minimum wage requirements and are not customary for such work in the community;

(e) The job is available because of a labor dispute; or

(f) Adequate child care is not available.

(5) The child shall be residing with both parents except that one parent may be temporarily absent for up to ninety days to search for employment with the expectation of continuing to reside with the family.

(6) FIP shall not be denied or terminated solely because the qualifying parent works over one hundred hours while participating in:

(a) Institutional work experience training; or

(b) A public service employment and training program.

WSR 91-19-025
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Health)

[Order 3243—Filed September 10, 1991, 8:29 a.m.]

Date of Adoption: September 10, 1991.

Purpose: To establish nursing home license fees at a rate adequate to cover all costs of the department's nursing home licensing activities.

Citation of Existing Rules Affected by this Order: Repealing WAC 440-44-085 Nursing home fees.

Statutory Authority for Adoption: Chapter 8, Laws of 1991.

Pursuant to notice filed as WSR 91-15-061 on July 19, 1991.

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

September 10, 1991

Leslie F. James, Director
Administrative Services

NEW SECTION

WAC 248-14-071 NURSING HOME FEES. The nursing home license fee shall be one hundred thirty-three dollars per bed per year from July 1, 1991, through June 30, 1992. The fee shall be one hundred thirty-five dollars per bed per year from July 1, 1992, through June 30, 1993.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 440-44-085 Nursing home fees.

WSR 91-19-026
PROPOSED RULES
DEPARTMENT OF HEALTH
(Pharmacy Board)

[Filed September 10, 1991, 11:22 a.m.]

Original Notice.

Title of Rule: Chapter 360-11 WAC, Professional pharmaceutical education.

Purpose: To establish and define quantitative and qualitative parameters for the continuing pharmaceutical education of pharmacist licensees.

Statutory Authority for Adoption: RCW 18.64.005.

Statute Being Implemented: RCW 18.64.005(8).

Summary: This rule requires pharmacist licensees to obtain 15 hours of pharmaceutical education per year. It specifies what types of education are allowable as well as how continuing education providers may obtain program credit.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Donald H. Williams, Executive Director, 1300 Quince Street S.E., EY-20, Olympia, 98504, 753-6834.

Name of Proponent: Department of Health, Pharmacy Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule requires pharmacist licensees to obtain 15 hours of continuing education each year. It specifies what general types of education are allowable as well as how continuing education providers may obtain program credit. The purpose is to assure that pharmacist licensees obtain ongoing pharmaceutical education in an uniform manner. The anticipated effect is to keep pharmacist licensees peripherally aware of current issues in pharmacy practice.

Proposal Changes the Following Existing Rules: WAC 360-11-010, changes title to "renewal requirements" and revises requirements for documentation of evidence of participating in approved accredited continuing education programs. Sets forth continuing education requirements for the reinstatement of pharmacist licenses; WAC 360-11-020, revises requirements for subject matter of continuing education courses; WAC 360-11-023, revises requirements for post approval of continuing education programs; WAC 360-11-027, revises standards and specifications necessary for an organization to obtain approval as a continuing education provider; WAC 360-11-030, specifies conditions under which a pharmacist can earn continuing education for presenting programs which have been approved for continuing education credit; WAC 360-11-040, defines amount of continuing education required annually for each licensee; WAC 360-11-065, establishes a new section to deal with pharmacists licensed in other health professions; WAC 360-11-070, defines reasons for which a pharmacist may apply for a waiver of the continuing education requirements; and repeals WAC 360-11-033 Credit for continuing education, 360-11-037 Credit for individual study programs, 360-11-045 Pharmacists audits—Disallowed credit, and 360-11-060 Advisory committee on continuing education.

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

Hearing Location: Tacoma Sheraton Inn, 1320 Broadway Plaza, Tacoma, WA, on October 24, 1991, at 10:00 a.m.

Submit Written Comments to: Donald H. Williams, Board of Pharmacy, 1300 Quince Street S.E., EY-20, Olympia, WA 98504, by October 20, 1991.

Date of Intended Adoption: October 24, 1991.

August 26, 1991
Donald H. Williams
Executive Director

NEW SECTION

WAC 360-11-005 DEFINITIONS. (1) "Accredited programs/courses" means continuing education sponsored by providers which are approved by the American Council on Pharmaceutical Education (ACPE).

(2) "Board approved programs/courses" means continuing education which has been reviewed and approved by the board office.

(3) "Approved provider" means any person, corporation, or association approved by the board to conduct continuing professional education programs.

(4) "Continuing education" means accredited or approved post-licensure professional pharmaceutical education designed to maintain competence in the practice of pharmacy, improve pharmacy skills, and preserve pharmaceutical standards for the purpose of protecting the public health, safety, and welfare.

(5) "Continuing education unit (CEU)" means one CEU is equivalent to ten contact hours of participation in accredited or board approved continuing education programs/courses.

AMENDATORY SECTION (Amending Order 156, Resolution No. 6/80, filed 6/26/80)

WAC 360-11-010 (~~CONTINUING EDUCATION~~) RENEWAL REQUIREMENTS. (1) No renewal certificate of licensure shall be issued by the board of pharmacy until the applicant submits satisfactory proof to the board that during the twelve months preceding his or her application for renewal he or she has participated in courses of continuing professional pharmaceutical education of the types and number of continuing education credits specified by the board. Such continuing education is hereby declared to be a mandatory requirement for license renewal, except that pharmacists applying for the first annual renewal of their license following graduation shall be exempt from the provisions of this regulation.

(2) Continuing education requirements must be submitted along with the license application and fee. If the continuing education requirements are not complete the license renewal application will be returned with an explanatory note. The license renewal will not be processed until complete.

(3) (~~Each individual pharmacist is responsible for maintaining records which verify the continuing education requirements which are submitted in support of annual renewal of license. Records shall be retained for a minimum of two years.~~)

(4) ~~A pharmacist who desires to reinstate his or her license after having been unlicensed for over one year shall, as a condition to reinstatement of his or her license, complete such continuing education credits as may be specified by the board in each individual case.)~~ A pharmacist shall be required to retain all original certificates and other documented evidence of participation in an approved/accredited continuing education program for a period of at least two years. Upon request, such documentation shall be made available to the board for random audit and verification purposes. Since individual pharmacist audits will usually be retrospective, it is recognized that disallowed credit may work hardship on the pharmacist involved. In cases where a pharmacist is audited and some or all credit is disallowed, the continuing education requirement for the following year will be increased by the amount of hours disallowed. A pharmacist who is audited and has credit disallowed will automatically be audited for three consecutive years.

(4) Failure to satisfy the continuing education requirement as a result of disallowed credit in two consecutive years or falsification of continuing education evidence and/or documentation will be considered in violation of these rules and will be sufficient cause for imposition of disciplinary action by the board.

(5) A pharmacist who desires to reinstate his or her pharmacist license after having been unlicensed for over one year shall, as a condition for reinstatement, submit proof of fifteen hours of continuing education for each year unlicensed or complete such continuing education credits as may be specified by the board in each individual case.

(6) The board of pharmacy may accept comparable continuing education units which have been approved by other boards of pharmacy.

AMENDATORY SECTION (Amending Order 116, filed 11/9/73)

WAC 360-11-020 CONTINUING EDUCATION PROGRAMS. (1) The continuing professional pharmaceutical education courses may consist of post-graduate studies, institutes, seminars, lectures, conferences, workshops, extension studies, correspondence courses (~~or such~~) and other (~~forms~~) similar methods of conveying continuing (~~professional pharmaceutical~~) education as may be approved by the board. (~~Policies for such approvals will be set by the board to allow full consideration for those pharmacists residing in areas where local continuing education programs, seminars and meetings are not available.~~)

(2) Such courses shall consist of subject matter pertinent to the following general areas of professional pharmaceutical education:

~~((1) Socio-economic and)~~ (a) The legal aspects of health care;
~~((2))~~ (b) The properties and actions of drugs and dosage forms;
~~((3))~~ (c) The etiology, characteristics (~~and~~), therapeutics, and prevention of the disease state;

~~((4) Such other areas of professional pharmaceutical education as shall be designated by the board:~~

~~The specific subject matter of such courses may include but shall NOT BE LIMITED TO THE FOLLOWING: Pharmacology, biochemistry, physiology, pharmaceutical chemistry, pharmacy administration, pharmacy jurisprudence, public health and communicable disease, pharmaceutical marketing, professional practice management and such other subject matter as may from time to time be represented in a curriculum of an accredited college of pharmacy or as may otherwise be selected by the board.)~~ (d) Specialized professional pharmacy practice.

(3) Full credit (hour for hour) shall be allowed for:

(a) Speakers.
(b) Panel.
(c) Structured discussion, workshops, and demonstrations.
(d) Structured question and answer sessions.
(4) Credit shall not be allowed for:
(a) Welcoming remarks.
(b) Time spent for meals or social functions.
(c) Business sessions.
(d) Unstructured demonstrations (e.g., poster sessions).
(e) Unstructured question and answer sessions (e.g., after program ends).

(f) Degree programs except advanced degrees in pharmacy.

(5) Keynote speaker and topics must be submitted through the standard process.

AMENDATORY SECTION (Amending Order 156, Resolution No. 6/80, filed 6/26/80)

WAC 360-11-023 APPLICATIONS FOR APPROVAL (~~AS A PROVIDER~~) OF CONTINUING EDUCATION PROGRAM—POST-APPROVAL OF CONTINUING EDUCATION (~~CREDS~~) PROGRAM. (1) Applications for approval (~~as a provider of continuing education~~) or (~~for~~) post-approval of a continuing education (~~credit~~) program which is not an accredited program or provided by an approved provider shall be made on the form provided for this purpose by the Washington state board of pharmacy.

(2) (~~In the case of an application for provider approval,)~~ The provider shall submit an application form (~~shall be submitted 30~~) sixty days prior to the date the program will be held (~~PROVIDED; HOWEVER, That the board may waive the requirement that an application be filed 30 days prior to the date of the program on good cause shown in an individual case.~~)

(3) (~~In the case of an application for post-approval of continuing education credits for)~~ A pharmacist who (~~has attended a worthy~~) attends a program (~~for which the provider has not obtained approval, the pharmacist~~) that has not been preapproved according to this rule, must (~~file~~) submit application for (~~this~~) approval within (~~30~~) fifteen days following the program.

(4) All programs approved by the American Council on Pharmaceutical Education are accepted for continuing education credit and do not require that an individual provider approval be obtained in each case.

AMENDATORY SECTION (Amending Order 156, Resolution No. 6/80, filed 6/26/80)

WAC 360-11-027 CONTINUING EDUCATION PROGRAM APPROVED PROVIDERS (~~RESPONSIBILITIES~~). (1) The board shall establish the standards and specifications necessary for an

organization to obtain approval. These standards and specifications shall at least be equivalent to those established for continuing education programs in pharmacy by the American Council on Pharmaceutical Education.

(a) A continuing education provider shall supply each attendee or subscriber with a written program description which lists the topic(s) covered, number of speakers or authors, time devoted to the program topic(s), and the instructional objectives of the program. The program description must also bear a statement of the number of hours of continuing education credit assigned by the provider.

~~((2))~~ (b) The provider must make available to each attendee or subscriber proof of attendance or participation suitable for verifying to the board the completion of continuing education requirements.

~~((3))~~ (c) The provider shall retain, for a period of two years, a list of persons to whom proof of attendance or participation as specified in ~~((2) above)~~ (b) of this subsection was supplied. Providers of nonevaluated self-instruction units shall be exempt from this requirement.

(2) Any organization may apply to the board on forms provided by the board for qualification as an approved provider. If an organization is approved, the board will issue a certificate or other notification of qualification to it. The approval shall be effective for a period of two years and shall be renewable as set forth by the board.

(3) The board may revoke or suspend an approval of a provider or refuse to renew such approval if the provider fails to maintain the necessary standards and specifications required.

AMENDATORY SECTION (Amending Order 116, filed 11/9/73)

WAC 360-11-030 INSTRUCTORS' CREDIT TOWARD CONTINUING EDUCATION UNIT. Any pharmacist whose primary responsibility is not the education of health professionals, who leads, instructs or lectures to groups of nurses, physicians, pharmacists or others on pharmacy-related topics in organized continuing education ~~((or in-service programs))~~ shall be granted one hour of continuing education credit for ((such time expended during actual presentation, upon adequate documentation to the board of pharmacy)) each hour spent in actually presenting the initial course or program which has been approved for continuing education credit. A presenter shall not be granted multiple credit for multiple presentations of the same program of continuing education.

Any pharmacist whose primary responsibility is the education of health professionals shall be granted continuing education credit only for time expended in leading, instruction or lecturing to groups of physicians, pharmacists, nurses or others on pharmacy related topics outside his/her formal course responsibilities in a learning institution.

AMENDATORY SECTION (Amending Order 156, Resolution No. 6/80, filed 6/26/80)

WAC 360-11-040 AMOUNT OF CONTINUING EDUCATION. ~~((Effective with the 1982 renewals))~~ The equivalent of one and ~~((1/2))~~ one-half continuing education unit ~~((1.5 continuing education unit or 1.5))~~ equal to fifteen contact hours of ~~((professional))~~ continuing education ~~((shall have been completed and))~~ shall be required annually of each applicant for renewal of licensure. ~~((One continuing education unit is the equivalent of ten hours of participation in continuing education programs approved by the board of pharmacy.))~~

NEW SECTION

WAC 360-11-065 PHARMACISTS LICENSED IN OTHER HEALTH PROFESSIONS. A pharmacist who is licensed to practice another health profession shall meet the same pharmacy continuing education requirements in the same manner as all other pharmacists and shall otherwise comply with this chapter. A licensee's compliance with the continuing education requirements of another health profession shall not qualify as compliance with this chapter, unless the subject matter of the continuing education meets the standards established in this chapter.

AMENDATORY SECTION (Amending Order 116, filed 11/9/73)

WAC 360-11-070 WAIVER OF THE CONTINUING EDUCATION REQUIREMENT. The board of pharmacy may, at its discretion, waive the requirements of this ~~((regulation for due cause))~~ rule for such reasons as illness, incapacity, or other extenuating circumstances. Written request for waiver shall be submitted to the board for consideration.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 360-11-033 CREDIT FOR CONTINUING EDUCATION.
- WAC 360-11-037 CREDIT FOR INDIVIDUAL STUDY PROGRAMS.
- WAC 360-11-045 PHARMACIST AUDITS—DISALLOWED CREDIT.
- WAC 360-11-060 ADVISORY COMMITTEE ON CONTINUING EDUCATION.

WSR 91-19-027

PROPOSED RULES

DEPARTMENT OF HEALTH (Pharmacy Board)

[Filed September 10, 1991, 11:26 a.m.]

Original Notice.

Title of Rule: Chapter 360-36 WAC, Uniform Controlled Substances Act.

Purpose: To implement chapter 69.50 RCW.

Statutory Authority for Adoption: RCW 18.64.005.

Statute Being Implemented: Chapter 69.50 RCW.

Summary: This rule implements chapter 69.50 RCW and provides information on compliance with the state and federal controlled substance laws and rules. The proposed amendments will revise the listings of controlled substances and designate anabolic steroids as Schedule III controlled substances to conform with Title 21 Code of Federal Regulations.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Donald H. Williams, Executive Director, 1300 Quince Street S.E., EY-20, Olympia, 98504, 753-6834.

Name of Proponent: Department of Health, Pharmacy Board, governmental.

Rule is necessary because of federal law, Title 21 CFR.

Explanation of Rule, its Purpose, and Anticipated Effects: This rule implements chapter 69.50 RCW which places all narcotics, barbiturates, amphetamines, hallucinogenics and marijuana into five schedules. This rule also sets forth registration, recordkeeping and storage requirements. The proposed changes update current listings of controlled substances to reflect products currently being manufactured and includes anabolic steroids in Schedule III to conform with Title 21 Code of Federal Regulations.

Proposal Changes the Following Existing Rules: WAC 360-36-115, update listing of drugs designated as nonnarcotic stimulant drugs for the purposes of RCW 69.50.402 (3)(a); WAC 360-36-410, update listing of drugs in Schedule I; WAC 360-36-420, update listing of drugs in Schedule II; WAC 360-36-430, update listing of drugs in Schedule III and designate anabolic steroids as Schedule III controlled substances; and WAC 360-36-440, update listing of drugs in Schedule IV.

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

Hearing Location: Tacoma Sheraton Inn, 1320 Broadway Plaza, Tacoma, WA, on October 24, 1991, at 10:00 a.m.

Submit Written Comments to: Donald H. Williams, Board of Pharmacy, 1300 Quince Street S.E., EY-20, Olympia, 98504, by October 20, 1991.

Date of Intended Adoption: October 24, 1991.

August 26, 1991
Donald H. Williams
Executive Director

AMENDATORY SECTION (Amending Order 226, filed 8/8/89, effective 9/8/89)

WAC 360-36-010 UNIFORM CONTROLLED SUBSTANCES ACT. (1) Consistent with the concept of uniformity where possible with the federal regulations for controlled substances (21 CFR), the federal regulations are specifically made applicable to registrants in this state by virtue of RCW 69.50.306. Although those regulations are automatically applicable to registrants in this state, the board is nevertheless adopting as its own regulations the existing regulations of the federal government published in the Code of Federal Regulations revised as of April 1, (~~1989~~) 1991, and all references made therein to the director or the secretary shall have reference to the board of pharmacy, and the following sections are not applicable: Section 1301.11-.13, section 1301.31, section 1301.43-.57, section 1303, section 1308.41-.48, and section 1316.31-.67. The following specific rules shall take precedence over the federal rules adopted herein by reference, and therefore any inconsistencies shall be resolved in favor of the following specific rules.

(2) Registrations under chapter 69.50 RCW shall be for an annual period with the registration period ending on a date to coincide with those license renewal dates as found in rules promulgated under chapter 18.64 RCW.

(3) A separate registration is required for each place of business (as defined in section 1301.23) where controlled substances are manufactured, distributed or dispensed. Application for registration must be made on forms supplied by the pharmacy board, and all information called for thereon must be supplied unless the information is not applicable, in which case it must be indicated. An applicant for registration must hold the appropriate wholesaler, manufacturer or pharmacy license provided for in chapter 18.64 RCW.

(4) Every registrant shall be required to keep inventory records required by section 1304.04 (of the federal rules which have been adopted by reference by Rule 1) and must maintain said inventory records for a period of five years from the date of inventory. Such registrants are further required to keep a record of receipt and distribution of controlled substances. Such record shall include:

(a) Invoices, orders, receipts, etc. showing the date, supplier and quantity of drug received, and the name of the drug;

(b) Distribution records; i.e., invoices, etc. from wholesalers and manufacturers and prescriptions records for dispensers;

(c) In the event of a loss by theft or destruction, two copies of DEA 106 (report of theft or loss of controlled substances) must be transmitted to the federal authorities and a copy must be sent to the board;

(d) For transfers of controlled substances from one dispenser to another, a record of the transfer must be made at the time of transfer indicating the drug, quantity, date of transfer, who it was transferred to and from whom. Said record must be retained by both the transferee and the transferor. These transfers can only be made in emergencies pursuant to section 1307.11 (federal rules).

(5) The records must be maintained separately for Schedule II drugs. The records for Schedule III, IV and V drugs may be maintained either separately or in a form that is readily retrievable from the business records of the registrant. Prescription records will be deemed readily retrievable if the prescription has been stamped in red ink in the lower right hand corner with the letter "C" no less than one inch high, and said prescriptions are filed in a consecutively numbered prescription file which includes prescription and noncontrolled substances.

(6) A federal order form is required for each distribution of a Schedule I or II controlled substance, and said forms along with other records required to be kept must be made readily available to authorized employees of the board.

(7) Schedule II drugs require that a dispenser have a signed prescription in his possession prior to dispensing said drugs. An exception is permitted in an "emergency." An emergency exists when the immediate administration of the drug is necessary for proper treatment and no alternative treatment is available, and further, it is not possible for the physician to provide a written prescription for the drug at that time. If a Schedule II drug is dispensed in an emergency, the practitioner must deliver a signed prescription to the dispenser within 72 hours, and further he must note on the prescription that it was filled on an emergency basis.

AMENDATORY SECTION (Amending Order 148, Resolution No. 7-79, filed 7/24/79)

WAC 360-36-115 DESIGNATION OF NONNARCOTIC STIMULANT DRUGS FOR PURPOSES OF RCW 69.50.402 (A)(3). The board of pharmacy hereby designates, the following Schedule II controlled substances as nonnarcotic stimulants for purposes of RCW 69.50.402 (a)(3):

(1) Amphetamine sulfate in any of its generic forms (~~and under the following brand names:~~);

~~((a) Benzedrine (SKF);~~

~~(b) Benzedrine spansules (SKF));~~

(2) Dextroamphetamine sulfate in any of its generic forms and under the following brand names:

(a) ~~((Dexampep (Lemmon);~~

~~(b)) Dexedrine (SKF);~~

~~((c) Ferndex (Ferndate);~~

~~(d)) (b) Dexedrine spansules (SKF)((;~~

~~(c) Diphylets (Tutag)).~~

(3) Dextroamphetamine HCL in any of its generic forms (~~and under the following brand names:~~

~~(a) Daro (Fellows)).~~

(4) Dextroamphetamine tannate in any of its generic forms (~~and under the following brand names:~~

~~(a) Obotan (Mallinckrodt);~~

~~(b) Obotan forte (Mallinckrodt)).~~

(5) Methamphetamine HCL (Desoxyephedrine HCL) in any of its generic forms and the following brand name(s):

~~((a)) Desoxyn (Abbott)((;~~

~~(b) Methampep (Lemmon);~~

~~(c) Obedrin-LA (Beecham Labs)).~~

(6) Amphetamine complex in any of its generic forms and under the following brand names:

(a) ~~((Biphettamine 7 1/2 (Pennwalt);~~

~~(b)) Biphettamine 12 1/2 (Pennwalt);~~

~~((c)) (b) Biphettamine 20 (Pennwalt).~~

(7) Combined amphetamines sold under the following brand names:

~~((a) Amphaplex-10 and 20 (Palmedico);~~

~~(b)) Obetrol-10 and 20 (Obetrol)((;~~

~~(c) Delcobese-5, 10, 15, and 20mg. (Delco);~~

~~(d) Dexamyl (SKF);~~

~~(e) Eskatrol (SKF)).~~

(8) Phenmetrazine HCL in any of its generic forms and under the following brand name:

(a) Preludin (Boehringer-Ingelheim).

(9) Methylphenidate HCL in any of its generic forms and under the following brand name:

(a) Ritalin (Cd,25).

AMENDATORY SECTION (Amending Order 226, filed 8/8/89, effective 9/8/89)

WAC 360-36-410 SCHEDULE I. The board finds that the following substances have high potential for abuse and have no accepted medical use in treatment in the United States or that they lack accepted safety for use in treatment under medical supervision. The board, therefore, places each of the following substances in Schedule I.

(a) The controlled substances listed in this section, by whatever official name, common or usual name, chemical name, or brand name, are included in Schedule I.

(b) Opiates. Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

(1) Acetyl-alpha-methylfentanil (N;

- (2) Acetylmethadol;
 ((~~3~~)) (3) Allylprodine;
 ((~~4~~)) (4) Alphacetylmethadol;
 ((~~5~~)) (5) Alphameprodine;
 ((~~6~~)) (6) Alhamethadol;
 ((~~7~~)) (7) Alpha-methylfentanyl (N-[1-alpha-methyl-beta-phenyl] ethyl-4-piperidyl) (~~(propionanilide)~~) propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);
 ((~~8~~)) (8) Benzethidine;
 ((~~9~~)) (9) Betacetylmethadol;
 ((~~10~~)) (10) Betameprodine;
 ((~~11~~)) (11) Betamethadol;
 ((~~12~~)) (12) Betaprodine;
 ((~~13~~)) (13) Clonitazene;
 ((~~14~~)) (14) Dextromoramide;
 ((~~15~~)) (15) Diampramide;
 ((~~16~~)) (16) Diethylthiambutene;
 ((~~17~~)) (17) Difenoxin;
 ((~~18~~)) (18) Dimenoxadol;
 ((~~19~~)) (19) Dimepheptanol;
 ((~~20~~)) (20) Dimethylthiambutene;
 ((~~21~~)) (21) Dioxaphetyl butyrate;
 ((~~22~~)) (22) Dipipanone;
 ((~~23~~)) (23) Ethylmethylthiambutene;
 ((~~24~~)) (24) Etonitazene;
 ((~~25~~)) (25) Etoxidine;
 ((~~26~~)) (26) Furethidine;
 ((~~27~~)) (27) Hydroxypethidine;
 ((~~28~~)) (28) Ketobemidone;
 ((~~29~~)) (29) Levomoramide;
 ((~~30~~)) (30) Levophenacylmorphan;
 ((~~31~~)) (31) 3-Methylfentanyl (N-[3-Methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylprop anamide);
 ((~~32~~)) (32) Morpheridine;
 ((~~33~~)) (33) MPPP (1-Methyl-4-phenyl-4-propionoxypiperidine);
 ((~~34~~)) (34) Noracymethadol;
 ((~~35~~)) (35) Norlevorphanol;
 ((~~36~~)) (36) Normethadone;
 ((~~37~~)) (37) Norpipanone;
 ((~~38~~)) (38) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
 ((~~39~~)) (39) Phenadoxone;
 ((~~40~~)) (40) Phenampromide;
 ((~~41~~)) (41) Phenomorphan;
 ((~~42~~)) (42) Phenoperidine;
 ((~~43~~)) (43) Piritramide;
 ((~~44~~)) (44) Propheptazine;
 ((~~45~~)) (45) Properidine;
 ((~~46~~)) (46) Propiram;
 ((~~47~~)) (47) Racemoramide;
 ((~~48~~)) (48) Tilidine;
 ((~~49~~)) (49) Trimeperidine.

(c) Opium derivatives. Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, their salts, isomers, and salts of isomers, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Acetorphine;
- (2) Acetyldihydrocodeine;
- (3) Benzylmorphine;
- (4) Codeine methylbromide;
- (5) Codeine-N-Oxide;
- (6) Cyprenorphine;
- (7) Desomorphine;
- (8) Dihydromorphine;
- (9) Drotebanol;
- (10) Etorphine (except hydrochloride salt);
- (11) Heroin;
- (12) Hydromorphenol;
- (13) Methyldesorphine;
- (14) Methylhydromorphine;
- (15) Morphine methylbromide;
- (16) Morphine methylsulfonate;
- (17) Morphine-N-Oxide;
- (18) Myorphine;
- (19) Nicocodeine;

- (20) Nicomorphine;
- (21) Normorphine;
- (22) Pholcodine;
- (23) Thebacon.

(d) Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, or which contains any of its salts, isomers, and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation (for purposes of paragraph (d) of this section, only, the term "isomer" includes the optical, position, and geometric isomers.):

- (1) 4-bromo-2,5-dimethoxy-amphetamine: Some trade or other names: 4-bromo-2,5-dimethoxy-a-methylphenethylamine; 4-bromo-2,5-DMA;
- (2) 2,5-dimethoxyamphetamine: Some trade or other names: 2,5-dimethoxy-a-methylphenethylamine; 2,5-DMA;
- (3) 4-methoxyamphetamine: Some trade or other names: 4-methoxy-a-methylphenethylamine; paramethoxyamphetamine, PMA;
- (4) 5-methoxy-3,4-methylenedioxy-amphetamine;
- (5) 4-methyl-2,5-dimethoxy-amphetamine: Some trade and other names: 4-methyl-2,5-dimethoxy-a-methylphenethylamine; "DOM"; and "STP";
- (6) 3,4-methylenedioxy amphetamine;
- (7) 3,4-methylenedioxymethamphetamine (MDMA);
- (8) 3,4,5-trimethoxy amphetamine;
- (9) Bufotenine: Some trade or other names: 3-(beta-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine;
- (10) Diethyltryptamine: Some trade or other names: N,N-Diethyltryptamine; DET;
- (11) Dimethyltryptamine: Some trade or other names: DMT;
- (12) Ibogaine: Some trade or other names: 7-ETHYL-6,6 beta,7,8,9,10,12,13,-octahydro-2-methoxy-6,9methano-5H-pyndo (1',2',1,2) azepino (5,4-b) indole; Tabernanthe iboga;
- (13) Lysergic acid diethylamide;
- (14) Marihuana;
- (15) Mescaline;
- (16) Parahexyl-7374; some trade or other names: 3-Hexyl-1-hydroxy-7, 8, 9, 10-tetrahydro-6, 6, 9-trimethyl-6H-dibenzo[b,d]pyran; synhexyl;
- (17) Peyote, meaning all parts of the plant presently classified botanically as *Lophophora Williamsii* Lemaire, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture, or preparation of such plant, its seeds, or extracts; (interprets 21 USC § 812 (c), Schedule I (c)(12))
- (18) N-ethyl-3-piperidyl benzilate;
- (19) N-methyl-3-piperidyl benzilate;
- (20) Psilocybin;
- (21) Psilocyn;
- (22) Tetrahydrocannabinols, synthetic equivalents of the substances contained in the plant, or in the resinous extractives of *Cannabis*, specifically, and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following:
 - (i) Delta 1 - cis - or trans tetrahydrocannabinol, and their optical isomers, excluding dronabinol in sesame oil and encapsulated in a soft gelatin capsule in a drug product approved by the United States Food and Drug Administration;
 - (ii) Delta 6 - cis - or trans tetrahydrocannabinol, and their optical isomers;
 - (iii) Delta 3,4 - cis - or trans tetrahydrocannabinol, and its optical isomers;
 (Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.)
- (23) Ethylamine analog of phencyclidine: Some trade or other names: N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl) ethylamine; N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; PCE;
- (24) Pyrrolidine analog of phencyclidine: Some trade or other names: 1-(1-phenylcyclohexyl)pyrrolidine; PCPy; PHP;
- (25) Thiophene analog of phencyclidine: Some trade or other names: 1-(1-[2-thenyl]-cyclohexyl)-piperidine; 2-thienylanalog of phencyclidine; TPCP; TCP;

(e) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of mecloqualone having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation.

(i) Mecloqualone;

(ii) Methaqualone.

(f) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

(i) Fenethyline;

(ii) N-ethylamphetamine;

(iii) 4-methylaminorex;

(iv) N,N-dimethylamphetamine.

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.

AMENDATORY SECTION (Amending Order 226, filed 8/8/89, effective 9/8/89)

WAC 360-36-420 SCHEDULE II. The board finds that the following substances have a high potential for abuse and have currently accepted medical use in treatment in the United States, or currently accepted medical use with severe restrictions and that the abuse of the following substances may lead to severe psychic or psychological dependence. The board, therefore, places each of the following substances in Schedule II.

(a) The drugs and other substances listed in this section, by whatever official name, common or usual name, chemical name, or brand name designated, are included in Schedule II.

(b) Substances. (Vegetable origin or chemical synthesis.) Unless specifically excepted, any of the following substances, except those listed in other schedules, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis:

(1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, excluding apomorphine, dextrorphan, nalbuphine, naloxone, and naltrexone, and their respective salts, but including the following:

- (i) Raw opium;
- (ii) Opium extracts;
- (iii) Opium fluid;
- (iv) Powdered opium;
- (v) Granulated opium;
- (vi) Tincture of opium;
- (vii) Codeine;
- (viii) Ethylmorphine;
- (ix) Etorphine hydrochloride;
- (x) Hydrocodone;
- (xi) Hydromorphone;
- (xii) Metopon;
- (xiii) Morphine;
- (xiv) Oxycodone;
- (xv) Oxymorphone; and
- (xvi) Thebaine.

(2) Any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in paragraph (b)(1) of this section, but not including the isoquinoline alkaloids of opium.

(3) Opium poppy and poppy straw.

(4) Coca leaves and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions which do not contain cocaine or ecgonine.

(5) Methylbenzoyllecgonine (cocaine—its salts, optical isomers, and salts of optical isomers).

(6) Concentrate of poppy straw (The crude extract of poppy straw in either liquid, solid, or powder form which contains the phenanthrine alkaloids of the opium poppy.)

(c) Opiates. Unless specifically excepted or unless in another schedule any of the following opiates, including its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation, dextrorphan and levopropoxyphene excepted:

- (1) Alfentanil;
- (2) Alphaprodine;
- (3) Anileridine;
- (4) Bezitramide;
- (5) Bulk dextropropoxyphene (nondosage forms);
- (6) Carfentanil;
- (7) Dihydrocodeine;
- ~~((7))~~ (8) Diphenoxylate;
- ~~((8))~~ (9) Fentanyl;
- ~~((9))~~ (10) Isomethadone;
- ~~((10))~~ (11) Levomethorphan;
- ~~((11))~~ (12) Levorphanol;
- ~~((12))~~ (13) Metazocine;
- ~~((13))~~ (14) Methadone;
- ~~((14))~~ (15) Methadone—Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane;
- ~~((15))~~ (16) Moramide—Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid;
- ~~((16))~~ (17) Pethidine (meperidine);
- ~~((17))~~ (18) Pethidine—Intermediate—A, 4-cyano-1-methyl-4-phenylpiperidine;
- ~~((18))~~ (19) Pethidine—Intermediate—B, ethyl-4-phenylpiperidine-4-carboxylate;
- ~~((19))~~ (20) Pethidine—Intermediate—C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- ~~((20))~~ (21) Phenazocine;
- ~~((21))~~ (22) Piminodine;
- ~~((22))~~ (23) Racemethorphan;
- ~~((23))~~ (24) Racemorphan;
- ~~((24))~~ (25) Sufentanil.

(d) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

- (1) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
- (2) Methamphetamine, its salts, isomers, and salts of its isomers;
- (3) Phenmetrazine and its salts;
- (4) Methylphenidate.

(e) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Amobarbital;
- (2) Glutethimide;
- (3) Pentobarbital;
- ~~((3))~~ (4) Phencyclidine;
- ~~((4))~~ (5) Secobarbital.

(f) Immediate precursors. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:

- (1) Immediate precursor to amphetamine and methamphetamine;
- (2) Phenylacetone: Some trade or other names phenyl-2-propanone, P2P, benzyl methyl ketone, methyl benzyl ketone.
- (3) Immediate precursors to phencyclidine (PCP):
 - (i) 1-phenylcyclohexylamine;
 - (ii) 1-piperidinocyclohexanecarbonitrile (PCC).
- (g) Hallucinogenic substances.

(1) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States Food and Drug Administration approved drug product. (Some other names for dronabinol [6aR-trans]-6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-benzo[b,d]pyran-i-ol, or (-)-delta-9-(trans)-tetrahydrocannabinol.)

(2) Nabilone.

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.

AMENDATORY SECTION (Amending Order 226, filed 8/8/89, effective 9/8/89)

WAC 360-36-430 SCHEDULE III. The board finds that the following substances have a potential for abuse less than the substances listed in Schedules I and II, and have currently accepted medical use in treatment in the United States and that the abuse of the substances may lead to moderate or low physical dependency or high psychological dependency. The board, therefore, places each of the following substances in Schedule III.

(a) The drugs and other substances listed in this section, by whatever official name, common or usual name, chemical name, or brand name designated, are included in Schedule III.

(b) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Those compounds, mixtures, or preparations in dosage unit form containing any stimulant substances listed in Schedule II which compounds, mixtures, or preparations are referred to as excepted compounds in Schedule III as published in 21 CFR 1308.13(b)(1) as of April 1, 1984, and any other drug of the quantitative composition shown in that list for those drugs or which is the same except that it contains a lesser quantity of controlled substances;

- (2) Benzphetamine;
- (3) Chlorphentermine;
- (4) Clortermine;
- (5) Phendimetrazine.

(c) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:

(1) Any compound, mixture, or preparation containing:

- (i) Amobarbital;
- (ii) Secobarbital;
- (iii) Pentobarbital;

or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule;

(2) Any suppository dosage form containing:

- (i) Amobarbital;
- (ii) Secobarbital;
- (iii) Pentobarbital;

or any salt of any of these drugs and approved by the Food and Drug Administration for marketing only as a suppository;

(3) Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid;

- (4) Chlorhexadol;
- (5) ~~((6))~~ Lysergic acid;
- ~~((7))~~ (6) Lysergic acid amide;
- ~~((8))~~ (7) Methyprylon;
- ~~((9))~~ (8) Sulfondiethylmethane;
- ~~((10))~~ (9) Sulfonethylmethane;
- ~~((11))~~ (10) Sulfonmethane;
- ~~((12))~~ (11) Tiletamine and zolazepam or any salt thereof—some trade or other names for a tiletamine-zolazepam combination product: Telazol some trade or other names for tiletamine: 2-(ethylamino)-2-(2-thienyl) cyclohexanone—some trade or other names for zolazepam: 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-[3,4-e] [1,4] diazepin 7 (1H) one fluprazapon.

(d) Nalorphine.

(e) Anabolic steroids. The term "anabolic steroid" means any drug or hormonal substance, chemically and pharmacologically related to testosterone (other than estrogens, progestins, and corticosteroids) that promotes muscle growth, and includes:

- (1) Boldenone;
- (2) Chlorotestosterone;
- (3) Clostebol;
- (4) Dehydrochlormethyltestosterone;
- (5) Dihydrotestosterone;
- (6) Drostanolone;
- (7) Ethylestrenol;
- (8) Fluoxymesterone;
- (9) Formebolone;
- (10) Mesterolone;

- (11) Methandienone;
- (12) Methandranone;
- (13) Methandriol;
- (14) Methandrostenolone;
- (15) Methenolone;
- (16) Methyltestosterone;
- (17) Mibolerone;
- (18) Nanrolone;
- (19) Norethandrolone;
- (20) Oxandrolone;
- (21) Oxymesterone;
- (22) Oxymetholone;
- (23) Stanolone;
- (24) Stanozolol;
- (25) Testolactone;
- (26) Testosterone;
- (27) Trenbolone; and

(28) Any salt, ester, or isomer of a drug or substance described or listed in this paragraph, if that salt, ester, or isomer promotes muscle growth. Except such term does not include an anabolic steroid which is expressly intended for administration through implants to cattle or other nonhuman species and which has been approved by the secretary of health and human services for such administration. If any person prescribes, dispenses, or distributes such steroid for human use such person shall be considered to have prescribed, dispensed, or distributed an anabolic steroid within the meaning of this paragraph.

(f) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof calculated as the free anhydrous base or alkaloid, in limited quantities as set forth in paragraph (e) of this section:

(1) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

(2) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(3) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;

(4) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(5) Not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(6) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(7) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(8) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

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.

AMENDATORY SECTION (Amending Order 226, filed 8/8/89, effective 9/8/89)

WAC 360-36-440 SCHEDULE IV. The board finds that the following substances have a low potential for abuse relative to substances in Schedule III and have currently accepted medical use in treatment in the United States and that the abuse of the substances may lead to limited physical dependence or psychological dependence relative to the substances in Schedule III. The board, therefore, places each of the following substances in Schedule IV.

(a) The drugs and other substances listed in this section, by whatever official name, common or usual name, chemical name, or brand name designated, are included in Schedule IV.

(b) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated

as the free anhydrous base or alkaloid, in limited quantities as set forth below:

(1) Not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.

(2) Dextropropoxyphene (alpha-(+)-e-dimethylamino-1,2-diphenyl-3-methyl-2 propionoxybutane).

(c) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Alprazolam;
- (2) Barbitol;
- (3) Bromazepam;
- (4) Carmazepam;
- (5) Chloral betaine;
- (6) Chloral hydrate;
- (7) Chlordiazepoxide;
- (8) Clobazam;
- (9) Clonazepam;
- (10) Clorazepate;
- (11) Clotiazepam;
- (12) Cloxazolam;
- (13) Delorazepam;
- (14) Diazepam;
- (15) Estazolam;
- (16) Ethchlorvynol;
- (17) Ethinamate;
- (18) Ethyl loflazepate;
- (19) Fludiazepam;
- (20) Flunitrazepam;
- (21) Flurazepam;
- (22) Halazepam;
- (23) Haloxazolam;
- (24) Ketazolam;
- (25) Loprazolam;
- (26) Lorazepam;
- (27) Lormetazepam;
- (28) Mebutamate;
- (29) Medazepam;
- (30) Meprobamate;
- (31) Methohexital;
- (32) Methylphenobarbital (mephobarbital);
- (33) Midazolam;
- (34) Nimetazepam;
- (35) Nitrazepam;
- (36) Nordiazepam;
- (37) Oxazepam;
- (38) Oxazolam;
- (39) Paraldehyde;
- (40) Petrichloral;
- (41) Phenobarbital;
- (42) Pinazepam;
- (43) Prazepam;
- (44) Quazepam;
- (45) Temazepam;
- (46) Tetrazepam;
- (47) Triazolam.

(d) Fenfluramine. Any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers (whether optical, position or geometric), and salts of such isomers, whenever the existence of such salts, isomers and salts of isomers is possible.

(e) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Cathine;
- (2) Diethylpropion;
- ~~((2))~~ (3) Fencamfamin;
- (4) Fenproporex;
- (5) Mazindol;
- ~~((3))~~ (6) Mefenorex;

(7) Pemoline (including organometallic complexes and chelates thereof);

~~((4))~~ (8) Phentermine;

~~((5))~~ (9) Pipradrol;

~~((6))~~ (10) SPA ((-)-1-dimethylamino-1, 2-dephenylethane.

(f) Other substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts:

- (1) Pentazocine.

WSR 91-19-028

PERMANENT RULES

DEPARTMENT OF HEALTH

[Order 194—Filed September 10, 1991, 11:29 a.m.]

Date of Adoption: September 5, 1991.

Purpose: A housekeeping action to transfer rules to Title 246 WAC.

Citation of Existing Rules Affected by this Order: See Recodification Sections below.

Statutory Authority for Adoption: RCW 43.70.040.

Pursuant to notice filed as WSR 91-15-003 on July 5, 1991.

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

September 5, 1991

Pam Campbell Mead
for Kristine M. Gebbie
Secretary

RECODIFICATION SECTION

The following section is being recodified:

WAC 360-12-128 as WAC 246-863-080

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-907 WAC:

Chapter 246-907 WAC

Pharmaceutical licensing periods and fees

360-18-010	as	246-907-020
360-18-020	as	246-907-030
360-18-025	as	246-907-040

WSR 91-19-029

EMERGENCY RULES

DEPARTMENT OF

GENERAL ADMINISTRATION

[Filed September 10, 1991, 11:45 a.m.]

Date of Adoption: September 3, 1991.

Purpose: To control skateboarding activity on state capitol grounds since such activity threatens and endangers the health, safety and general welfare of pedestrians, motorists and skateboarders. Skateboarding activity also has a destructive impact on physical structures, roadways and pathways on state capitol grounds.

Citation of Existing Rules Affected by this Order: Amending WAC 236-12-011.

Statutory Authority for Adoption: RCW 46.08.150.

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

Reasons for this Finding: Skateboarding activity on state capitol grounds has increased significantly during recent years. Many skateboarders ride their boards in areas with high volume of pedestrian and motor vehicle traffic, and thus endanger and threaten the health, safety and welfare of pedestrians, motorists and skateboarders themselves. Skateboarding in areas of high pedestrian and motorist traffic is dangerous, destructive and an incompatible use of state capitol ground areas and facilities.

Effective Date of Rule: Immediately.

September 3, 1991
Ronald McQueen
Assistant Director

**EMERGENCY RULES ON SKATEBOARDING
ON
STATE CAPITOL GROUNDS
DEPARTMENT OF GENERAL
ADMINISTRATION**

AMENDATORY SECTION (Amending Order 83-2,
filed 7/27/83)

WAC 236-12-011 "STATE CAPITOL GROUNDS" DEFINED. "State capitol grounds" as used herein shall mean those grounds owned by the State and otherwise designated as state capitol grounds, including the west capitol campus, the east capitol campus, Sylvester Park, the old capitol building and Capitol Lake, ways open to the public and specified adjoining lands and roadways.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

NEW SECTION

WAC 236-12-160 INTENT OF THE DIRECTOR. It is the intent of the director in adopting these skateboard regulations to acknowledge the dangerous impact that skateboarding on the capitol campus has to the health and safety of state employees, visitors, skateboarders and the general public, and the destructive impact it has on physical structures, roadways and pathways on the capitol campus.

The following are some of the reasons why skateboarding on the capitol campus must be controlled:

1. During recent years, the use of skateboards has increased dramatically. As a result, the department has been contacted by numerous employees and citizens complaining about the dangerous and destructive practices of skateboarders on the capitol campus grounds.

2. Many skateboarders ride their boards in high volume areas and thus threaten the safety of pedestrians, motorists and the skateboarders themselves.

3. The director finds that skateboarding in such high volume or crowded areas, even if done in a non-negligent manner, is incompatible with pedestrian use of these areas, due mainly to the speed and maneuverability of skateboards.

4. Skateboarders have ridden their boards down entrance and exit ramps of state underground parking facilities, sometimes against traffic, placing the skateboarders in serious danger and placing the motorists in a position of liability and possible harm. Skateboarders also have ridden their boards near doorways, nearly hitting pedestrians. In addition, skateboarders have ridden into state buildings jeopardizing occupants, and have ridden on walls, curbs, partitions, ramps or other vertical and irregular physical surfaces, causing damage to state facilities and surfaces.

5. The director finds that skateboarding in roadways and parking facilities and parking ramps creates a danger to the skateboarder and to the motorist, and is incompatible with motor vehicle use in such areas.

6. The director finds that these skateboard regulations are necessary in order to avoid property loss, personal injury and liability exposure associated with the use of skateboards on state property and within state facilities.

NEW SECTION

WAC 236-12-170 "SKATEBOARD" DEFINED. "Skateboard" as used herein shall mean an oblong board with roller skate wheels or other similar wheels mounted under it at each end.

NEW SECTION

WAC 236-12-171 "SKATEBOARDING" DEFINED. "Skateboarding" as used herein shall mean any person who stands with one or both feet touching a skateboard and/or who does handstands with one or both hands touching a skateboard and/or who crouches, sits or lies upon a skateboard while it is in motion. "Skateboarding" also shall mean skateboard riding.

NEW SECTION

WAC 236-12-175 SKATEBOARDING PROHIBITED. Skateboarding is prohibited on the state capitol grounds, as defined in WAC 236-12-011, including but not limited to the streets, sidewalks, walkways, walls, raised structural elevations, east capitol campus plaza, parking structures, lots and ramps, other paved surfaces of the state capitol grounds and any other structure or part thereof.

NEW SECTION

WAC 236-12-180 VIOLATION/PENALTY. Violation of WAC 236-12-175 shall constitute a traffic infraction which is subject to the jurisdiction of the Thurston County District Court. Violators shall be ticketed by the Washington State Patrol. The fine for skateboarding on state capitol grounds shall be TWENTY-FIVE DOLLARS (\$25.00).

WSR 91-19-030
PROPOSED RULES
DEPARTMENT OF ECOLOGY

[Order 91-51—Filed September 10, 1991, 11:52 a.m.]

Continuance of WSR 91-17-082.
 Title of Rule: WAC 173-19-2601.
 Purpose: Extend public comment period from October 3, 1991, to October 13, 1991.
 Hearing Location: City Council Chambers, 238 Fourth Street, Bremerton, WA 98310-1806, on October 3, 1991, at 7:00.
 Submit Written Comments to: Master Program Coordinator, Washington State Department of Ecology, Shorelands and CZM Program, Mailstop PV-11, Olympia, Washington 98504, by October 13, 1991.
 Date of Intended Adoption: December 17, 1991.

September 6, 1991
 Fred Olson
 Deputy Director

WSR 91-19-031
PREPROPOSAL COMMENTS
DEPARTMENT OF ECOLOGY

[Order 91-46—Filed September 10, 1991, 11:55 a.m.]

Subject of Possible Rule Making: Amendment of chapter 173-422 WAC, Motor vehicle emission inspection to comply with new state and federal law requirements and other changes to improve the program including: Expanding the King, Snohomish and Spokane counties inspection areas and establishing Pierce and Clark counties inspection areas; including a check of emission control equipment as a part of the emission inspection; revising emission testing procedure to reduce the number of vehicles failing due to the engine or catalytic converter not being at normal operating temperature; establishing diesel testing procedures and standards; and additional requirements to become or remain a certified emission specialist or have their shop listed.

Persons may comment on this subject by writing to: John Raymond, Department of Ecology, PV-11, Olympia, Washington 98504-8711, prior to October 21, 1991.

September 9, 1991
 Fred Olson
 Deputy Director

WSR 91-19-032
PERMANENT RULES
WILDLIFE COMMISSION

[Order 508—Filed September 10, 1991, 4:40 p.m.]

Date of Adoption: August 15, 1991.
 Purpose: To amend the 1991-92 Deer and elk permit hunting seasons.
 Citation of Existing Rules Affected by this Order: Amending WAC 232-28-230.
 Statutory Authority for Adoption: RCW 77.12.040.

Pursuant to notice filed as WSR 91-14-107 on July 3, 1991.

Effective Date of Rule: Thirty-one days after filing.
 September 10, 1991
 Curt Smitch
 Director
 for Dean A. Lydig
 Chair

AMENDATORY SECTION (Amending Order 502, filed 6/17/91)

WAC 232-28-230 1991-92 DEER AND ELK PERMIT HUNTING SEASONS

Application Instructions

NOTE: Hunt numbers and GMU numbers are not the same.

A permit gives a hunter additional opportunity but it does not give him/her an extra deer or elk, EXCEPT that antlerless only permit holders for GMUs 105, 108, 111, 113, 118, 119, 121, and 124 may buy a second deer tag and harvest a second antlerless deer (See Special Deer Permit Hunting Seasons).

To apply for Special Deer Permit: You must have a valid 1991 Washington hunting license and a modern firearm or muzzleloader deer tag. Only those hunters with a Washington Disabled Hunter Permit may apply for the special hunt for disabled. You may submit one (only one) special deer permit application for 1991.

To apply for Special Elk Permit: You must have a valid 1991 Washington hunting license and a valid late modern firearm, muzzleloader, or archery elk tag; EXCEPT Blue Mountain archery tag holders and early Blue Mountain modern firearm tag holders may apply for branched antler permits in the Blue Mountains. Only those hunters with a Washington Disabled Hunter Permit may apply for the special hunt for the disabled. You may submit one (only one) special permit application for elk. You may not submit an elk permit application if you were drawn for any elk permit during 1989 or 1990. Permit hunters may hunt only with a weapon in compliance with their tag.

Application Deadline: To qualify for the drawing all applications must be postmarked no later than August 1, 1991 or received no later than 5:00 p.m. on August 1, 1991 at the Department of Wildlife headquarters in Olympia or at any of the regional Department of Wildlife offices.

- Permits will be drawn by random computer selection.
- There are no refunds or exchanges for deer or elk tags for persons applying for special permits.

Special Hunting Season Permits

You MUST have a valid hunting license and tag to apply for any special hunting season set by the Wildlife Commission. (Special hunting seasons do not include hunts open to all hunters.)

SPECIAL DEER PERMIT HUNTING SEASONS
 (Open to Permit Holders Only)

Hunters must purchase a hunting license and deer tag prior to purchase of a permit application. Only modern firearm deer tag holders and muzzleloader deer tag holders may apply for the following permit hunts.

Hunters successfully drawn for an antlerless only permit for GMUs 105, 108, 111, 113, 118, 119, 121, or 124 may, after killing an antlerless white-tailed deer, purchase one additional antlerless only deer tag by presenting, in person, a completed report card and valid 1991

hunting license at the Spokane Regional Office. Additional tags are valid in the permit season and in the modern firearm deer season in the GMU for which the original permit was issued. No more than two antlerless white-tailed deer per hunter may be harvested. It is ILLEGAL for hunters with the second antlerless deer tag to kill a buck.

Use the FOUR DIGIT HUNT NUMBER on your application.

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Boundary Description
1001	Curlew	200	Oct. 1-9	Whitetail, Antlerless Only	GMU 100
1002	Boulder	150	Oct. 1-9	Whitetail, Antlerless Only	GMU 103
1003	Kellyhill	350	Oct. 1-9	Whitetail, Antlerless Only	GMU 105
1004	Douglas	900	Oct. 2-9	Whitetail, Antlerless Only	GMU 108
1005	Aladdin	400	Oct. 2-9	Whitetail, Antlerless Only	GMU 111
1006	Selkirk	100	Oct. 2-9	Whitetail, Antlerless Only	GMU 113
1007	Chewelah	400	Oct. 2-9	Whitetail, Antlerless Only	GMU 118
1008	Boyer	500	Oct. 2-9	Whitetail, Antlerless Only	GMU 119
1009	Huckleberry	1,800	Oct. 2-9	Whitetail, Antlerless Only	GMU 121
1010	Mt. Spokane	1,000	Oct. 2-9	Whitetail, Antlerless Only	GMU 124
1011	Roosevelt	500	Nov. 13-24	Antlerless Only	GMU 133
1012	Harrington	150	Nov. 13-24	Antlerless Only	GMU 136
1013	Steptoe	200	Nov. 13-24	Antlerless Only	GMU 139
1014	Almota	400	Nov. 13-24	Antlerless Only	GMU 142
1015	Mayview	400	Oct. 12-20	Antlerless Only	GMU 145
1016	Starbuck	200	Nov. 13-24	Antlerless Only	GMU 148
1017	Eureka	50	Nov. 13-24	Antlerless Only	GMU 151
1018	Bluecreek	150	Nov. 13-24	Whitetail, Antlerless Only	GMU 154
1019	Touchet	75	Nov. 13-24	Whitetail, Antlerless Only	GMU 160
1020	Eckler	75	Nov. 13-24	Whitetail, Antlerless Only	GMU 161
1021	Marengo A	125	Nov. 13-24	Whitetail, Antlerless Only	GMU 163
1022	Marengo B	75	Nov. 13-24	Antlerless Only	GMU 163
1023	Mountain View	50	Nov. 13-24	Antlerless Only	GMU 172
1024	Lick Creek	50	Nov. 13-24	Antlerless Only	GMU 175
1025	Peola	200	Nov. 13-24	Antlerless Only	GMU 178
1026	Couse A	150	Nov. 13-24	Antlerless Only	GMU 181
1027	Couse B	150	Nov. 13-24	Whitetail, Antlerless Only	GMU 181
1028	Blue Mtn. Foothills A	60	Nov. 13-26	Whitetail, Antlerless or 3-Pt. Min.	GMUs 148, 154, 160, 161, 163, 166
1029	Blue Mtn. Foothills B	60	Nov. 13-26	Whitetail, Antlerless or 3-Pt. Min.	GMUs 145, 172, 175, 178, 181
1030	Tunk	100	Dec. 2-8	Whitetail, Either Sex	GMU 200
1031	Bonaparte	100	Dec. 2-8	Whitetail, Either Sex	GMU 206
1032	Wannacut	100	Nov. 2-8	Antlerless Only	GMU 209
1033	Sinlahekin A	200	Nov. 2-8	Antlerless Only	GMU 215
1034	Sinlahekin B	25	Dec. 9-15	Whitetail, Either Sex	GMU 215
1035	Chewuch A	400	Nov. 2-8	Antlerless Only	GMU 218
1036	Chewuch B	25	Dec. 2-8	Whitetail, Either Sex	GMU 218
1037	Pearrygin A	500	Nov. 2-8	Antlerless Only	GMU 224
1038	Pearrygin B	25	Dec. 2-8	Whitetail, Either Sex	GMU 224
1039	Gardner A	400	Nov. 2-8	Antlerless Only	GMU 231
1040	Gardner B	50	Dec. 2-8	Whitetail, Either Sex	GMU 231
1041	Pogue A	400	Nov. 2-8	Antlerless Only	GMU 233
1042	Pogue B	50	Dec. 9-15	Whitetail, Either Sex	GMU 233
1043	Bigbend	300	Oct. 19-27	Antlerless Only	GMU 248
1044	Saint Andrews	100	Oct. 19-27	Antlerless Only	GMU 254
1045	Foster Creek	200	Oct. 19-27	Antlerless Only	GMU 260
1046	Withrow	100	Oct. 19-27	Antlerless Only	GMU 262

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Boundary Description
1047	Badger	100	Oct. 19-27	Antlerless Only	GMU 266
1048	Moses Coulee	200	Oct. 19-27	Antlerless Only	GMU 269
1049	Beezley	200	Oct. 19-27	Antlerless Only	GMU 272
1050	Kahlotus	150	Oct. 19-27	Antlerless Only	GMU 284
1051	Entiat	150	Nov. 9-17	Antlerless Only	GMU 308
1052	Wenatchee	200	Nov. 16- Dec. 1	Antlerless Only	Portion of GMU 314
1053	Naneum	75	Nov. 2-10	Either Sex	GMU 328
1054	Olala	150	Nov. 9-17	Antlerless Only	Portion of GMU 316
1055	Quilomene	75	Nov. 2-10	Either Sex	GMU 329
1056	Teanaway	150	Nov. 13-15	Either Sex	GMU 335
1057	Taneum	100	Nov. 16-20	Either Sex	GMU 336
1058	Manastash	100	Nov. 16-20	Either Sex	GMU 340
1059	Naches	75	Oct. 26-29	Either Sex	GMU 346
1060	Bumping	50	Oct. 26-29	Either Sex	GMU 356
1061	Bethel	50	Oct. 26-29	Either Sex	GMU 360
1062	Rimrock	25	Oct. 26-29	Either Sex	GMU 364
1063	Priest Rapids	50	Oct. 26-29	Either Sex	GMU 370
1064	Champion N.	250	Dec. 6-10	Antlerless Only	Deer Area 001
1065	Champion S.	100	Dec. 7, 8 and 14, 15	Antlerless Only	Deer Area 002*
1066	Green River A	45	Oct. 19-25	Antlerless or 2-Pt. Buck Min.	GMU 485
1067	Green River B	30	Oct. 19-25	Antlerless Only	GMU 485
1068	Lincoln	100	Oct. 21-27	Either Sex	GMU 501
1069	Mossyrock	100	Oct. 21-27	Either Sex	GMU 505
1070	Willapa Hills	75	Oct. 21-27	Either Sex	GMU 506
1071	Stormking	50	Oct. 21-27	Either Sex	GMU 510
1072	Sawtooth	50	Oct. 21-27	Either Sex	GMU 512
1073	Packwood	30	Oct. 21-27	Either Sex	GMU 516
1074	Ryderwood	50	Oct. 21-27	Either Sex	GMU 530
1075	Coweeman	60	Oct. 21-27	Either Sex	GMU 550
1076	Lewis River	50	Oct. 21-27	Either Sex	GMU 560
1077	Siouxon	50	Oct. 21-27	Either Sex	GMU 572
1078	White Salmon	100	Oct. 21-27	Antlerless or 2-Pt. Min.	GMU 576
1079	Goodnoe	100	Oct. 21-27	Antlerless or 2-Pt. Min.	GMU 584
1080	Grayback	200	Oct. 21-27	Antlerless or 2-Pt. Min.	GMU 588
1081	Hoko	50	Oct. 21-27	Either Sex	GMU 601
1082	Pysht	100	Oct. 21-27	Either Sex	GMU 603
1083	Soleduck	20	Oct. 21-27	Either Sex	GMU 607
1084	Goodman	50	Oct. 21-27	Either Sex	GMU 612
1085	Clearwater	50	Oct. 21-27	Either Sex	GMU 615
1086	Olympic	150	Oct. 21-27	Either Sex	GMU 621
1087	Coyle	125	Oct. 21-27	Either Sex	GMU 624
1088	Mason Lake	25	Oct. 21-27	Either Sex	GMU 633
1089	Skokomish	125	Oct. 21-27	Antlerless or 2-Pt. Buck Min.	GMU 636
1090	Wynoochee	75	Oct. 21-27	Either Sex	GMU 648
1091	North River	25	Oct. 21-27	Either Sex	GMU 658
1092	Capitol Peak	30	Oct. 21-27	Either Sex	GMU 663
1093	Deschutes	75	Oct. 21-27	Either Sex	GMU 666
1094	Skookumchuck	250	Oct. 21-27	Either Sex	GMU 667
1095	Palix	20	Oct. 21-27	Either Sex	GMU 669
1096	Fall River	75	Oct. 21-27	Either Sex	GMU 672
1097	Nemah	25	Oct. 21-27	Either Sex	GMU 678
1098	Marrowstone I.	20	Oct. 21-27	Either Sex	Deer Area 061
1099	Minot Peak	75	Oct. 21-27	Either Sex	GMU 660

*Young hunter opportunity. Applicants must be 16 years old or younger and must be accompanied by an adult.

SPECIAL HUNT FOR DISABLED

Hunters must purchase a hunting license and modern firearm or muzzleloader deer tag prior to purchase of a special hunting season permit application. Only those hunters with a Washington Disabled Hunter Permit may apply.

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Boundary Description
1100	Stillaguamish A	25	Nov. 30-Dec. 1	Antlerless Only, Disabled Hunter Only	GMU 448

DEER MUZZLELOADER ONLY

Hunters must purchase a hunting license and muzzleloader deer tag prior to submitting an application for a muzzleloader permit hunt.

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Boundary Description
1101	Blue Creek	50	Nov. 27- Dec. 8	Whitetail - Antlerless or 3-Pt. Min.	GMU 154
1102	Chiliwist	200	Nov. 9-17	Either Sex	GMU 239
1103	Alta	300	Nov. 9-17	Either Sex	GMU 242
1104	Moses Coulee A	25	Nov. 30- Dec. 6	Antlerless Only	GMU 269
1105	Moses Coulee B	25	Dec. 7-13	Antlerless Only	GMU 269
1106	Moses Coulee C	25	Dec. 14-20	Antlerless Only	GMU 269
1107	Manson	200	Nov. 9-17	Either Sex	GMU 300
1108	Alpine	100	Sept. 25- Oct. 8	Antlerless or 3-Pt. Min.	GMU 302
1109	Chiwawa	250	Nov. 9-17	Either Sex	GMU 304
1110	Stillaguamish B	100	Dec. 7-8	Antlerless Only	GMU 448

Special Elk Hunting Seasons
(Open to Permit Holders Only)

Hunters must purchase a hunting license and elk tag prior to purchase of a permit application. Permit hunters may hunt only with a weapon in compliance with their tag. Applicants must have purchased the proper area tag for these hunts (see Elk Tag Prefix required to apply for each hunt). Hunters drawing a permit for a hunt after the first of the year can use their 1991 license and tag during the hunt. Only hunters who purchase an Early Blue Mountain elk tag (BE) may apply for special Blue Mountain bull permits. Blue Mountain hunters must have the appropriate elk tag prefix for the hunt they are applying for.

Use the FOUR DIGIT HUNT NUMBER on your application.

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2001	Aladdin	15	Nov. 2-10	Either Sex	BL or BM	GMU 111
2002	Selkirk	30	Nov. 2-10	Either Sex	BL or BM	GMU 113
2003	Mt. Spokane	30	Nov. 2-10	Antlerless Only	BL or BM	GMU 124
2004	Mayview	50	Sept. 1-26	Either Sex	BL or BM	GMU 145
2005	Blue Creek A	100	Nov. 2-10	Spike Bull or Antlerless	BL or BM	GMU 154
2006	Blue Creek B	10	Oct. 30- Nov. 10	Any Bull	BE	GMU 154
2007	Watershed	100	Nov. 2-10	Antlerless or 3-Pt. Bull Min.	BL or BM	GMU 157
2008	Touchet	11	Oct. 30- Nov. 10	Any Bull	BE	GMU 160
2009	Eckler	11	Oct. 30- Nov. 10	Any Bull	BE	GMU 161
2010	Touchet, Eckler, Marengo	50	Dec. 15- Jan. 15, 1992	Antlerless Only	BL or BM	GMUs 160*, 161*, 163*

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2011	Tucannon	12	Oct. 30– Nov. 10	Any Bull	BE	GMU 166
2012	Wenaha	15	Oct. 30– Nov. 10	Any Bull	BE	GMU 169
2013	Mountain View A	125	Nov. 2–10	Spike Bull or Antlerless	BL or BM	GMU 172
2014	Mountain View B	75	Dec. 15– Jan. 15, 1992	Antlerless Only	BL or BM	GMU 172
2015	Mountain View C	10	Oct. 30– Nov. 10	Any Bull	BE	GMU 172
2016	Lick Creek	100	Nov. 2–10	Spike Bull or Antlerless	BL or BM	GMU 175
2017	Peola	3	Oct. 30– Nov. 10	Any Bull	BE	GMU 178
2018	Couse A	75	Nov. 2–10	Spike Bull or Antlerless	BL or BM	GMU 181
2019	Couse B	3	Oct. 30– Nov. 10	Any Bull	BE	GMU 181
2020	Joseph/Black Butte	1	Oct. 30– Nov. 10	Any Bull	BE	GMUs 184–185
2021	Naneum	150	Oct. 20–22	Antlerless Only	CL or CM	GMU 328
2022	Reecer A	75	Oct. 5–11	Antlerless Only	CL or CM	Elk Area 030
2023	Reecer B	75	Dec. 9–15	Antlerless Only	CL or CM	Elk Area 030
2024	Shushuskin A	100	Nov. 16–24	Antlerless Only	YL or YM	Elk Area 031
2025	Shushuskin B	100	Nov. 30– Dec. 8	Antlerless Only	YL or YM	Elk Area 031
2026	Malaga A	150	Sept. 1– Oct. 4	Antlerless Only	CL or CM	Elk Area 032**
2027	Malaga B	150	Oct. 30– Nov. 6	Antlerless Only	CL or CM	Elk Area 032
2028	Peshastin	100	Sept. 1– Oct. 4	Either Sex	CL or CM	Elk Area 033**
2029	West Bar A	25	Oct. 20	Antlerless Only	CL or CM	GMU 330
2030	West Bar B	25	Oct. 21	Antlerless Only	CL or CM	GMU 330
2031	West Bar C	25	Oct. 22	Antlerless Only	CL or CM	GMU 330
2032	Caribou	175	Nov. 20– Dec. 1	Antlerless Only	CL or CM	Elk Area 002
2033	Taneum A	100	Nov. 1–4	Antlerless Only	YL or YM	GMU 336
2034	Taneum B	100	Nov. 14–16	Antlerless Only	YL or YM	GMU 336
2035	Manastash A	100	Nov. 1–4	Antlerless Only	YL or YM	GMU 340
2036	Manastash B	100	Nov. 14–16	Antlerless Only	YL or YM	GMU 340
2037	Naches & Umtanum A	350	Nov. 1–4	Antlerless Only	YL or YM	GMUs 342 & 346**
2038	Naches & Umtanum B	150	Nov. 14–16	Antlerless Only	YL or YM	GMUs 342 & 346**
2039	Naches	25	Sept. 29– Oct. 12	3–Pt. Bull Min.	YL or YM	GMU 346**
2040	Nile A	100	Nov. 1–4	Antlerless Only	YL or YM	GMU 352
2041	Nile B	75	Nov. 14–16	Antlerless Only	YL or YM	GMU 352
2042	Bumping A	250	Nov. 1–4	Antlerless Only	YL or YM	GMU 356
2043	Bumping B	150	Nov. 14–16	Antlerless Only	YL or YM	GMU 356
2044	Bethel	175	Nov. 14–16	Antlerless Only	YL or YM	GMU 360
2045	Rimrock–Cowiche A	175	Nov. 1–4	Antlerless Only	YL or YM	GMU 366
2046	Rimrock–Cowiche B	100	Nov. 14–16	Antlerless Only	YL or YM	GMU 366
2047	Green River Cow	30	Nov. 16–20	Antlerless Only	WL or WM	GMU 485

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2048	Green River Bull	15	Nov. 16-20	Antlerless or 3-Pt. Bull Min.	WL or WM	GMU 485
2049	Green River Spike	5	Nov. 16-20	Spike or Antlerless Only	WL or WM	GMU 485
2050	Lincoln	25	Nov. 19-24	Antlerless Only	WL or WM	GMU 501
2051	Willapa Hills	50	Nov. 19-24	Antlerless Only	WL or WM	GMU 506
2052	Packwood	50	Nov. 19-24	Antlerless Only	WL or WM	GMU 516
2053	Margaret Cow	30	Nov. 19-24	Antlerless Only	WL or WM	GMU 524
2054	Margaret Bull	30	Nov. 6-((7)) <u>17</u>	3-Pt. Bull Min.	WL or WM	GMU 524
2055	Toutle Cow	100	Nov. 19-24	Antlerless Only	WL or WM	GMU 556
2056	Toutle Bull	200	Nov. 6-17	3-Pt. Bull Min.	WL or WM	GMU 556
2057	Marble	50	Nov. 19-24	Antlerless Only	WL or WM	GMU 558
2058	Lewis River	75	Nov. 19-24	Antlerless Only	WL or WM	GMU 560
2059	Siouxon	50	Nov. 19-24	Antlerless Only	WL or WM	GMU 572
2060	Doty	50	Jan. 2-19, 1992	Antlerless Only	WL or WM	Elk Area 051
2061	Dickey Cow	30	Nov. 12-17	Antlerless Only	WL or WM	GMU 602
2062	Dickey Bull A	10	Sept. 28-Oct. 11	3-Pt. Bull Min.	WL or WM	GMU 602
2063	Dickey Bull B	75	Oct. 30-Nov. 10	3-Pt. Bull Min.	WL or WM	GMU 602
2064	Soleduck	30	Nov. 12-17	Antlerless Only	WL or WM	GMU 607
2065	Goodman	50	Nov. 12-17	Antlerless Only	WL or WM	GMU 612
2066	Matheny	50	Nov. 12-17	Antlerless Only	WL or WM	GMU 618
2067	Quinault Ridge	5	Sept. 28-Oct. 11	3-Pt. Bull Min.	WL or WM	GMU 638
2068	Humptulips	15	Nov. 12-17	Antlerless Only	WL or WM	GMU 639
2069	Wynoochee	50	Nov. 12-17	Antlerless Only	WL or WM	GMU 648
2070	Minot Peak	20	Nov. 12-17	Antlerless Only	WL or WM	GMU 660
2071	Palix	40	Nov. 12-17	Antlerless Only	WL or WM	GMU 669
2072	Nemah	50	Nov. 12-17	Antlerless Only	WL or WM	GMU 678
2073	Backbone	55	Nov. 27-Dec. 15	Either Sex	WL or WM	Elk Area 025
2074	Curtis	50	Dec. 21-31	Antlerless Only	WL or WM	Elk Area 050
2075	Boistfort	50	Jan. 2-19, 1992	Antlerless Only	WL or WM	Elk Area 054
2076	Carlton	5	Sept. 28-Oct. 11	3-Pt. Bull Min.	WL or WM	Elk Area 057
2077	West Goat Rocks	5	Sept. 28-Oct. 11	3-Pt. Bull Min.	WL or WM	Elk Area 058
2078	Mt. Adams	5	Sept. 28-Oct. 11	3-Pt. Bull Min.	WL or WM	Elk Area 059
2079	Mt. Tebo	5	Sept. 28-Oct. 11	3-Pt. Bull Min.	WL or WM	Elk Area 061
2080	Willapa Valley	25	Jan. 1-15, 1992	Antlerless Only	WL or WM	Elk Area 065
2081	Twin Valley A	20	Jan. 1-15, 1992	Antlerless Only	WL or WM	Elk Area 066
2082	South Willapa	10	Jan. 1-15, 1992	Antlerless Only	WL or WM	Elk Area 067

* Outside of Umatilla National Forest.

**Special damage control hunt in Malaga and Peshastin areas. Please send application for this hunt to Yakima regional office. Address - Washington Department of Wildlife, 2802 Fruitvale Boulevard, Yakima, Washington 98902-1120.

SPECIAL HUNT FOR DISABLED

Hunters must purchase a hunting license and modern firearm or muzzleloader elk tag prior to purchase of a special hunting season permit application. Note elk tag required. Only those hunters with a Washington Disabled Hunter Permit may apply.

Hunt No.	Hunt Name	Open Permits	Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2083	Centralia Mine	20	Nov. 18- Dec. 1	Antlerless Only, Disabled Hunter Only	WL or WM	Portion of GMU 667

MUZZLELOADER ONLY

Hunters must purchase a hunting license and muzzleloader elk tag prior to purchase of a special hunting season permit application. Note the elk tag required for each hunt.

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2084	Bluecreek	100	Dec. 1- Jan. 31, 1992	Antlerless Only	BM	GMU 154
2085	Mountain View A	50	Oct. 5-11	Spike Bull or Antlerless	BM	GMU 172
2086	Mountain View B	4	Oct. 5-11	Any Bull	BM	GMU 172
2087	Umtanum	200	Sept. 28- Oct. 11	Antlerless Only	YM	GMU 342
2088	Naches Cow	250	Nov. 16-19	Antlerless Only	YM	GMU 346
2089	Twin Valleys B	20	Jan. 16- Feb. 15, 1992	Antlerless Only	WM	Elk Area 066
2090	Coal Creek	35	Nov. 21- Dec. 9	Antlerless Only	WM	ML Area 940
2091	Yale	50	Nov. 22- Dec. 10	Either Sex	WM	GMU 554
2092	Hoko River A	15	Jan. 1- 15, 1992	Antlerless Only	WM	ML Area 961
2093	Hoko River B	15	Jan. 16- Feb. 15, 1992	Antlerless Only	WM	ML Area 961
2094	Chinook	10	Jan. 16- Feb. 15, 1992	Antlerless Only	WM	Elk Area 069
2095	North River	30	Nov. 20- Dec. 8	Antlerless Only	WM	GMU 658
2096	Elwha A	5	Dec. 15- Jan. 15, 1992	Antlerless Only	WM	ML Area 962
2097	Elwha B	5	Jan. 16- Feb. 15, 1992	Antlerless Only	WM	ML Area 962

ARCHERY ONLY

Hunters must purchase a hunting license and Blue Mountain archery elk tag prior to purchase of a special hunting season permit application.

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2098	Blue Mountains West	7	Sept 28.- Oct. 11	Either Sex	BA	GMUs 154, 160 161, 166, 169
2099	Blue Mountains East	2	Sept 28.- Oct. 11	Either Sex	BA	GMUs 178, 181, 184, 185

**WSR 91-19-033
PERMANENT RULES
WILDLIFE COMMISSION**

[Order 509—Filed September 10, 1991, 4:42 p.m.]

Statutory Authority for Adoption: RCW 77.12.040.
Pursuant to notice filed as WSR 91-14-108 on July 3,
1991.

Effective Date of Rule: Thirty-one days after filing.
September 10, 1991

Curt Smitch
Director
for Dean A. Lydig
Chair

Date of Adoption: August 15, 1991.
Purpose: To amend the 1991-92, 1992-93, and 1993-
94 Elk hunting seasons and regulations.
Citation of Existing Rules Affected by this Order:
Amending WAC 232-28-227.

AMENDATORY SECTION (Amending Order 493, filed 5/2/91)

**WAC 232-28-227 1991-92, 1992-93, 1993-94
ELK HUNTING SEASONS AND REGULATIONS**

ELK SEASONS

Tag Required: One (1) elk per hunter during the annual (July 1-March 31) hunting season.

Hunting Method: Elk hunters must select one of the hunting methods (modern firearm, archery, muzzleloader).

Tag Required: Elk hunters must choose one of the four elk hunting areas (Blue Mountains, Yakima, Colockum or Western Washington) to hunt in and buy the appropriate tag for that area. (Archery elk hunters may hunt in any tag area in late seasons.)

Bull Elk Seasons: Open only to the taking of male elk with visible antlers (bull calves are illegal).

Definition: Visible Antler is defined as a horn-like growth projecting above the hairline.

Spike Bull Restriction GMUs: Bull elk taken in these GMUs must have at least one antler that is a spike above the ears (does not branch above the ears). An animal with branch antlers on both sides is illegal but an animal with a spike on one side is legal in spike only units.

Spike Only GMUs: 145-185.

Branched Antler Restriction GMUs: Bull elk taken in these GMUs must meet minimum antler point requirements. Minimum antler point requirements are antler points on one side only. Antler points include eye guards but all antler points must be at least one inch long. Antler restrictions apply to all hunters during any open season.

3 Point GMUs: 418, 460, 466, 472, 478, 490, 506, 524, 530, 556, 558, 572, 601, 602, 607, 621, 636, 638, 639, 681; and GMUs 157 and 485 by permit only.

Special Permits: Modern firearm late season elk tag holders along with muzzleloader tag holders may apply to be drawn in special elk permit seasons. Blue Mountain archery, muzzleloader, and early modern firearm tag holders may apply for bull permits in the Blue Mountains. Hunters drawn for a special permit may hunt only with a weapon in compliance with their tag. Hunters drawn for bull permits in the Blue Mountains may hunt bulls during the following season for their user group. Modern Firearm - during early Blue Mountain season. Archery - during early Blue Mountain archery season. Muzzleloader - during any Blue Mountain muzzleloader season.

Modern Firearm Elk Information

Modern firearm elk hunters have early and late hunts in all elk areas. Those who choose the early tag have the first opportunity to hunt bulls, but only those who choose the late tag are able to apply for special elk permits except as outlined above for the Blue Mountains bull permits.

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched modern firearm elk tag as listed below on his/her person.

Hunting Method: May use rifle, bow and arrow, or muzzleloader, but only during modern firearm seasons.

Modern Firearm Elk Seasons

Legal Elk: Male elk with visible antlers are legal throughout the state except in GMUs 145-185 only spike bull restrictions apply and in branched-antler areas branched antler restrictions apply.

Blue Mountains - Open Area: 100 series GMUs; GMU 157 limited to permit hunters only. GMUs 145-185 are spike bull only, except by permit.

- BE - Blue Mountain Early Tag
- BL - Blue Mountain Late Tag
- BA - Blue Mountain Archery Tag
- BM - Blue Mountain Muzzleloader Tag

Colockum - Open Area: GMUs 300, 301, 302, 304, 306, 308, 314, 316, 328, 329; 330 (permit only in GMU 330), and the portion of GMU 334 north of I-90 (modern firearm restrictions in GMU 334).

- CE - Colockum Early Tag
- CL - Colockum Late Tag
- CA - Colockum Archery Tag
- CM - Colockum Muzzleloader Tag

Yakima - Open Area: GMUs 335, 336, 340, 342, 346, 352, 356, 360, 364, 366, 368, 370, and that portion of GMU 334 South of I-90 (modern firearm restrictions in GMU 334).

- YE - Yakima Early Tag
- YL - Yakima Late Tag
- YA - Yakima Archery Tag
- YM - Yakima Muzzleloader Tag

Western Washington - Open Area: All 400, 500, and 600 GMUs except closed in GMU 522. Permit only in GMUs 485, 524, 554, 556, and 602.

- WE - Western Washington Early Tag
- WL - Western Washington Late Tag
- WA - Western Washington Archery Tag
- WM - Western Washington Muzzleloader Tag

	Year		
	1991	1992	1993
Blue Mountains			
BE - Blue Mountains Early Elk Tag	Oct. 30-Nov. 10	Oct. 28-Nov. 8	Oct. 27-Nov. 7
BL - Blue Mountains Late Elk Tag	Nov. 2-10	Oct. 31-Nov. 8	Oct. 30-Nov. 7
Colockum			
CE - Colockum Early Elk Tag	Oct. 23-29	Oct. 28-Nov. 3	Oct. 27-Nov. 2
CL - Colockum Late Elk Tag	Oct. 26-29	Oct. 31-Nov. 3	Oct. 30-Nov. 2
Yakima			
YE - Yakima Early Elk Tag	Nov. 5-13	Nov. 5-13	Nov. 5-13
YL - Yakima Late Elk Tag	Nov. 8-13	Nov. 8-13	Nov. 8-13

	Year		
	1991	1992	1993
<u>Western Washington</u>			
WE - Western Washington Early Elk Tag	Nov. 6-17	Nov. 4-15	Nov. 3-14
WL - Western Washington Late Elk Tag	Nov. 9-17	Nov. 7-15	Nov. 6-14

Special Notes: Archery tag holders can only hunt during archery seasons. Only Blue Mountain archers may apply for Blue Mountains bull archery permits. If drawn, archers must hunt with archery equipment and only during the permit archery season.

Archery Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched archery elk tag on his/her person.

Hunting Method: Bow and arrow only.

Early Archery Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched archery elk tag on his/her person for the area hunted: Blue Mountain (BA), Colockum (CA), Yakima (YA), or Western Washington (WA).

GMUs	Elk Tag	Dates			Legal Elk
		1991	1992	1993	
100-118, 121-142	BA	Sept. 28-Oct. 11	Oct. 1-14	Oct 1-14	Either sex
145-154, 160-169, 175-185	BA	Sept. 28-Oct. 11	Oct. 1-14	Oct. 1-14	Antlerless or spike only
300, 306, 308, 316	CA	Sept. 28-Oct. 11	Oct. 1-14	Oct. 1-14	Either sex
328, 329, 334*	CA	Oct. 5-11	Oct. 5-14	Oct. 4-14	Either Sex
334**, 335, 336-340, 352-356, 364, 370	YA	Sept. 28-Oct. 11	Oct. 1-14	Oct. 1-14	Either sex
405-466 478, 490, 504, 505, 510, 512, 514, 516, 520, 530, 550, 554, 558, 560, 568, 572, 574, 576, 580, 586, 588-601, 607, 615, 618, 638-663, 667, 669, 678, 681	WA	Sept. 28-Oct. 11	Oct. 1-14	Oct. 1-14	Either sex except antlerless or 3 pt. min. in GMUs 418, 460, 466, 478, 490, 530, 558, 572, 601, 607, 638, 639 and 681.
484		Sept. 28-Oct. 4	Oct. 1-7	Oct. 1-7	Either sex
472, 621		Sept. 28-Oct. 11	Oct. 1-14	Oct. 1-14	3-Pt. min.
Bow Area 802		Sept. 28-Oct. 11	Oct. 1-14	Oct. 1-14	Either sex

* That part of GMU 334 north of Interstate 90.
** That part of GMU 334 south of Interstate 90.

Late Archery Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched archery elk tag on his/her person for any area.

GMUs	Dates			Legal Elk
	1991	1992	1993	
118, 121, 124, 127, 178	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex
166	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Antlerless only
328*, 334, 336, 346, 352	Nov. 27-Dec. 8	Nov. 25-Dec. 8	Nov. 24-Dec. 8	Either sex
405, 433, 454, 484, 505, 520, 564, 588, 603, 612, 615, 648, 672	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex
506, 530, 638, 681**	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Antlerless or 3-pt. min.
636	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	3 Pt. min.

* Portion of GMU 328 in the Caribou and Reeser elk areas will overlap with modern firearm permit hunt.

** Except closed between U.S. Highway 101 and the Columbia River from Astoria-Megler toll bridge to the Wallicut River.

Bow Areas

802	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex.
806, 807	Nov. 27-Dec. 8	Nov. 25-Dec. 8	Nov. 23-Dec. 8	Either sex
808	Feb. 1-7, 1992	Feb. 1-7, 1993	Feb. 1-7, 1994	Either sex
831	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Antlerless or 3-pt. min.

Muzzleloader Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched muzzleloader elk tag as listed below on his/her person.

Hunting Method: Muzzleloader only.

Special Notes: Hunters selecting the muzzleloader elk tag may apply for special hunt permit seasons, if eligible.

Early Muzzleloader Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched muzzleloader elk tag as designated below on his/her person.

GMUs	Elk Tag	Dates			Legal Elk
		1991	1992	1993	
172	BM	Oct. 5-11	Oct. 8-14	Oct. 8-14	Spike bull only
302	CM, YM	Oct. 5-11	Oct. 8-14	Oct. 8-14	Bull only
314*	CM	Oct. 5-11	Oct. 8-14	Oct. 8-14	Bull only
368	YM	Oct. 5-11	Oct. 8-14	Oct. 8-14	Bull only
603, 612	WM	Oct. 5-11	Oct. 8-14	Oct. 8-14	Bull only
460, 506, 636	WM	Oct. 5-11	Oct. 8-14	Oct. 8-14	3-Pt. min.
484, 501, 564, 684	WM	Oct. 5-11	Oct. 8-14	Oct. 8-14	Either sex
Muzzleloader Area 910	YM	Oct. 5-11	Oct. 8-14	Oct. 8-14	Either sex

* Closed in that portion of GMU 314 north of the Colockum Pass Road (Road 10) and Naneum Ridge Road (Road 9) and east and south of the Ingersol Road (Road 1).

Late Muzzleloader Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched muzzleloader elk tag as designated below on his/her person.

GMUs	Elk Tag	Dates			Legal Elk
		1991	1992	1993	
130, 133, 136 184	BM	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex Antlerless only
484	WM	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex
501, 568, 574, 576, 580, 586	WM	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex
505	WM	Nov. 19-24	Nov. 17-22	Nov. 16-21	Either sex
504, 550	WM	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Bull only
601	WM	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	3-Pt. bull min.
684	WM	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex
Elk Area 003	CM	Dec. 7-22	Dec. 5-20	Dec. 4-19	Antlerless only
Muzzleloader Areas					
908	WM	Jan 1-31, 1992	Jan 1-31, 1993	Jan 1-31, 1994	Either sex
910	YM	Nov. 17-Dec. 8	Nov. 17-Dec. 6	Nov. 17-Dec. 5	Antlerless only
944	YM	Nov. 17-20	Nov. 17-20	Nov. 17-20	Either sex

Special Elk Hunts Open to Specified Tag Holders

Tag Required: Proper elk tags are listed with each GMU below.

Hunting Method: Hunters must use method listed on their tag, except in Firearm Restriction Areas, where some types of weapons are banned from use. See elk tag required, dates, and legal elk in table below.

Antlerless or Either Sex Elk Hunts

GMUs	Elk Tag	Dates			Legal Elk
		1991	1992	1993	
100, 103, 105, 108, 121, 124 west of SR 395, 127, 130, 133, 136	BE, BL	Nov. 2-10	Oct. 31-Nov. 8	Oct. 30-Nov. 7	Either sex
178	BE, BL	Nov. 9-10	Nov. 7-8	Nov. 6-7	Antlerless or spike bull only
200-284	Any Elk Tag	Oct. 24-Nov. 15	Oct. 24-Nov. 15	Oct. 24-Nov. 15	Either sex
370	CM, YE, YL, YM	Nov. 1-30	Nov. 1-30	Nov. 1-30	Either sex
564*	WA, WM, WE, WL	Nov. 6-17	Nov. 4-15	Nov. 3-14	Either sex

GMUs	Elk Tag	Dates			Legal Elk
		1991	1992	1993	
501, 568, 574, 576, 586, 588	WE, WL	Nov. 6-17	Nov. 4-15	Nov. 3-14	Either sex
GMUs 300, <u>304</u> , 306, 308, 316, that part of GMU 302 in Chelan County and Elk Areas ((031 and)) 032 and 033.	CE, CL, CM	Dec. 7-22	Dec. 5-20	Dec. 4-19	Antlerless only

* Archery or Muzzleloader Equipment Only. Modern Firearm elk tag holders may hunt but must use primitive weapons.

Report Cards

Each successful hunter must fill out and return a Game Harvest Report Card to the Department of Wildlife within 10 days after taking an elk.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

from statewide seasons of Oct. 12-20, 1991, Nov. 10-Dec. 29, 1991, and Jan. 29-Mar. 10, 1992, to a western Washington season of Oct. 12-20, 1991, Nov. 17, 1991-Jan. 12, 1992, and Jan. 30-Mar. 10, 1992; and an eastern Washington season of Oct. 12-20, 1991, Nov. 10-Dec. 29, 1991, and Jan. 30-Mar. 10, 1992.

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

September 10, 1991
Curt Smitch
Director
for Dean A. Lydig
Chair

**WSR 91-19-034
PERMANENT RULES
WILDLIFE COMMISSION**

[Order 510—Filed September 10, 1991, 4:44 p.m.]

Date of Adoption: August 15, 1991.

Purpose: To establish hunting seasons for migratory waterfowl for 1991-92.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-414 and 232-28-41402.

Statutory Authority for Adoption: RCW 77.12.040.

Pursuant to notice filed as WSR 91-14-106 on July 3, 1991.

Changes Other than Editing from Proposed to Adopted Version: The Wildlife Commission changed the western Washington duck season from Oct. 12-20, 1991, and Nov. 10-Dec. 29, 1991, to Oct. 12-20, 1991, and Nov. 17, 1991-Jan. 5, 1992; explanation of early closure criteria for Canada goose season in Clark, Cowlitz, Pacific, and Wahkiakum counties changed to read "The Canada goose season in parts of Clark, Cowlitz, Pacific, and Wahkiakum counties will be closed early if dusky Canada goose harvests exceed area quotas which collectively total 90 geese."; November season dates for Canada geese in Clark, Cowlitz, and Wahkiakum counties were changed from Nov. 24 and 26, 1991, to Nov. 23 and 27, 1991; bag limits for Canada geese in Clark, Cowlitz, Pacific, and Wahkiakum counties were changed from 3 daily and 6 in possession to 2 daily and 4 in possession; reference to "continued participation in the 1990-91 season" in the Canada goose season for Clark, Cowlitz, Pacific, and Wahkiakum counties has been changed to read "continued participation in the 1991-92 season"; and falconry season for ducks, coots, and snipe changed

NEW SECTION

WAC 232-28-415 1991-92 MIGRATORY WATERFOWL HUNTING SEASONS

Ducks

Western Washington

8:00 a.m. Oct. 12-20, 1991 and Nov. 17-Jan. 5, 1992

Daily bag limit: 4 ducks—to include not more than 3 mallards, not more than 1 hen mallard, not more than 1 pintail (either sex) and not more than 2 redheads, 2 canvasbacks, or 1 of each.

Possession limit: 8 ducks—to include not more than 6 mallards, not more than 2 hen mallards, not more than 2 pintails (either sex) and not more than 4 shall be canvasbacks and/or redheads.

Eastern Washington

Noon Oct. 12-20, 1991 and Nov. 10, 1991-Jan. 5, 1992

Daily bag limit: 4 ducks—to include not more than 3 mallards, not more than 1 hen mallard, not more than 1 pintail (either sex) and not more than 2 redheads, 2 canvasbacks, or 1 of each.

Possession limit: 8 ducks—to include not more than 6 mallards, not more than 2 hen mallards, not more than 2 pintails (either sex), and not more than 4 shall be canvasbacks and/or redheads.

Coot (Mudhen)

Same areas, dates, and shooting hours as the general duck season.

Daily bag limit: 25 coots.
Possession limit: 25 coots.

Common Snipe

Same areas, dates, and shooting hours as the general duck season.

Daily bag limit: 8 snipe.

Possession limit: 16 snipe.

Skagit Wildlife Area Shotgun Shell Restriction

It is unlawful to have in possession more than 15 shotgun shells or to fire more than 15 shells in one day on the farmed island segment of the Skagit public hunting area, between the south fork of the Skagit River and Fresh Water Slough.

It is unlawful to hunt waterfowl from a moving boat or any free-floating device that is not in a fixed position which is either anchored or secured to shore in Port Susan Bay, Skagit Bay, Padilla Bay, and Samish Bay.

Geese (except Brant, Cackling and Aleutian Canada Geese)

Western Washington

Oct. 12–Dec. 29, 1991 in Island, Skagit, Snohomish, and Whatcom counties.

The Skagit–Fraser population of lesser snow geese has had very low productivity during the past three years on Wrangel Island, U.S.S.R. If the 1991 wintering population is below 35,000 or the percentage of juveniles in the wintering flock is below 10 percent, the snow goose season will be closed early.

Daily bag limit: 3 geese.

Possession limit: 6 geese.

Oct. 12, 1991–Jan. 12, 1992 in all other parts of Western Washington EXCEPT: Canada geese in Clark, Cowlitz, Pacific, and Wahkiakum counties. (See seasons and special requirements for these counties below.)

Daily bag limit: 3 geese.

Possession limit: 6 geese.

***Special Canada Goose Season for Clark, Cowlitz, Pacific, and Wahkiakum counties:**

The Canada goose season in parts of Clark, Cowlitz, Pacific, and Wahkiakum counties will be closed early if dusky Canada goose harvests exceed area quotas which collectively total 90 geese.

Canada goose season is OPEN in Clark, Cowlitz, and Wahkiakum counties only on the following dates from 8:00 a.m. to 4:00 p.m.:

Nov. 23, 27, 1991 Jan. 2, 4, 8, 11, 1992

Dec. 1, 3, 7, 11, 15, 17, 21, 26, 28, 1991

Canada goose season is OPEN in Pacific County from 8:00 a.m. to 4:00 p.m., Saturdays and Wednesdays only, Nov. 23, 1991–Jan. 11, 1992.

Bag limits for both areas:

Daily bag limit: 2 geese.

Possession limit: 4 geese.

Hunting only by written authorization from the Washington Department of Wildlife. Hunters who maintained a valid 1990 written authorization card will

be mailed a 1991 authorization card prior to the 1991 season. Hunters who did not attend a 1990 class or maintain a valid 1990 authorization card must attend a goose identification class at a Department of Wildlife office to receive authorization. With the authorization, hunters will receive a hunter activity and harvest report form. Hunters must carry the authorization card and harvest report form while hunting. Immediately after taking a Canada goose into possession, hunters must record in ink the information required on the harvest report form. When leaving a hunt site, successful hunters must go directly to the nearest check station to have geese tagged and to have written authorization validated for continued participation in the 1991–92 season. Written authorization will be revoked in the event that a hunter does not comply with requirements listed above regarding recording harvest on the harvest report form and checking of birds.

Eastern Washington

Saturdays, Sundays, and Wednesdays only, from noon Oct. 12, 1991–Jan. 12, 1992 and on Nov. 11, 28, 29, Dec. 25, 1991, and Jan. 1, 1992 in Adams, Benton, Douglas, Franklin, Grant, Kittitas, Lincoln, Okanogan, Spokane, and Walla Walla counties; and east of Satus Pass (U.S. Highway 97) in Klickitat County.

Daily bag limit: 3 geese.

Possession limit: 6 geese.

Noon Oct. 12, 1991–Jan. 12, 1992 in all other parts of Eastern Washington.

Daily bag limit: 3 geese.

Possession limit: 6 geese.

Extended Season: Jan. 13–19, 1992 in Adams, Benton, Douglas, Franklin, Grant, Kittitas, Klickitat, Lincoln, Walla Walla, and Yakima counties.

Daily bag limit: 3 geese.

Possession limit: 6 geese.

Brant

Open in Pacific, Skagit, and Whatcom counties on the following dates: Dec. 7, 8, 10, 11, 12, 14, 15, 17, 19, 21, 22, 1991.

WRITTEN AUTHORIZATION REQUIRED: All hunters participating in this season are required to obtain written authorization from a Washington Department of Wildlife office. Application forms must be delivered to a Department office no later than 5:00 p.m. on November 10 or postmarked on or before November 10. With the authorization, hunters will receive a hunter activity and harvest report form. Immediately after taking a brant into possession, hunters must record in ink the information required on the harvest report form. Return of the harvest report form is mandatory. Those hunters not returning the harvest report form to the Department of Wildlife by Jan. 31, 1992 will be ineligible to participate in the 1992 brant season.

Daily bag limit: 2 brant.

Possession limit: 4 brant.

Swans, Cackling and Aleutian Canada Geese

Season closed statewide.

STEEL SHOT ZONES

It is unlawful to possess while hunting for or to take ducks, geese, or coots with shotshells or a muzzleloader shotgun loaded with any metal other than steel in all areas of Washington.

Skagit Wildlife Area Restriction. It is unlawful to possess while hunting, shot shells or a muzzleloader shotgun loaded with any metal other than steel on the Skagit Wildlife Area.

SPECIAL CLOSURES AND REGULATIONS

Special Closures

Columbia River

It is unlawful to hunt waterfowl, coot, or snipe on or within one-fourth mile of the Columbia River in the following areas:

—Between Rock Island Dam and Winesap in Chelan County and between Rock Island Dam and a point in Douglas County perpendicular to Winesap.

—Between the railroad bridge at Wishram and east along the Columbia River to the grain elevator at Roosevelt.

—Between Chief Joseph Dam and the mouth of Nespelem Creek in Okanogan and Douglas counties.

—From the old Hanford townsite (wooden tower) powerline crossing in Sec. 30, T13N, R28E, to Vernita Bridge (Highway 24).

—On or within one-fourth mile of Badger and Foundation Islands in Walla Walla County.

It is unlawful to hunt game birds on the Columbia River or from any island in the Columbia River in the following areas:

—From the mouth of Glade Creek (River Marker 57) to the old townsite of Paterson (River Marker 67) in Benton County, except the hunting of game birds is permitted from the main shoreline of the Columbia River in this area. (Check with Umatilla National Wildlife Refuge for other federal regulations for this area.)

—Between the public boat launch at Sunland Estates in Grant County (Wanapum Pool) and a point perpendicular in Kittitas County; upstream to the posted marker 200 yards north of Quilomene Bay and a point perpendicular in Grant County, including islands.

Snake River

It is unlawful to hunt waterfowl, coot, or snipe in the following areas:

—On or within one-half mile of the Snake River from the Highway 12 bridge upriver to Lower Monumental Dam.

—On or within one-fourth mile of the Snake River between the Interstate Highway 12 bridges at Clarkston, downstream to the Lower Granite Dam.

Yakima River

It is unlawful to hunt waterfowl, coot, or snipe within one-fourth mile of the Yakima River in the following areas:

—From the Sunnyside-Mabton Road bridge downstream to the Euclid Road bridge (4 miles).

—From the Grant Avenue bridge (steel bridge) north of Prosser downstream 2-1/2 miles, to the powerline.

I-82 Ponds

It is unlawful to hunt waterfowl, coot, or snipe in the following area:

—Those waters under Department of Wildlife ownership known as Ponds 1, 2, 3, and 6 north and east of Interstate 82 and south and east of S.R. 12 from the city limits of Union Gap to the Zillah/Toppenish Road.

Padilla Bay

It is unlawful to hunt waterfowl, coot, or snipe in the following areas:

—Swinomish Spit Game Reserve—Beginning at the Burlington Northern railroad tracks on the west shoreline of the Swinomish Channel; then in a northwesterly direction along the west side of the Swinomish Channel to the red channel mark buoy N "20" (as indicated on Navigation Map #18427, 13th Ed., July 16, 1983); thence 6,000 feet ENE (East-northeast)/thence 3,300 feet SSE (South-southeast); thence 4,200 feet SW (southwest) to the dike at the sound end of Padilla Bay; thence continue westerly along said dike to the intersection of the Burlington Northern railroad tracks and the east shoreline of the Swinomish Channel; thence continue along said railroad tracks (across swing bridge) to the west shore line of the Swinomish Channel and the point of beginning.

—Bayview Game Reserve—Beginning at a point on the Bayview-Edison Road 750 feet south of the intersection of the Bayview Cemetery Entrance road; thence 4,000 feet WNW (west-northwest); thence 5,750 feet NNW (north-northwest); thence 3,750 feet ENE (east-northeast) to the northwest corner of Padilla Bay Tract No. 532; thence east to the northeast corner of Padilla Bay Tract No. 532; thence SSE (south-southeast) to the Bayview-Edison Road; thence southerly along said road to the point of beginning.

FALCONRY SEASONS

Ducks, Coots, and Snipe

Western Washington

Oct. 12-20, 1991; Nov. 17-Jan. 12, 1992; and Jan. 30-Mar. 10, 1992

Eastern Washington

Oct. 12-20, 1991, Nov. 10-Dec. 29, 1991 and Jan. 30-Mar. 10, 1992

Daily bag limit: 3, straight or mixed bag.
Possession limit: 6, straight or mixed bag.

Geese

Oct. 12, 1991-Jan. 26, 1992, statewide
Daily bag limit: 3, straight or mixed bag.
Possession limit: 6, straight or mixed bag.

REPEALER

The following sections of the Washington Administrative Code are hereby repealed:

WAC 232-28-414 1990-91 Upland Game Bird and Migratory Waterfowl Seasons

WAC 232-28-41402 1990-91 Upland Game Bird and Migratory Waterfowl Seasons - Brant Geese - Pacific County

WSR 91-19-035**EMERGENCY RULES****DEPARTMENT OF FISHERIES**

[Order 91-85—Filed September 11, 1991, 10:13 a.m.]

Date of Adoption: September 10, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-32-05100G.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: Harvestable numbers of upriver brights and Bonneville Pool Hatchery chinook salmon are available in the Columbia River. This rule is consistent with the actions of the September 9, 1991, meeting of the Columbia River Compact.

Effective Date of Rule: Immediately.

September 10, 1991

Judith Merchant

Deputy

for Joseph R. Blum

Director

NEW SECTION

WAC 220-32-05100H **COLUMBIA RIVER SALMON SEASONS ABOVE BONNEVILLE.** (1) Notwithstanding the provisions of WAC 220-32-051 and 220-32-052, 220-32-053, 220-32-056, 220-32-057, and 220-32-058, effective immediately, it is unlawful for a person to take or possess salmon, shad or sturgeon taken for commercial purposes from Columbia River Salmon Management and Catch Reporting Areas 1F, 1G or 1H, except those individuals possessing treaty fishing rights under the Yakima, Warm Springs, Umatilla or Nez Perce treaties may fish or possess salmon, sturgeon and shad under the following provisions:

(a) Open for salmon and shad:

6 AM September 9 to 6 PM September 14, 1991;
and

6 AM September 16 to 6 PM September 20, 1991.

Sturgeon may be retained only for subsistence purposes.

(b) Open area: SMCRA 1F, 1G, and 1H

(c) Mesh: no mesh restriction

(2) Notwithstanding the provisions of WAC 220-32-058, closed area at the mouth of:

(a) Hood River is those waters along the Oregon side of the Columbia River and extends to mid-stream at right angles to the thread of the Columbia River between markers located approximately 0.85 miles downriver from the west bank at the end of the breakwall at the west end of the port of Hood River and ½ mile upriver from the east bank.

(b) Herman Creek is those waters upstream from a line between deadline markers near the mouth. One marker is located on the east bank piling and the other is located on the west bank to the north of the boat ramp.

(c) Deschutes River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one mile downstream from the western shoreline.

(d) Umatilla River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one mile downstream from the western shoreline.

(e) Big White Salmon River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between a marker located one-half mile downstream from the west bank upstream to light "35".

(f) Wind River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between markers located 1 ¼ miles downstream from the west bank and ½-mile upstream from the east bank.

(g) Klickitat River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between the downstream margin of Lyle Landing downstream to a marker located near the railroad tunnel approximately 1 ½ miles downstream from the west bank.

(h) Little White Salmon River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between Light "27" upstream to a marker located approximately one-half mile upstream from the eastern shoreline.

(i) Spring Creek is those waters of the Columbia River within a radius of 50 feet of the Spring Creek Hatchery fishway.

(3) Notwithstanding the provisions of WAC 220-22-010, during the open periods in subsection (1):

(a) Area 1F (Bonneville Pool) shall include those waters of the Columbia River upstream from the Bridge of Gods, and downstream from the west end of the 3 mile rapids located approximately 1.8 miles below the Dalles Dam.

(b) Area 1G shall include those waters of the Columbia River upstream from a line drawn between a deadline marker on the Oregon shore located approximately ¾ mile above the Dalles Dam fishway exit, thence at a right angle to the the thread of the river to a point in midriver, then downstream to Light "1" on the Washington shore, and downstream from Preacher's Eddy light below John Day Dam.

(c) Area 1H shall include those waters of the Columbia River upstream from a fishing boundary marker approximately one-half mile above the John Day River, Oregon, extending at a right angle across the thread of the river to a point in midriver, then downstream to a fishing boundary marker on the Washington shore approximately opposite the mouth of the John Day River, and downstream from a line at a right angle across the thread of the river one mile downstream from McNary Dam.

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

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-32-05100G COLUMBIA RIVER SALMON SEASONS ABOVE BONNEVILLE. (91-80)

WSR 91-19-036

PROPOSED RULES

DEPARTMENT OF HEALTH

[Order 195—Filed September 11, 1991, 2:31 p.m.]

Original Notice.

Title of Rule: Professional standards and ethics, WAC 246-930-010 General definitions; 246-930-301 Purpose—Professional standards and ethics; 246-930-310 Standards for professional conduct and client relationships; 246-930-320 Standards for assessment and evaluation reports; 246-930-330 Standards for treatment. Introduction—SSOSA/SSODA offender treatment; and 246-930-340 Standards for communication with other professionals.

Purpose: To regulate and maintain professional standards and ethics among the sex offender treatment providers.

Statutory Authority for Adoption: RCW 18.155.040.

Statute Being Implemented: Chapter 18.155 RCW.

Summary: Program implementation.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Joanne Redmond, 1300 Quince Street Mailstop EY-23, 753-0712.

Name of Proponent: Department of Health, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: To establish professional standards and ethics for

sex offender treatment providers who evaluate and treat sex offenders as directed by the courts.

Proposal Changes the Following Existing Rules: WAC 246-930-010, adding a definition.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on October 30, 1991, at 10:00 a.m.

Submit Written Comments to: Joanne Redmond, 1300 Quince Street, Mailstop EY-23, Olympia, WA 98504, by October 29, 1991.

Date of Intended Adoption: November 6, 1991.

September 5, 1991
Pam Campbell Mead
for Kristine M. Gebbie
Secretary

AMENDATORY SECTION (Amending Order 168, filed 5/16/91)

WAC 246-930-010 GENERAL DEFINITIONS. Whenever used in these rules, unless expressly otherwise stated, or unless the context or subject matter requires a different meaning, the following terms shall have the following meanings:

(1) "Department" means the department of health, professional licensing services division.

(2) "Secretary" means the secretary of the department of health, or designee.

(3) "Provider" means sex offender treatment provider.

(4) "Affiliate" means affiliate sex offender treatment provider.

(5) "Committee" means the sex offender treatment providers advisory committee.

(6) "Credential" or its derivative means the process of licensing, registration, certification or the equivalent through which a person is legally recognized by a state agency as lawfully authorized to practice a health profession.

(7) "Evaluation" is defined as the direct provision of comprehensive evaluation and assessment services to persons who have been investigated by law enforcement or child protective services for commission of a sex offense, or who have been adjudicated or convicted of a sex offense. Such services must have resulted in preparation of a formal written report. To qualify, the individual must have had primary responsibility for interviewing the offender and must have completed the written report. Only face-to-face contact with a client may be counted for evaluation credit. Evaluation hours performed by affiliate providers under the supervision of fully certified providers count toward certification under this definition. Note that limited assessments for the purpose of institution classification, treatment monitoring, and reporting do not qualify for evaluation credit under this definition.

(8) "Treatment" is defined as the direct provision of face-to-face individual, group, or family therapy with persons who have been investigated by law enforcement or child protective services for commission of a sex offense, or who have been adjudicated or convicted of a sex offense. The professional must have had formal responsibility for provision of primary treatment services, and such services must have had direct relevance to a client's offending behavior. Treatment hours performed by affiliate providers under the supervision of fully certified providers count toward certification under this definition.

"Co-therapy hours" are defined as the actual number of hours the applicant spent facilitating a group session. Co-therapists may both claim credit for therapy hours as long as both persons have formal responsibility for the group sessions. Time spent in maintaining collateral contacts and written case/progress notes can not be counted under this definition.

(9) A "fully certified sex offender treatment provider" is an applicant who has met the educational, experience and training requirements as specified for full certification, has satisfactorily passed the examination, and been issued a certification to evaluate and treat sex offenders pursuant to chapter 18.155 RCW.

(10) An "affiliate sex offender treatment provider" is an applicant who has met the educational, experience and training requirements as specified for affiliate certification applicants, and has satisfactorily passed the examination. An affiliate sex offender treatment provider evaluates and treats sex offenders pursuant to chapter 18.155 RCW

under the supervision of a fully certified sex offender treatment provider in accordance with the supervision requirements set forth in WAC 246-930.075.

(11) "SSOSA" is special sex offender sentencing alternative.

(12) "SSODA" is special sex offender disposition alternative.

(13) "Supervising Officer" means the designated representative of the agency having oversight responsibility for a client sentenced under SSOSA or SSODA, under the sentence or disposition order, eg. Community Correction Officer.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

NEW SECTION

WAC 246-930-301 PURPOSE - PROFESSIONAL STANDARDS AND ETHICS. (1) Sex Offender Treatment Providers (SOTP) must be otherwise credentialed health professionals, and are subject to the standards of practice of their primary field of practice. However, standards of practice vary from profession to profession, and sex offender evaluation and treatment represents significant differences in practice from general mental health interventions.

(2) Given the uniqueness of this area of practice, the degree of control that a provider exercises over the lives of clients, and the community protection issues inherent in this work, standards of practice specific to this area of specialization are necessary.

(3) The purpose of these rules is to establish standards of practice for sex offender treatment providers (SOTP). Failure to comply with these standards in providing treatment to clients sentenced under SSOSA or SSODA may constitute unprofessional conduct pursuant to RCW 18.130.180(7).

NEW SECTION

WAC 246-390-310 STANDARDS FOR PROFESSIONAL CONDUCT AND CLIENT RELATIONSHIPS (1) General Considerations. Sex Offender Treatment Providers (SOTP/Provider) shall:

(a) Protect the public and report to the Department of Health unethical, incompetent and dishonorable practices by other sex offender treatment providers.

(b) Not discriminate against clients with regard to race, religion, gender or disability.

(c) Treat clients with dignity and respect, regardless of the nature of their crimes or offenses.

(2) Competence in Practice. Providers shall:

(a) Be fully aware of the standards of their area of credentialing as a health professional and adhere to those standards.

(b) Be knowledgeable of statutes and scientific data relevant to this area of specialized practice.

(c) Be familiar with the general statutory requirements for assessments, treatment plans and reports for the court for Sex Offender Special Sentencing Alternative (SSOSA) and Special Sex Offender Dispositional Alternative (SSODA).

(d) Perform professional duties with the highest level of integrity, maintaining confidentiality within the scope of statutory responsibilities.

(e) Be committed to community protection and safety.

(f) Not make claims regarding the efficacy of treatment that exceed what can be reasonably expected.

(g) Make appropriate referrals when they are not qualified or are otherwise unable to offer services to a client.

(h) Exercise due prudence and care in making referral to other professionals.

(3) Confidentiality. Providers shall:

(a) Insure that the client fully understands the scope and limits of confidentiality, and the relevance to the client's particular situation. The provider shall inform the client of the provider's method of reporting disclosures of the client and to whom disclosures are made, before evaluation and treatment commences, and update periodically, thereafter.

(b) Inform clients of any circumstances which may trigger an exception to the agreed upon confidentiality.

(c) Not require or seek waivers of privacy or confidentiality beyond the requirements of treatment, training, or community safety. Providers will evaluate the impact of authorizations for release of information upon their clients.

(d) Understand and explain to their juvenile clients the rights of their parents and/or guardians to obtain information relating to the client.

(4) Conflict of Interest. Providers shall:

(a) Refrain from using professional relationships to further their personal, religious, political, or economic interest other than accepting customary fees.

(b) Avoid relationships with clients which may constitute a conflict of interest, impair professional judgment and risk exploitation. (For example, bartering, service for service, and/or treating individuals where a social, business, or personal relationship exists.)

(c) Refrain from sexual relationships with a client.

(5) Fee-Setting and Client Interaction. Providers shall:

(a) Prior to commencing service, fully inform the client of the scope of professional services to be provided and the fees associated with the services.

(b) Review any changes in financial arrangements and requirements with the client pursuant to the rules initially specified.

(c) Neither offer nor accept payment for referral.

(6) Termination or Alteration of Therapist/Client Relationship. Providers shall:

(a) Not withdraw services to clients in a precipitous manner and shall take care to minimize possible adverse effects on the client and the community.

(b) Notify clients promptly when termination or disruptions of services are anticipated, and provide for a transfer, referral or continuation of service consistent with client needs and preferences, when appropriate.

(c) Refrain from knowingly offering services to a client who is in treatment with another health care professional without initial consultation with the current provider.

(7) Use of Plethysmography. PLETHYSMOGRAPHY: The use of physiological assessment measures, such as penile plethysmography, can yield valuable information regarding the sexual arousal patterns of sex offenders. This data can be useful in assessing therapy progress and in monitoring for community safety. Physiological assessment data shall not be used as the sole basis for offender risk assessment and shall not be used to determine if an individual has committed a specific sexually deviant act. Providers who utilize this data shall be aware of the limitations of the plethysmograph and shall recognize that plethysmograph data is only meaningful within the context of a comprehensive evaluation and/or treatment process. Sex offender treatment providers shall insure that physiologic assessment data is interpreted only by sex offender treatment providers who possess the necessary training and experience. Sex offender treatment providers shall insure that particular care is taken when performing physiological assessment with juvenile offenders and other special populations, due to concerns about exposure to deviant materials. Given the intrusiveness of this procedure, care shall be given to the dignity of the client.

(8) Use of Polygraph. POLYGRAPH: The use of the polygraph examination may enhance the treatment and monitoring process by encouraging disclosure of information relevant and necessary to understanding the extent of present risk and compliance with treatment and court requirements. The polygraph data achieved through periodic examinations is an important asset in monitoring the sex offender client in the community. Other alternative sources of verification may also be utilized. Sex offender treatment providers shall be knowledgeable of the limitations of the polygraph and shall take into account its appropriateness with each individual client and special client populations. Examinations shall be given in accordance with the treatment plan and the needs shown in the evaluation. Sex offender treatment providers shall not base treatment plan decisions solely on the results of the polygraph examination.

Reviser's note: The above new section was filed by the agency as WAC 246-390-310. This section is placed among sections forming new chapter 246-930 WAC, and therefore should be numbered WAC 246-930-310. Pursuant to the requirements of RCW 34.08.040, the section is published in the same form as filed by the agency.

NEW SECTION

WAC 246-930-320 STANDARDS FOR ASSESSMENT AND EVALUATION REPORTS. (1) General Considerations in Evaluating SSOSA and SSODA Clients. Providers shall:

(a) Be thoroughly familiar with assessment procedures. Be aware of the strengths and limitations of self-report and make reasonable efforts to verify information provided by the offender.

(b) Be completely familiar with the client's legal status. Have a full understanding of the SSOSA and SSODA process and be knowledgeable of relevant criminal and legal considerations.

(c) Be impartial; provide an objective and accurate base of data.

(d) Avoid addressing or responding to referral questions which exceed the present level of knowledge in the field or the expertise of the evaluator.

(e) Assure that their written reports are accurate, comprehensive and address all of the issues necessary for court disposition.

(f) Assure that their written reports present all knowledge relevant to the matters at hand in a clear and organized manner.

(g) Assure that their written reports include the referral sources, the conditions surrounding the referral and the referral questions addressed.

(h) Assure that their written reports state the sources of information utilized in the evaluation.

(2) Scope of Assessment Data.

(a) Comprehensive evaluations shall include a compilation of data from as many sources as reasonable and appropriate. The following data should be considered in forming opinions and making recommendations:

(i) Collateral information (i.e. police reports, CPS information, criminal history and victim statements).

(ii) Psychological testing information.

(iii) Physiologic testing information.

(iv) Interviews with the offender.

(v) Previous assessments conducted (i.e. medical, substance abuse, psychological, sexual deviancy).

(vi) Interviews with significant others.

(b) The written report shall reflect the information considered including:

(i) A description of the current offense(s) including, but not limited to, the evaluator's conclusion about the reasons for any discrepancies between the official and offender's versions of the offenses.

(ii) A sexual history, sexual offense history and patterns of sexual arousal/preference/interest.

(iii) Prior attempts to remediate and control offense behavior including prior treatment.

(iv) Perceptions of significant others, when appropriate, including their ability and/or willingness to support treatment efforts.

(v) Potentiators of offending behavior to include alcohol and drug abuse, stress, mood, sexual patterns, use of pornography, and social and environmental influences.

(vi) A personal history to include medical, marital/relationships, employment, education and military.

(vii) A family history.

(viii) History of violence and/or criminal behavior.

(ix) Mental health functioning to include coping abilities, adaptation styles, intellectual functioning and personality attributes.

(x) The overall findings of psychological/physiologic/medical assessment when such assessments have been conducted.

(3) Conclusions and Recommendations. The conclusions and recommendations shall flow from the data presented in the body of the report and include:

(a) The evaluator's conclusions regarding the appropriateness of community treatment.

(b) A summary of the clinician's diagnostic impressions.

(c) A specific assessment of risk factors, the extent of the offender's dangerousness in the community at large.

(d) The client's amenability to outpatient treatment and conditions of treatment necessary to maintain a safe treatment environment.

(4) Treatment Plan. The plan shall be described with sufficient detail and clarity and include:

(a) Anticipated length of treatment, frequency and type of contact with providers, supplemental or adjunctive treatment.

(b) The specific issues to be addressed in treatment and a description of planned treatment interventions including involvement of significant others in treatment and ancillary treatment activities.

(c) Recommendations for specific treatment prohibitions, requirements and restrictions on lifestyle that are necessary to the treatment process and community safety.

(d) Proposed methods for monitoring and verifying compliance with the conditions and prohibitions of the treatment program.

(e) If the evaluator will not be providing the ensuing treatment, a specific certified provider should be presented to the Court.

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

NEW SECTION

WAC 246-930-330 STANDARDS FOR TREATMENT. INTRODUCTION-SSOSA/SSODA OFFENDER TREATMENT: It is recognized that effective sexual deviancy treatment will involve a broad set of planned therapeutic experiences and interventions designed to reduce the risk of a client engaging in criminal sexual behavior. Such treatment shall be consistent with current professional literature and practices and shall maximize community safety.

(1) GENERAL CONSIDERATIONS.

(a) Clients shall generally be seen a minimum of once per week for at least 45 minutes by a certified or affiliate sex offender treatment provider.

(b) Circumstances may make a reduction in duration or frequency of contacts appropriate and shall be determined on an individual case basis.

(c) Any reduction in frequency or duration of therapy sessions or changes in treatment plans shall not unduly compromise treatment effectiveness or public safety and shall be reported to the Supervising Officer.

(d) The treatment methods employed by the provider shall:

(i) Be supportable by the professional literature and practice,

(ii) Reflect concern for the well being of clients, victims and the safety of potential victims,

(iii) Take into account the legal/civil rights of clients, including the right to refuse therapy and return to court for review,

(iv) Be individualized to meet the unique needs of each client.

(2) PLANNING AND INTERVENTIONS. The treatment plan and the interventions used by the provider to achieve the goals of the plan shall:

(a) Be based on the needs detailed in the evaluation,

(b) Include provisions for the protection for victims and potential victims,

(c) Prioritize those therapy events most necessary to avoid sexual reoffense,

(d) Take reasonable care to not cause victims to have unsafe, or unwanted contact with their offenders,

(e) Be presented to the client and to the Supervising Officer within 90 days of the start of treatment and include treatment expectations and all of the rules of treatment agreed to by the offender and the provider.

(3) TREATMENT: METHODS. The methods used by the provider shall

(a) Address clients' deviant sexual urges and recurrent deviant sexual fantasies as necessary to prevent sexual reoffense,

(b) Attempt to educate clients and the individuals who are part of their support systems about the objective risk of reoffense,

(c) Attempt to teach clients to utilize self control methods to avoid sexual reoffending where applicable,

(d) Consider the effects of trauma and past victimization as factors in reoffense potential where applicable,

(e) Address clients thought processes which facilitate sexual reoffense and other victimizing or assaultive behaviors,

(f) Attempt to modify client thinking errors and cognitive distortions where possible,

(g) Attempt to enhance clients appropriate adaptive/legal sexual functioning,

(h) Attempt to insure that clients have accurate knowledge about the effect of sexual offending upon victims, their families, and the community,

(i) Assist clients to develop a sensitivity to the effects of sexual abuse upon victims,

(j) Address clients' personality traits and personality deficits which are related to increased reoffense potential,

(k) Address clients' deficits in coping skills in present life circumstances where applicable,

(l) Include and integrate a client's family into the therapy process when appropriate,

(m) Attempt to maintain communication with clients' spouse and families where appropriate to assist in meeting treatment goals.

(4) **MONITORING OF TREATMENT AND SENTENCE REQUIREMENTS.** The monitoring of the client's compliance with treatment and sentence requirements by the provider shall:

(a) Recognize the reoffense potential of the sex offender client, the damage that may be caused by sexual reoffense or attempted reoffense, and the limits of self report by the sex offender client,

(b) Employ multiple sources of input regarding the client's out of office behavior when possible and utilize methods which are objective in nature,

(c) As a general principle, increase monitoring during those times of increased risk and notify the Supervising Officer

(i) When a client is in crisis,

(ii) When visits with victims or potential victims are authorized,

(iii) When clients are in high risk environments,

(d) Work in collaboration with the supervising officer in the independent verification of a client's

(i) Compliance with sentence requirements and treatment directives;

(ii) Cessation of sexually deviant behaviors;

(iii) Reduction in those behaviors most likely to be related to sexual reoffense;

(iv) Reports of living, work and social environments to insure that these environments have sufficient protection against clients' reoffense potential.

(5) **CONTACTS WITH VICTIMS/VULNERABLE CHILDREN.** When the sex offender client has any contact with the victims or children, the provider shall:

(a) Consider victims' wishes about contact and ensure that all contact is safe and in accordance with any court directives,

(b) Limit child molester decision making authority over vulnerable children,

(c) Collaborate with other relevant professionals and solicit their input regarding contact with victims, rather than make isolated decisions,

(d) Consult with parents, custodial parents, or guardians prior to authorizing any contact between offenders and children,

(e) Recognize that supervision during contact with children is critical for those offenders who have had crimes against children, or have the potential to abuse children,

(f) Include educational experiences for chaperones/supervisors of child molester clients,

(g) Establish a plan/protocol for returning child molester clients to homes where children reside that insures child safety under this new situation when such a return home is appropriate.

(6) **DOCUMENTATION OF TREATMENT.** Providers shall maintain client files in accordance with the professional standards of their individual disciplines and with Washington State law regarding health care records and shall:

(a) Document the goals of treatment, the methods used and the observed progress of clients towards reaching the goals,

(b) Insure that the client files accurately reflect treatment progress, sessions attended and treatment plan change information necessary for completion of the required SSOSA/SSODA reports,

(c) Safeguard the confidentiality of client files in recognition of the sensitive nature of the contents,

(6) **COMPLETION OF COURT ORDERED TREATMENT.** SOTP shall make treatment completion decisions that logically follow the evaluation, treatment plan, course of treatment sequence. In addition to fulfilling the SSOSA/SSODA requirements for the end of court ordered treatment hearing the treatment provider shall:

(a) Assess actual changes in a client's reoffense potential prior to recommending treatment termination,

(b) Attempt to repeat, where appropriate, those assessments which might show client change,

(c) Document how the goals of the treatment plan have been met, what actual changes in the client's reoffense potential have been accomplished, what risk factors remain,

(e) Seek input from others knowledgeable about a client's progress as part of the treatment completion/termination decision process,

(f) Recommend any further treatment and monitoring necessary to the court, and to the client,

(g) Report to the court if the client is no longer amenable to treatment at the end of the court ordered treatment term.

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

NEW SECTION

RCW 246-930-340 STANDARDS FOR COMMUNICATION WITH OTHER PROFESSIONALS. (1) Professional Relationships with Corrections/Probation Officers and Other Supervising Agencies.

(a) The provider shall establish a cooperative and collaborative relationship with the supervising officer and/or responsible agency for purposes of the effective supervision and monitoring of an offender's behavior in the community.

(b) Violations of the treatment contract shall be reported immediately to the supervising officer.

(c) Quarterly progress reports documenting attendance, treatment activities and duration, changes in the treatment plan, and treatment progress shall be made in a timely manner to the supervising officer. Providers shall provide additional information regarding treatment progress when requested by the supervising officer. All violations of the treatment contract shall be reported in the progress report.

(d) Specific plans for any and all contact with the victim, potential victims and plans for family reunification (where appropriate) should be reviewed with the supervising officer.

(e) The provider shall collaborate with the supervising officer when approving chaperones and knowledgeable supervisors for offender contact with children.

(2) Communication with the Department of Social and Health Services. When appropriate, the provider shall seek an authorization for release of information from the client to communicate with the Department of Social and Health Services.

(3) Communication with Others. Where appropriate and consistent with the offender's informed consent, Providers shall collaborate with the victim's therapist, Guardian Ad Litem, custodial parent, guardian, caseworker, or other involved professional in making decisions regarding family reunification or victim contact with the offender.

(4) Reporting of Additional Victims.

(a) Providers are expected to comply with the mandatory reporting law, RCW 26.44.030.

(b) All clients shall be notified of the limits of confidentiality imposed on therapists by the mandatory reporting law (RCW 26.44.030).

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

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

WSR 91-19-037

PROPOSED RULES

DEPARTMENT OF HEALTH (Board of Practical Nursing)

[Filed September 11, 1991, 2:35 p.m.]

Original Notice.

Title of Rule: WAC 246-838-010 Definitions; 246-838-030 Standards of conduct for discipline for licensed practical nurses; 246-838-110 Documents which indicate authorization to practice practical nursing in Washington; 246-838-230 Curriculum standards in an approved practical nursing program; 246-838-290 Terms used in WAC 308-117-460 through 308-117-480; and 246-838-310 Participation in approved substance abuse monitoring program.

Purpose: To make housekeeping changes to update references regarding obsolete WACs and RCWs, agency name and address information, and terminology used by the board.

Statutory Authority for Adoption: WAC 246-838-010, 246-838-030, 246-838-110, 246-838-230 and 246-838-290 is RCW 18.78.050; and WAC 246-838-310 is RCW 18.78.050 and 18.130.050.

Summary: This rule action makes only housekeeping changes.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Susan Boots, 1300 Quince Street S.E., Olympia, WA, (206) 753-2807.

Name of Proponent: Board of Practical Nursing, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule action makes housekeeping changes to correct references regarding obsolete WACs and RCWs, agency name and address information, and terminology used by the board.

Proposal Changes the Following Existing Rules: Housekeeping changes.

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

Hearing Location: WestCoast Sea-Tac Hotel, 18220 Pacific Highway South, Seattle, WA 98188, on November 14, 1991, at 2:00 p.m.

Submit Written Comments to: Leslie Baldwin, 1300 S.E. Quince Street, Mailstop EY-16, Olympia, WA 98504, by November 13, 1991.

Date of Intended Adoption: November 14, 1991.

September 10, 1991

Susan L. Boots

Executive Secretary

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

WAC 246-838-010 DEFINITIONS. ((+)) "Program" means a division or department within a state supported educational institution, or other institution of higher learning charged with the responsibility of preparing persons to qualify for the licensing examination:

(2) "Philosophy" means the beliefs and principles upon which the curriculum is based:

(3) "Terminal objectives" means the statements of goals which reflect the philosophy and are the measurable outcomes of the total curriculum:

(4) "Behavioral objectives" means the measurable outcomes of specific content:

(5) "Minimum standards of competency" means the functions that are expected of the beginning level licensed practical nurse:

(6) "Conceptual framework" means the theoretical base around which the curriculum is developed:

(7) "Beginning practitioner" means a newly licensed practical nurse beginning to function in the practical nurse role:

(8) "Client" means the person who receives the services of the practical nurse:

(9) "Standards" means the overall behavior which is the desired outcome:

(10) "Competencies" means the tasks necessary to perform the standards:

(11) "Client advocate" means a supporter of client rights and choices:

(12) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule:

(13) "Office on AIDS" means that section within the department of social and health services or any successor department with jurisdiction over public health matters as defined in chapter 70.24 RCW: (1) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(2) "Beginning practitioner" means a newly licensed practical nurse beginning to function in the practical nurse role.

(3) "Behavioral objectives" means the measurable outcomes of specific content.

(4) "Client" means the person who receives the services of the practical nurse.

(5) "Client advocate" means a supporter of client rights and choices.

(6) "Competencies" means the tasks necessary to perform the standards.

(7) "Conceptual framework" means the theoretical base around which the curriculum is developed.

(8) "Minimum standards of competency" means the functions that are expected of the beginning level licensed practical nurse.

(9) "Office on AIDS" means that section within the department of social and health services or any successor department with jurisdiction over public health matters as defined in chapter 70.24 RCW.

(10) "Philosophy" means the beliefs and principles upon which the curriculum is based.

(11) "Program" means a division or department within a state supported educational institution, or other institution of higher learning charged with the responsibility of preparing persons to qualify for the licensing examination.

(12) "Standards" means the overall behavior which is the desired outcome.

(13) "Terminal objectives" means the statements of goals which reflect the philosophy and are the measurable outcomes of the total curriculum.

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

WAC 246-838-030 STANDARDS OF CONDUCT FOR DISCIPLINE ((FOR LICENSED PRACTICAL NURSES)). The standards of conduct for discipline serve as guidelines for the licensed practical nurse. Violation of these standards may be grounds for disciplinary action pursuant to RCW 18.130.180(7). The licensed practical nurse assumes a measure of responsibility, trust and the corresponding obligation to adhere to the standards of conduct, which include, but are not limited to the following:

(1) The licensed practical nurse, functioning under the direction and supervision of other licensed health care professionals as provided in RCW 18.78.010(5), shall be responsible and accountable for his or her own nursing judgments, actions and competence.

(2) The licensed practical nurse shall practice practical nursing in the state of Washington only with a current Washington license.

(3) The licensed practical nurse shall not permit his or her license to be used by another person for any purpose.

(4) The licensed practical nurse shall have knowledge of the statutes and rules governing licensed practical nurse practice and shall function within the legal scope of licensed practical nurse practice.

(5) The licensed practical nurse shall not aid, abet or assist any other person in violating or circumventing the laws or rules pertaining to the conduct and practice of licensed practical nursing.

(6) The licensed practical nurse shall not disclose the contents of any licensing examination or solicit, accept or compile information regarding the contents of any examination before, during or after its administration.

(7) The licensed practical nurse shall delegate activities only to persons who are competent and qualified to undertake and perform the delegated activities, and shall not delegate to unlicensed persons those functions that are to be performed only by licensed nurses.

(8) The licensed practical nurse, in delegating functions, shall supervise the persons to whom the functions have been delegated.

(9) The licensed practical nurse shall act to safeguard clients from unsafe practices or conditions, abusive acts, and neglect.

(10) The licensed practical nurse shall report unsafe acts and practices, unsafe practice conditions, and illegal acts to the appropriate supervisory personnel or to the appropriate state disciplinary board.

(11) The licensed practical nurse shall respect the client's privacy by protecting confidential information, unless required by law to disclose such information.

(12) The licensed practical nurse shall make accurate, intelligible entries into records required by law, employment or customary practice of nursing, and shall not falsify, destroy, alter or knowingly make incorrect or unintelligible entries into client's records or employer or employee records.

(13) The licensed practical nurse shall not sign any record attesting to the wastage of controlled substances unless the wastage was personally witnessed.

(14) The licensed practical nurse shall observe and record the conditions of a client, and report significant changes to appropriate persons.

(15) The licensed practical nurse may withhold or modify client care which has been authorized by an appropriate health care provider, only after receiving directions from an appropriate person, unless in a life threatening situation.

(16) The licensed practical nurse shall leave a nursing assignment only after properly reporting to and notifying appropriate persons and shall not abandon clients.

(17) The licensed practical nurse shall not misrepresent his or her education and ability to perform nursing procedures safely.

(18) The licensed practical nurse shall respect the property of the client and employer and shall not take equipment, materials, property or drugs for his or her own use or benefit nor shall the licensed practical nurse solicit or borrow money, materials or property from clients.

(19) The licensed practical nurse shall not obtain, possess, distribute or administer legend drugs or controlled substances to any person, including self, except as directed by a person authorized by law to prescribe drugs.

(20) The licensed practical nurse shall not practice nursing while affected by alcohol or drugs, or by a mental, physical or emotional condition to the extent that there is an undue risk that he or she, as a licensed practical nurse, would cause harm to him or herself or other persons.

(21) It is inconsistent for a licensed practical nurse to perform functions below the minimum standards of competency as expressed in WAC 308-117-400.

AMENDATORY SECTION (Amending Order 175B, filed 6/11/91, effective 7/12/91)

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

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

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

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

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

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

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

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

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

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

WAC 246-838-230 CURRICULUM STANDARDS IN AN APPROVED PRACTICAL NURSING PROGRAM. (1) In order to insure that the curriculum is well defined the statements of philosophy, purpose, objectives and conceptual framework of the curriculum must be carefully formulated, reviewed and revised periodically and must be consistent with the philosophy and goals of the controlling institution.

(2) The philosophy of the nursing curriculum must express the nursing faculty's beliefs about education, learning, nursing, nursing education and practical nursing as an integral part of nursing.

(3) The curriculum shall be consistent with the program philosophy, objectives and conceptual framework and with the law governing the practice of practical nursing.

(4) The philosophy and objectives must be communicated to the students and to staff involved with students in clinical areas to ensure achievement of the objectives.

(5) The ratio between nursing and nonnursing classes shall be based on a well developed rationale which supports the program philosophy, purpose and terminal objectives.

(6) The behavioral objectives must be realistic, attainable and measurable, based on the goal of preparing practitioners who function within the accepted role of the licensed practical nurse and the standards of competency identified in WAC (~~(308-117-400)~~) 246-838-260.

(7) Learning opportunities and instructional approaches shall facilitate the achievement of curriculum objectives.

(8) The school shall have flexibility to develop and implement the curriculum as it determines will best achieve the program philosophy and objectives.

(9) The manner in which the theoretical and practical studies contribute to the achievement of the students' terminal objectives must be documented, maintained and be available for review upon request by the board of practical nursing.

(10) The curriculum shall provide concurrent theoretical instruction and practical application in the care of selected individuals at all developmental levels with different degrees of wellness-illness and various types of incapacities.

(11) Any plan for major curriculum revision, such as changes affecting the philosophy and objectives, significant course content changes, or changes in the length of the program, shall be submitted to the board for approval sixty days prior to implementation.

(12) A school offering practical nursing programs at more than one educational site must have the same curricular philosophy and terminal objectives at each site.

(13) The curriculum shall be evaluated on a regular basis to ensure that graduates will demonstrate the knowledge and practical application consistent with that expected of a beginning licensed practical nurse.

(14) The curriculum shall encompass broad areas of learning. Nursing content based on scientific principles shall be consistent with the practical nursing role and shall facilitate the application of nursing concepts to the care of the client.

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

WAC 246-838-290 TERMS USED IN WAC (~~(308-117-460 THROUGH 308-117-480)~~) 246-838-290 THROUGH 246-838-310.

(1) "Approved substance abuse monitoring program" or "approved monitoring program" is a program the board has determined meets the requirements of the law and the criteria established by the board in WAC (~~(308-117-470)~~) 246-838-300, which enters into a contract with practical nurses who have substance abuse problems regarding the required components of the practical nurse's recovery activity and oversees the practical nurse's compliance with these requirements. Substance abuse monitoring programs do not provide evaluation or treatment to participating practical nurses.

(2) "Contract" is a comprehensive, structured agreement between the recovering practical nurse and the approved monitoring program wherein the practical nurse consents to comply with the monitoring program and the required components of the practical nurse's recovery activity.

(3) "Approved treatment facility" is a facility approved by the bureau of alcohol and substance abuse, department of social and health services, under RCW 70.96A.020(2) or 69.54.030 to provide concentrated alcoholism or drug treatment if located within Washington state. Out-of-state drug and alcohol treatment programs must be equivalent to the standards required for approval under RCW 70.96A.020(2) or 69.54.030.

(4) "Substance abuse" means the impairment, as determined by the board, of a practical nurse's professional services by an addiction to, a dependency on, or the use of alcohol, legend drugs, or controlled substances.

(5) "Aftercare" is that period of time after intensive treatment that provides the practical nurse and the practical nurse's family with group or individual counseling sessions, discussions with other families, ongoing contact and participation in self-help groups and ongoing continued support of treatment program staff.

(6) "Nurse support group" is a group of nurses meeting regularly to support the recovery of its members. The group provides a confidential setting with a trained and experienced nurse facilitator in which nurses may discuss drug diversion, licensure issues, return to work and other professional issues related to recovery.

(7) "Twelve step groups" are groups such as alcoholics anonymous, narcotics anonymous, and related organizations based on a philosophy of anonymity, belief in a power outside of oneself, peer group association, and self-help.

(8) "Random drug screens" are laboratory tests to detect the presence of drugs of abuse in body fluids which are performed at irregular intervals not known in advance by the person to be tested.

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

WAC 246-838-310 PARTICIPATION IN APPROVED ((~~SUBSTANCE ABUSE~~)) MONITORING PROGRAM. (1) In lieu of disciplinary action, the practical nurse may accept board referral into the approved substance abuse monitoring program.

(a) The practical nurse shall undergo a complete physical and psychosocial evaluation before entering into the approved monitoring program. This evaluation will be performed by health care professional(s) with expertise in chemical dependency. The person(s) performing the evaluation shall not also be the provider of the recommended treatment.

(b) The practical nurse shall enter into a contract with the board and the approved substance abuse monitoring program to comply with the requirements of the program which shall include, but not be limited to, the following:

(i) The practical nurse will undergo intensive substance abuse treatment in an approved treatment facility.

(ii) The practical nurse will agree to remain free of all mind-altering substances, including alcohol, except for medications prescribed by an authorized prescriber as defined in RCW 69.41.030 and 69.50.101.

(iii) The practical nurse must complete the prescribed aftercare program of the approved treatment facility, which may include individual and/or group psychotherapy.

(iv) The practical nurse must cause the treatment counselor(s) to provide reports to the approved monitoring program at specified intervals. Reports shall include treatment prognosis and goals.

(v) The practical nurse will submit to random drug screening as specified by the approved monitoring program.

(vi) The practical nurse will attend nurses' support group(s) facilitated by a nurse and/or twelve step group meetings as specified by the contract.

(vii) The practical nurse will comply with specified employment conditions and restrictions as defined by the contract.

(viii) The practical nurse shall sign a waiver allowing the approved monitoring program to release information to the board if the practical nurse does not comply with the requirements of this contract.

(c) The practical nurse is responsible for paying the costs of the physical and psychosocial evaluation, substance abuse treatment, and random drug screens.

(d) The practical nurse may be subject to disciplinary action under RCW 18.130.160 if the practical nurse does not consent to be referred to the approved monitoring program, does not comply with specified employment restrictions, or does not successfully complete the program.

(2) A practical nurse who is not being investigated by the board, not subject to current disciplinary action, or not currently being monitored by the board for substance abuse, may voluntarily participate in the approved substance abuse monitoring program without being referred by the board. Such voluntary participants shall not be subject to disciplinary action under RCW 18.130.160 for their substance abuse, and shall not have their participation made known to the board if they meet the requirements of the approved monitoring program.

(a) The practical nurse shall undergo a complete physical and psychosocial evaluation before entering into the approved monitoring program. This evaluation will be performed by health care professional(s) with expertise in chemical dependency. The person(s) performing the evaluation shall not also be the provider of the recommended treatment.

(b) The practical nurse shall enter into a contract with the approved substance abuse monitoring program to comply with the requirements of the program which shall include, but not be limited to, the following:

(i) The practical nurse will undergo intensive substance abuse treatment in an approved treatment facility.

(ii) The practical nurse will agree to remain free of all mind-altering substances, including alcohol, except for medications prescribed by an authorized prescriber as defined in RCW 69.41.030 and 69.50.101.

(iii) The practical nurse must complete the prescribed aftercare program of the approved treatment facility, which may include individual and/or group psychotherapy.

(iv) The practical nurse must cause the treatment counselor(s) to provide reports to the approved monitoring program at specified intervals. Reports shall include treatment prognosis and goals.

(v) The practical nurse will submit to random drug screening as specified by the approved monitoring program.

(vi) The practical nurse will attend nurses' support group(s) facilitated by a nurse and/or twelve step group meetings as specified by the contract.

(vii) The practical nurse will comply with employment conditions and restrictions as defined by the contract.

(viii) The practical nurse shall sign a waiver allowing the approved monitoring program to release information to the board if the nurse does not comply with the requirements of this contract.

(c) The practical nurse is responsible for paying the costs of the physical and psychosocial evaluation, substance abuse treatment and random drug screens.

(3) The treatment and pretreatment records of license holders referred to or voluntarily participating in approved monitoring programs shall be confidential, shall be exempt from RCW 42.17.250 through 42.17.450, and shall not be subject to discovery by subpoena or admissible as evidence except for monitoring records reported to the disciplinary authority for cause as defined in subsections (1) and (2) of this section. Records held by the board under this section shall be exempt from RCW 42.17.250 through 42.17.450 and shall not be subject to discovery by subpoena except by the license holder.

WSR 91-19-038

PROPOSED RULES

PUBLIC DISCLOSURE COMMISSION

[Filed September 11, 1991, 3:07 p.m.]

Original Notice.

Title of Rule: WAC 390-16-011 Forms—Registration statement for political committees; and 390-16-041 Forms—Summary of total contributions and expenditures.

Purpose: WAC 390-16-011, adopts a registration statement for political committees; and WAC 390-16-041, adopts contribution and expenditure form and attachments.

Statutory Authority for Adoption: RCW 42.17.370.

Summary: WAC 390-16-011, provide space for reporting date of the election for which committee is formed; and WAC 390-16-041, simplify reporting of the purposes of expenditures and the subtotals of expenditures in four statutorily-mandated categories.

Reasons Supporting Proposal: WAC 390-16-011, clarification of election date needed for determining when other reports are due; and WAC 390-16-041, C-4x form proved unworkable, new mechanism for reporting expenditure subtotals needed.

Name of Agency Personnel Responsible for Drafting and Implementation: Vicki Rippie, Olympia, 753-1111; and Enforcement: David R. Clark, Olympia, 753-1111.

Name of Proponent: Public Disclosure Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 390-16-011, some political committees are formed many months ahead of the date of the election at which the candidate or ballot proposition being supported or opposed is before the voters. Numerous elections could occur between the time the committee is formed and the time of the election of interest to it. Some reports are due various days before the election. The specific dates for the reports can only be determined by knowing the date of the election for which the committee is formed; and WAC 390-16-041, an amendment to the disclosure law in 1989 requires candidates for state executive and legislative offices to report the subtotals of expenditures in certain categories. Public Disclosure Commission developed form C-4x as the mechanism for extracting the required information. It did not work well in the 1990 campaign. A new, simplified mechanism is proposed—revising the form Schedule A-s/l. The reporting of the description of expenditures has been often inconsistent or inadequate. Provisions are being made on the Schedule A-s/l and on Schedule B for using codes to describe an expenditure. An explanation of the codes will be printed on the reverse of forms. Form C-4x is being abolished.

Proposal does not change existing rules.

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

Hearing Location: Second Floor Conference Room, Evergreen Plaza Building, 711 Capitol Way, Olympia, WA 98504-3342, on October 22, 1991, at 9 a.m.

Submit Written Comments to: Public Disclosure Commission, 403 Evergreen Plaza, FJ-42, Olympia, WA 98504-3342, by October 15, 1991.

Date of Intended Adoption: October 22, 1991.

September 5, 1991
Graham E. Johnson
Executive Director

AMENDATORY SECTION (Amending Order 86-01 [WSR 89-20-068], filed 2/5/86 [10/4/89])

WAC 390-16-011 FORMS—REGISTRATION STATEMENT FOR POLITICAL COMMITTEES. The official form for providing statement of organization by political committees for designating campaign treasurer and depository and for reporting information required to qualify for abbreviated campaign finance reporting is designated "C-1pc," revised ((1/90)) 10/91. Copies of this form are available at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. Any attachments shall be on 8-1/2" x 11" white paper.

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

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending WSR 90-16-083, filed 7/31/90)

WAC 390-16-041 FORMS—SUMMARY OF TOTAL CONTRIBUTIONS AND EXPENDITURES. The official form for reports of contributions and expenditures by candidates and political committees is designated "C-4," revised 1/90, and includes Schedule A, revised 1/90, Schedule B, revised 1/90, Schedule C, revised 1/90, and Schedule L, revised 1/90.

(2) The official form for reports of contributions and expenditures by candidates for the state legislature or state executive office and who use the "full" reporting option is designated C-4, revised 1/90, and includes ((form C-4x, revised 1/90;)) Schedule A-s/l, revised ((1/90)) 10/91, Schedule B, revised ((1/90)) 10/91, Schedule C, revised 1/90, and Schedule L, revised 1/90.

(3) The official form for reports of contributions and expenditures by candidates and political committees who use the "abbreviated" reporting option is designated "C-4abb," revised 1/90.

(4) Copies of this form are available at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. Any attachments shall be on 8-1/2" x 11" white paper.

STATE OF WASHINGTON

REGISTRATION: POLITICAL COMMITTEES

PUBLIC DISCLOSURE COMMISSION

C1 (1/90)

POST RECEIVED

PDC OFFICE USE

Committee Name (Show entire official name.) Acronym Address City County Zip

NEW REGISTRATION OR UPDATE OF PRIOR REGISTRATION? COMMITTEE STATUS

1. COMMITTEES: What is the purpose or description of the committee? Political Party, Central Committee, District Club, etc.

2. Related or affiliated committees. List name, address and relationship.

3. HOW MUCH DO YOU PLAN TO SPEND DURING THIS ENTIRE ELECTION CAMPAIGN, INCLUDING THE PRIMARY AND GENERAL ELECTIONS? BASED ON THAT ESTIMATE, CHOOSE ONE OF THE REPORTING OPTIONS BELOW.

4. Treasurer's name and address (List deputy treasurers on attached sheet.) Daytime phone no.

5. Committee's Principal Officers. List name, address and title.

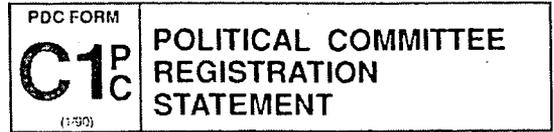
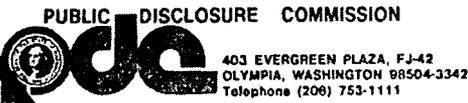
6. Campaign Bank or Depository. Branch City

7. Campaign records are to be open for public inspection the last eight days before election. (Two hours daily between 8 AM - 5 PM, Monday - Friday.) Show location and hours below.

8. Fair Campaign Practices: All committee officers are encouraged to subscribe to the Code of Fair Campaign Practices... 9. Signature and Certification. I certify that this statement is true, complete and correct to the best of my knowledge.

Need campaign finance forms and instructions for the reporting system selected? Please check one of the following boxes:

See instructions on reverse



INSTRUCTIONS

Please consult PDC instruction manuals when completing this report. Reporting requirements are contained in and governed by chapters 42.17 RCW and 390-16 WAC.

- WHO MUST FILE** Persons, committees, organizations and groups which receive contributions and make expenditures in support of or opposition to candidates, statewide ballot issues or local ballot issues in jurisdictions with 1,000 or more registered voters as of the last general election.
- WHEN TO FILE** Within 2 weeks of organizing a committee or first expecting to receive contributions or make expenditures, whichever occurs first. File an amended C-1pc form within 10 days of significant changes to the registration information provided. Continuing political committees using Abbreviated Reporting must also file a C-1pc annually in January. Reports are considered filed as of the postmark date or date hand-delivered to PDC.
- WHERE TO FILE** Send the **original to PDC** at the above address. Send a **copy to the County Auditor** (County Elections Department) of the county in which the committee headquarters is located. If there is no headquarters, send to the County Auditor of the county in which the treasurer resides.
- REPORTING OPTIONS** Abbreviated Reporting: May be used by committees which raise and spend no more than \$2,000 on their campaign activities. No more than \$200 per year may be accepted from any contributor. A 10th-of-the-month post general or special election ABB C-4 report is required. Continuing committees also file a year-end ABB C-4 report and re-register annually.

Full Reporting: Required of all committees which do not qualify for Abbreviated Reporting. Frequent, detailed reports of contributions and expenditures are required until the committee is disbanded and the campaign account is closed.
- OTHER REPORTS** C-3 (Cash Receipts Reports): Used with Full Reporting only.

C-4 (Contribution and Expenditure Report): Used with Full Reporting only.

ABB C-4 (Receipts and Expenditures Summary): Filed by candidates using Abbreviated Reporting.

Special Report E (Earmarked Contributions Report): Filed by committees which receive funds earmarked for use on behalf of a candidate or another political committee.
- FAIR CAMPAIGN PRACTICES CODE** This is a voluntary code adopted by PDC to stress the importance of ethical campaign practices. Committees which follow the Code's principles may use the Fair Campaign Practices Seal in their political advertising.
- SURPLUS FUNDS** Funds remaining in committee accounts after the election may only be disposed of in one or more of the following ways: returned to contributors; donated to registered charity; held for future election campaign; given to candidates or other committees; or donated to the State General Fund.

For assistance, call or write PDC!



INSTRUCTIONS

Please consult PDC instruction manuals when completing this report. Reporting requirements are contained in and governed by chapters 42.17 RCW and 390-16 WAC.

- WHO MUST FILE** Persons, committees, organizations and groups which receive contributions and make expenditures in support of or opposition to candidates, statewide ballot issues or local ballot issues in jurisdictions with 1,000 or more registered voters as of the last general election.

- WHEN TO FILE** Within 2 weeks of organizing a committee or first expecting to receive contributions or make expenditures, whichever occurs first. File an amended C-1pc form within 10 days of significant changes to the registration information provided. Continuing political committees using Abbreviated Reporting must also file a C-1pc annually in January. Reports are considered filed as of the postmark date or date hand-delivered to PDC.

- WHERE TO FILE** Send the **original** to PDC at the above address. Send a **copy** to the County Auditor (County Elections Department) of the county in which the committee headquarters is located. If there is no headquarters, send to the County Auditor of the county in which the treasurer resides.

- REPORTING OPTIONS** Abbreviated Reporting: May be used by committees which raise and spend no more than \$2,000 on their campaign activities. No more than \$200 per year may be accepted from any contributor. A 10th-of-the-month post general or special election ABB C-4 report is required. Continuing committees also file a year-end ABB C-4 report and re-register annually.

Full Reporting: Required of all committees which do not qualify for Abbreviated Reporting. Frequent, detailed reports of contributions and expenditures are required until the committee is disbanded and the campaign account is closed.

- OTHER REPORTS** C-3 (Cash Receipts Reports): Used with Full Reporting only.

C-4 (Contribution and Expenditure Report): Used with Full Reporting only.

ABB C-4 (Receipts and Expenditures Summary): Filed by candidates using Abbreviated Reporting.

Special Report E (Earmarked Contributions Report): Filed by committees which receive funds earmarked for use on behalf of a candidate or another political committee.

- FAIR CAMPAIGN PRACTICES CODE** This is a voluntary code adopted by PDC to stress the importance of ethical campaign practices. Committees which follow the Code's principles may use the Fair Campaign Practices Seal in their political advertising.

- SURPLUS FUNDS** Funds remaining in committee accounts after the election may only be disposed of in one or more of the following ways: returned to contributors; donated to registered charity; held for future election campaign; given to candidates or other committees; or donated to the State General Fund.

For assistance, call or write PDC!

DETAILED EXPENDITURE SUMMARY

State executive and legislative candidates only.



Candidate Name (Do not abbreviate. Include full name.) _____

INSTRUCTIONS: State executive and legislative candidates are required to provide additional detail about the purpose of expenditures from their campaign funds. Using information from the Schedule A-s/l report and your campaign financial records, provide the information below. Attach this report to each C4 report filed.

1. EXPENDITURES FOR YOUR OWN CAMPAIGN

- a. Expenditures previously reported (from line 1c, last C4x)
- b. Campaign spending during this report period
- c. Total campaign expenditures (1a & 1b)

2. CONTRIBUTIONS OR LOANS TO OTHER CANDIDATES OR COMMITTEES

- a. Previous contributions or loans still outstanding (from line 2d, last C4x)
- b. Loans repaid to your committee during this period ()
- c. Contributions or loans during this report period
- d. Total contributions or loans to others (2a-2b+2c)

3. OFFICE RELATED EXPENSES

- a. Previous office expenses (from line 3c, last C4x)
- b. Office related expenses this report period
- c. Total office related expenses (3a + 3b)

4. OTHER EXPENDITURES

- a. Other miscellaneous expenditures previously reported (from line 4c, last C4x)
- b. Other expenditures this report period
- c. Total other expenditures (4a + 4b)

5. TOTAL CASH EXPENDITURES (1c + 2d + 3c + 4c)

**CASH RECEIPTS AND EXPENDITURES
STATE EXECUTIVE AND LEGISLATIVE CANDIDATES**

SCHEDULE to C4 **A-S/L**
(10/91)

Candidate or Committee Name (Do not abbreviate. Use full name)

1. CASH RECEIPTS (Contributions) which have been reported on C3. List each deposit since last C4 report was submitted.

Date of Deposit	Amount	Date of Deposit	Amount	Date of Deposit	Amount	Total deposits

2. TOTAL CASH RECEIPTS

Enter also on line 2 of C4

CODES FOR CLASSIFYING EXPENDITURES: If one of the following codes is used to describe an expenditure, no written description is generally needed. The exceptions are: 1) if expenditures made constitute in-kind or earmarked contributions to another candidate or committee or independent expenditures that benefit another candidate or committee, identify that candidate or committee in the Description block; and 2) when reporting payments to vendors for travel expenses, identify the traveller in the Description block.

**CODE
DEFINITIONS
ON REVERSE**

- *C* - Contributions (monetary, in-kind & transfers)
- *I* - Independent Expenditures
- *L* - Literature
- *B* - Broadcast Advertising
- *N* - Newspaper and Periodical Advertising
- *O* - Other Advertising (yard signs, buttons, etc.)
- *P* - Postage
- *S* - Surveys and Polls
- *F* - Fundraising Events
- *T* - Travel, Accommodations, Meals
- *M* - Management/Consulting Services
- *W* - Wages, Salaries, Benefits
- *G* - General Operation and Overhead

3. EXPENDITURES (Lump together expenditures of \$50 or less, including petty cash, on first line, and apportion the expenses by category. In the other blocks, itemize each expense exceeding \$50, include code/description, and put the amount spent in the appropriate column; for all payments to the candidate, campaign workers, PR firms, advertising agencies or credit card companies, attach a list of expenses or copies of receipts/invoices supporting the payments.)

Date Paid	Vendor or Recipient (Name and Address)	Code	Purpose of Expense and/or Description	Own Campaign	Contribution to Others	Public Office	Non-Campaign Misc.
	Expenses of \$50 or less						
Totals From Attached Pages							
4. TOTALS BY EXPENSE CATEGORY.....							
				1	2	3	4

5. TOTAL CASH EXPENDITURES (Sum of columns 1, 2, 3 & 4)

Enter also on line 11 of C4

PDC Form C4, Sch. A-sl (Rev. 10/91)-I

CODE DEFINITIONS ON REVERSE

EXPENDITURE CODE DEFINITIONS AND USES

- "C" MONETARY, IN-KIND AND EARMARKED CONTRIBUTIONS** (including transfers) your campaign makes to other candidates and committees. Put a "C" in the Code column, in the Description column, specify who was benefited and, if in-kind, what was purchased, and put the amount in "Contribution to Others."
- "I" INDEPENDENT EXPENDITURES** (those expenditures that benefit other candidates or committees but are made independently of them). Put an "I" in the Code column, fully describe purpose and put the amount in "Contribution to Others."
- "L" LITERATURE.** Use "L" for expenditures made for the preparation and production of campaign literature and printed solicitations, including expenditures for mailing lists, design, photography, copy, layout, printing and reproduction. Use "P" for literature mailing costs.
- "B" BROADCAST ADVERTISING.** Use "B" for expenditures associated with the production and purchase of radio and television advertising.
- "N" NEWSPAPER & PERIODICAL ADVERTISING.** Use "N" for expenditures associated with the production and purchase of advertising in newspapers, periodicals and other publications.
- "O" OTHER ADVERTISING.** Use "O" for expenditures associated with the production and purchase of advertising on billboards, yard signs and campaign paraphernalia such as buttons, bumper stickers, T-shirts, etc.
- "P" POSTAGE.** Use "P" for expenditures for stamps, postage, United Parcel Service, Federal Express and direct mail services (postage only). Use "L" for design and other production costs associated with producing campaign literature.
- "F" FUNDRAISING EVENTS.** Use "F" for expenditures associated with holding a fundraiser, including payments to restaurants, hotels, caterers, other food and refreshment vendors, entertainers and speakers. Use "L" for expenditures for printed matter produced in connection with fundraising events.
- "S" SURVEYS AND POLLS.** Use "S" for expenditures associated with designing or producing polls, reports on election trends, voter surveys, telemarketing, telephone banks, GOTV drives, etc.
- "T" TRAVEL, ACCOMMODATIONS, MEALS.** Use "T" for expenditures associated with travel. If vendor has been paid directly, identify the traveller in Description column. If travel payment was made to credit card company or traveller (for out-of-pocket expenses), itemize expenses on separate sheet and attach to Sch. A-s/l.
- "M" MANAGEMENT AND CONSULTING SERVICES.** Use "M" for salaries, fees and commissions paid to professional campaign managers and consultants, including law firms, whether the person is retained or formally employed by the campaign (for tax withholding purposes).
- "W" WAGES, SALARIES, BENEFITS.** Use "W" for expenditures associated with hiring campaign employees and other freelance workers who provide miscellaneous services other than professional management or consulting.
- "G" GENERAL OPERATION AND OVERHEAD.** Use "G" for general campaign operating expenses and overhead, including filing fees, miscellaneous campaign expenses, headquarters rental, utilities, and purchase or rental of office equipment and furniture. (Note: these are campaign-related expenses, not costs associated with holding public office.)

**EXPENDITURES CONTINUATION SHEET (Attachment to Schedule A-s/l)
STATE EXECUTIVE AND LEGISLATIVE CANDIDATES**

Page _____

Candidate or Committee Name (Do not abbreviate. Use full name.)

Report Date

Date Paid	Vendor or Recipient (Name and Address)	Code	Purpose of Expense and/or Description	Own Campaign	Contribution to Others	Public Office	Non-Campaign Misc.
Page Totals							

IN KIND CONTRIBUTIONS, PLEDGES, ORDERS, DEBTS, OBLIGATIONS

SCHEDULE **B**
to C4 (1/90)

Candidate or committee name (Do not abbreviate. Use full name)

1. IN KIND CONTRIBUTIONS RECEIVED (goods, services, discounts, etc.)

Date received	Contributor's name and address	Description of contribution	Fair market value	Total given by this person during campaign or year
		TOTAL		
		(Enter also on line 3 and line 12 of C4)		

2. PLEDGES RECEIVED BUT NOT YET PAID. List each pledge of \$100.00 or more.

Date you were notified of pledge	Name and address of person making pledge (including organizations)	Amount	Total given by this person during campaign or year
		TOTAL	
		(Include only pledges above and all other outstanding pledges.)	
		(Enter also on line 9 of C4)	

3. ORDERS PLACED, DEBTS, OBLIGATIONS, ESTIMATED EXPENDITURES (Excluding loans. Report loans on Schedule L.)

- a. List each debt, obligation or estimated expenditure which is more than \$250.00.
- b. List each debt, obligation or estimated expenditure which is more than \$50.00 and has been outstanding for over 30 days.

Expenditure date	Vendor's/Recipient's name and address	Amount owed	Purpose of expenditure
		TOTAL	
		(Include in line 19 of C4)	

**IN KIND CONTRIBUTIONS, PLEDGES, ORDERS
DEBTS, OBLIGATIONS**

SCHEDULE
to C4 **B**
(10/91)

Candidate or Committee Name (Do not abbreviate. Use full name)

1. IN KIND CONTRIBUTIONS RECEIVED (goods, services, discounts, etc.)

Date Received	Contributor's Name and Address	Description of Contribution	Fair Market Value	Total given by this person during campaign or year
		TOTAL (Enter also on lines 3 and 12 of C4)	_____	

2. PLEDGES RECEIVED BUT NOT YET PAID. List each pledge of \$100.00 or more.

Date Notified of Pledge	Name and Address of Person Making Pledge (including organizations)	Amount	Total given by this person during campaign or year
N/A	Sum of outstanding pledges previously itemized on Schedule B		N/A
		TOTAL (Enter also on line 9 of C4)	_____

3. ORDERS PLACED, DEBTS, OBLIGATIONS, ESTIMATED EXPENDITURES (Excluding loans. Report loans on Schedule L.)

- a. List each debt, obligation or estimated expenditure which is more than \$250.00.
- b. List each debt, obligation or estimated expenditure which is more than \$50.00 and has been outstanding for over 30 days.

Expenditure Date	Vendor's/Recipient's Name and Address	Amount Owed	Code*	OR	Description of Obligation
		TOTAL (Include in line 19 of C4)			

EXPENDITURE CODE DEFINITIONS AND USES

- "C" MONETARY, IN-KIND AND EARMARKED CONTRIBUTIONS** (including transfers) your campaign makes to other candidates and committees. Put a "C" in the Code column, in the Description column, specify who was benefited and, if in-kind, what was purchased, and put the amount in "Contribution to Others."
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- "W" WAGES, SALARIES, BENEFITS**. Use "W" for expenditures associated with hiring campaign employees and other freelance workers who provide miscellaneous services other than professional management or consulting.
- "G" GENERAL OPERATION AND OVERHEAD**. Use "G" for general campaign operating expenses and overhead, including filing fees, miscellaneous campaign expenses, headquarters rental, utilities, and purchase or rental of office equipment and furniture. (Note: these are campaign-related expenses, not costs associated with holding public office.)

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 91-19-039
PROPOSED RULES
PUBLIC DISCLOSURE COMMISSION

[Filed September 11, 1991, 3:10 p.m.]

Original Notice.

Title of Rule: Reporting modification requirements/hearings.

Purpose: To allow applicants to request reporting modifications.

Statutory Authority for Adoption: RCW 42.17.370.

Summary: Changes in the RCW require changes to the reporting modification rules.

Reasons Supporting Proposal: Update WAC to conform with RCW changes.

Name of Agency Personnel Responsible for Drafting, and Implementation; and Enforcement: Graham E. Johnson, Olympia, 753-1111.

Name of Proponent: Public Disclosure Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Allows for elected officials, appointed officials, candidates, and political committees to request a hearing of the commission for a modification in the reporting requirements.

Proposal Changes the Following Existing Rules: Yes, in updating an RCW reference.

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

Hearing Location: Second Floor Conference Room, Evergreen Plaza Building, 711 Capitol Way, Olympia, on October 22, 1991, at 9 a.m.

Submit Written Comments to: Public Disclosure Commission, 403 Evergreen Plaza, FJ-42, Olympia, WA 98504, by October 15, 1991.

Date of Intended Adoption: October 22, 1991.

September 11, 1991
Graham E. Johnson
Executive Director

AMENDATORY SECTION (Amending Order 85-04, filed 10/31/85)

WAC 390-28-020 DEFINITION—APPLICANT. The term applicant for the purposes of chapter 390-28 WAC shall mean any person as defined in RCW 42.17.020(21) that seeks a modification pursuant to RCW 42.17.370((9)) (10) and these rules.

AMENDATORY SECTION (Amending Order 85-04, filed 10/31/85)

WAC 390-28-025 HEARING TO MODIFY REPORTING REQUIREMENTS. (1) Any person who considers compliance with any of the reporting requirements of chapter 42.17 RCW to be a manifestly unreasonable hardship in a particular case may apply for a modification of such reporting requirements pursuant to RCW 42.17.370((9)) (10) and further pursuant to these rules.

AMENDATORY SECTION (Amending Order 85-05, filed 11/26/85)

WAC 390-28-040 HEARING TO MODIFY REPORTING—PREHEARING PROCEDURE AND REQUIREMENTS. (1) An applicant must file with the commission a written request for hearing for suspension or modification of reporting requirements. The request should be submitted by the tenth day of the month preceding the month in which the report is due so that action on the request can be completed before the filing deadline.

(2) The request should contain (a) the required report completed to the extent possible, (b) the applicant's evidence to be submitted at the hearing, ((c)) (c) a statement of reasons why the reporting of required information would cause a manifestly unreasonable hardship, with as much detail as possible. (A general statement, such as "violates right of privacy" shall not be deemed as sufficient compliance with this requirement.) The applicant is encouraged to also include a proposed modification to the required reporting which, in the applicant's opinion, will relieve the perceived hardship.

(3) The filing of a request for modification shall not suspend the reporting requirement of any portion of chapter 42.17 RCW.

AMENDATORY SECTION (Amending Order 85-04, filed 10/31/85)

WAC 390-28-060 HEARING TO MODIFY REPORTING—ADMINISTRATIVE LAW JUDGE PROCEEDINGS. (1) The commission may request through the office of administrative hearings the appointment of an administrative law judge to hear individual applicants.

(2) After such hearing is concluded, the administrative law judge shall prepare and distribute to the applicant and each commissioner a proposed decision determining the issue. The applicant shall have five days to file with the commission specific objections to the administrative law judge's proposed decision and to request an opportunity to present additional evidence to the commission. When written objections are timely filed, the commission, at the time of review and ratification, shall consider the whole record or such portions as may be cited by the administrative law judge, applicant or executive director. The commission may also hear additional testimony.

(3) If the applicant files objections to the administrative law judge's proposed decision, the filing requirement from which the applicant has sought modification shall not be suspended unless the commission, upon notice of the filing of objections, determines that a temporary suspension is justifiable pursuant to the criteria set out in RCW 42.17.370((9)) (10). Such suspension of filing requirements shall be granted only until the decision is finalized by formal action of the commission.

(4) At the next meeting at which the matter can be lawfully considered, the commission shall review and either ratify or modify or revise the proposed order.

AMENDATORY SECTION (Amending Order 85-04, filed 10/31/85)

WAC 390-28-080 HEARING TO MODIFY REPORTING—EVIDENCE, RECORD, ADVERSE DECISIONS. (1) All evidence presented at hearings of the commission held pursuant to chapter 390-28 WAC and RCW 42.17.370((9)) (10) shall be considered to be a public record: PROVIDED, That the commission may close the hearing and hold an executive session if it finds that it is necessary to allow the applicant to provide sufficient evidence to assure that proper findings are made. All evidence presented at any portion of a hearing held in executive session identifying the matters for which the applicant requests modification under these rules shall be considered and held confidential by the commission unless otherwise ordered by a court of competent jurisdiction. In the event that an administrative law judge determines that testimony in private may be necessary, the judge shall immediately adjourn the hearing and refer the matter to the commission.

(2) Any decision or order adverse to an applicant rendered by the commission or administrative law judge shall be in writing or stated in the record and shall be accompanied by findings of fact and conclusions of law.

WSR 91-19-040
NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION
 [Memorandum—September 10, 1991]

The Washington State Human Rights Commission will hold its October regular commission meeting in Yakima on October 23 and 24, 1991. The meetings will both be held at the City Council Chamber, Yakima City Hall, 129 North 2nd Street, Yakima. The meeting on October 23, will be a training and planning session and will begin at 7:00 p.m. The regular business meeting on October 24, will begin at 9:30 a.m.

WSR 91-19-041
NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION
 [Memorandum—September 10, 1991]

The date of the regular business meeting for the September commission meeting has been changed. The regular business meeting will be held on September 25, 1991, instead of September 26, 1991. The time and location will remain the same, Pacific First Federal Bank, Community Room, 1336 Cornwall, Bellingham, beginning at 9:30 a.m. The evening meeting on September 25, 1991, has not been changed. This aspect of the meeting being held to provide an opportunity for the community members to meet the new commissioner from Bellingham, Lucio Rodriguez, and the other commissioners and to discuss the commission's recent activities in Whatcom County will still be held at the Pacific First Federal Bank, Community Room, 1336 Cornwall, Bellingham, from 7:00 p.m. to 9:00 p.m.

WSR 91-19-042
EMERGENCY RULES
HEALTH CARE AUTHORITY
(State Employees Benefits Board)
 [Filed September 11, 1991, 4:40 p.m.]

Date of Adoption: September 11, 1991.

Purpose: To clarify conditions for participation in SEBB insurance plans by eligible entities.

Citation of Existing Rules Affected by this Order: Amending WAC 182-12-111.

Statutory Authority for Adoption: Chapter 41.05 RCW.

Other Authority: RCW 41.04.205, 41.05.065, 41.05.011(3), and 41.05.080.

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

Reasons for this Finding: To implement SB 5874 passed by the 1991 legislature on its effective date, September 1, 1991.

Effective Date of Rule: Immediately.

September 11, 1991
 Kristen A. West
 Rules Coordinator

AMENDATORY SECTION [(Amending Order 2-78, filed 1/10/78)]

WAC 182-12-111 ELIGIBLE ENTITIES. (~~Every department, division, or separate agency of state government is eligible and required to participate in all board approved plans. Participation by county, municipality, or other political subdivision of this state shall be subject to the board's approval of the political subdivision's application. Conditions under which the board may approve such applications include, but are not limited to, the following; the political subdivision shall:~~

- ~~(1) Include all eligible employees as a unit.~~
 - ~~(2) Obligate itself to participate in all board approved plans:~~
 - ~~(3) Make employer contributions in the same amount as those provided by the state as employer.~~
 - ~~(4) Furnish the board, employee census data and prior claim experience, if available.~~
 - ~~(5) Agree to maintain its participation in all board approved plans at least to the July 1 following its effective date of participation, and in the event of termination furnish the board written notice at least thirty days prior to its termination date. Provided the board shall:~~
 - ~~(1) Consider and act on all applications received from political subdivisions.~~
 - ~~(2) Hold a public hearing on all applications received.)~~
- The employees and retirees of eligible entities and their dependents must meet the individual eligibility requirements set forth in WAC 182-12-115 in order to participate in SEBB insurance plans. Only individuals who participated in SEBB insurance plans as an active employee and their dependents are eligible to participate in SEBB insurance plans upon disability or retirement. The following entities shall be eligible to participate in SEBB insurance plans subject to the terms and conditions set forth below.

(1) State Agencies. Every department, division, or separate agency of state government including the Higher Education Personnel Board, Higher Education Coordinating Board, and the State Board for Community and Technical Colleges are eligible and required to participate in all board approved plans provided:

(a) Employees of vocational technical institutions who belong to collective bargaining units may participate in SEBB insurance plans only if the entire collective bargaining unit enrolls in the plans and such participation is consistent with Session Laws of 1991 Chapter 238 section 83.

(2) Counties, municipalities, and political subdivisions, including K-12 school districts. Counties, municipalities and political subdivisions, including K-12 school districts of the state may participate in SEBB insurance programs provided:

(a) all eligible employees of the entity transfer to SEBB plan coverage as a unit.

(b) the legislative authority or the board of directors obligates itself to participate in all SEBB insurance plans.

(c) the legislative authority of the entity or the board of directors of the school district submits an application together with employee census data and, if available, prior claims experience of the entity to the Health Care Authority.

(d) the legislative authority or the board of directors agrees to maintain its SEBB plan participation through the end of the plan year.

(e) the legislative authority or the board of directors shall provide the Health Care Authority written notice of its intent to terminate SEBB plan participation no later than thirty (30) days prior to the effective date of termination. If a county, municipality, or political subdivision, including a K-12 school district terminates coverage in SEBB insurance plans, retired and disabled employees who began participating after September 15, 1991 will no longer be eligible to participate in SEBB insurance plans beyond the mandatory extension requirements specified in WAC 182-12-215.

(f) the Health Care Authority administrator approves the entity's application.

[Statutory Authority: Chapter 41.05 RCW 78-02-015 (Order 2-78), Sec. 182-12-111, filed 1/10/78. Chapter 41.04.205, 41.05.065, 41.05.011 Sec. 3, 41.05.080, filed 9/12/91]

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

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.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 91-19-043

NOTICE OF PUBLIC MEETINGS COMMISSION ON JUDICIAL CONDUCT

[Memorandum—September 11, 1991]

The Commission on Judicial Conduct will hold its public business session at 11:00 a.m. on Friday, December 6, 1991, at the Seattle Airport Hilton, 17620 Pacific Highway South, Seattle, WA 98188.

WSR 91-19-044

PROPOSED RULES OLYMPIC AIR POLLUTION CONTROL AUTHORITY

[Filed September 12, 1991, 1:24 p.m.]

Original Notice.

Title of Rule: Addition of Regulation 1, Section 9.06 Woodstoves. Measures that will be taken, if the Thurston County nonattainment area fails to meet attainment on or after July 1, 1995.

Purpose: Outlines requirements for solid fuel burning devices (e.g. woodstoves) that will be imposed, if the Thurston County nonattainment area fails to meet attainment on or after July 1, 1995, for the federal fine particulate (PM-10) standards.

Other Identifying Information: The Thurston County nonattainment area means areas within and/or surrounded by the city limits of Olympia, Lacey, and Tumwater.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Summary: Outlines requirements for solid fuel burning devices (e.g. woodstoves) that will be imposed, if the Thurston County nonattainment area fails to meet attainment on or after July 1, 1995, for the federal fine particulate (PM-10) standards.

Name of Agency Personnel Responsible for Drafting: Doug Schneider, 4224 6th Avenue, Lacey, (206) 459-6322; Implementation and Enforcement: Charles Peace, 120 East State, (206) 586-0593 ext. 100.

Name of Proponent: Olympic Air Pollution Control Authority, governmental.

Rule is necessary because of federal law, Federal Clean Air Act, Section 172 (c)(7).

Explanation of Rule, its Purpose, and Anticipated Effects: Outlines requirements for solid fuel burning devices (e.g. woodstoves) that will be imposed, if the Thurston County nonattainment area fails to meet attainment on or after July 1, 1995, for the federal fine particulate (PM-10) standards. It is anticipated that implementation of the rule will not be necessary since the present control strategy for PM-10 emissions is working. If implementation becomes necessary, then tighter restrictions on solid fuel burning devices will result.

Proposal does not change existing rules.

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

Hearing Location: Olympic Air Pollution Control Authority, 120 East State, Olympia, WA 98501, on November 13, 1991, at 10:15 a.m.

Submit Written Comments to: Charles Peace, Olympic Air Pollution Control Authority, 120 East State, Olympia, WA 98501, by November 13, 1991.

Date of Intended Adoption: November 13, 1991.

September 11, 1991

Charles Peace
Control Officer

NEW SECTION

SECTION 9.06 WOODSTOVES

If, on or after July 1, 1995, the Thurston County non-attainment is not in attainment with national ambient air quality standards for particulate matter as specified in Title 40, Section 50.6 of the Code of Federal Regulations, any person in a residence or commercial establishment within the non-attainment areas shall not, at any time, burn solid fuel in any solid fuel burning device, except:

1. fireplaces as defined in RCW 70.94.453(3);

- 2. woodstoves meeting the standards set forth in RCW 70.94.457 or Title 40, Part 60 of the Code of Federal Regulations;
- 3. pellet stoves not affect by Title 40, Part 60 of the Code of Federal Regulations.

(a) The non-attainment area is to consist of the incorporated and non-incorporated areas within the boundaries of Lacey, Olympia, and Tumwater.

(b) Low Income Exemption

(1) A person who demonstrates an economic need to burn solid fuel for residential space heating purposes by qualifying for the low income energy assistance program as administered by the Thurston County Community Action Council is eligible for a written solid fuel burning device special need exemption issued by the Authority.

(2) Application for a solid fuel burning device special need exemption may be made to the Authority at any time. Exemptions shall be valid for one (1) year and may be renewed provided that the applicant qualifies for the low income energy assistance program at the time of renewal application. Special need exemptions are non-transferable and are valid only at the residence location and for the person to whom the exemption is issued. Exemptions shall be issued at no cost to the applicant.

(c) Impaired Air Quality

(1) On or after July 1, 1995, if the Authority has limited the use of solid fuel burning devices in the non-attainment area, a single stage of impaired air quality shall apply in this geographical area and is reached when particulates 10 microns and smaller in-diameter are at an ambient level of 90 micrograms per cubic meter of air as measured by a federal reference method specified in Title 40 Part 50, Appendix J of the code of Federal Regulations or a more timely ambient measurement method accepted and approved by Ecology in accordance with WAC 173-433-140 (4)(a)(ii).

(2) When a single stage of impaired air is reached, no person in a residence or commercial establishment which has an adequate source of heat without burning wood shall burn wood in any solid fuel burning device, including those which meet the standards set forth in RCW 70.94.457 or Title 40, Part 60 of the code of Federal Regulations.

WSR 91-19-045
PERMANENT RULES
SPOKANE COUNTY AIR
POLLUTION CONTROL AUTHORITY
 [Filed September 12, 1991, 1:36 p.m.]

Date of Adoption: September 10, 1991.

Purpose: Regulation will enable Spokane County Air Pollution Control Authority to cover charge fees to cover costs of implementing and administering air pollution control programs.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Pursuant to notice filed as WSR 91-13-091 on July 3, 1991.

Changes Other than Editing from Proposed to Adopted Version: The citation referring to WAC 173-403-070 is changed to WAC 173-400-131. The change does not reflect any change in meaning, but rather the WAC number was changed by the state in a renumbering of the air pollution regulations. The new text, "WAC 173-400-131," refers to the same section in the state code as the old text, "WAC 173-403-070," used to refer to.

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

September 10, 1991

Kelle R. Vigeland

Environmental Engineer

NEW SECTION

REGULATION I, ARTICLE X, FEES AND CHARGES

10.01 DEFINITIONS

When used in Regulation I of the Spokane County Air Pollution Control Authority:

A. Air Contaminant Source means all of the emissions unit(s) including quantifiable fugitive emissions, which are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control), whose activities are ancillary to the production of a single product or functionally related group of products.

B. Class A-1 means that the actual or potential controlled emissions of any one criteria pollutant are equal to or greater than 100 tons per year.

C. Class A-2 means that the actual emissions of any one criteria pollutant are less than 100 tons per year, but potential uncontrolled emissions of any one criteria pollutant are equal to or greater than 100 tons per year.

D. Class B means that the actual and potential uncontrolled, emissions of any one criteria pollutant are less than 100 tons per year.

E. Class A-1 (Toxic) means that the actual or potential controlled emissions of any one TAP are greater than or equal to 10 tons per year; OR, the actual or potential controlled emissions of any combination of TAPs are greater than or equal to 25 tons per year.

F. Class A-2 (Toxic) means that the actual emissions are below Class A-1 (Toxic) levels, but potential uncontrolled emissions are greater than Class A-1 (Toxic) levels.

G. Class B (Toxic) means that the actual and potential uncontrolled emissions are below Class A-1 (Toxic) levels.

H. Criteria Pollutant is any one of the following: particulate matter, nitrogen oxides, sulfur oxides, ozone, lead, carbon monoxide or any other pollutant as determined by the Control Officer.

I. Emission Reduction Credit means a credit granted to a source for a voluntary reduction in actual emissions per 173-((403-070)) 400-131 WAC.

J. Significant Emissions means new sources or modifications resulting in one of the following:

- increased emissions of 100 tons per year of any one criteria pollutant;
- increased emissions of 10 tons per year of any one toxic air pollutant; or,
- increased emissions of 25 tons per year of two or more toxic air pollutants.

Sources with significant emissions are also those sources which emit more than the following of any pollutant for which the area exceeds or threatens to exceed ambient air quality standards for that pollutant or a related pollutant.

Pollutant	Tons/year	Pounds/day	Pounds/hour
Volatile organic compounds	40		
Nitrogen oxides	40	800	80
Sulfur oxides	40		
Lead	0.6		
Particulate Matter	25	500	50
PM-10	15		

K. Toxic Air Pollutant means any toxic air pollutant (TAP) listed in WAC 173-460-150 and 173-460-160, or as determined by the Control Officer. Toxic air pollutant does not include particulate matter and volatile organic compounds as generic classes of substances.

10.02 FEES AND CHARGES REQUIRED

A fee or service charge shall be paid to the Authority for issuance of permits and for providing services as hereinafter provided.

10.03 FEES OTHERWISE PROVIDED

All fees and charges provided for in this Article X are in addition to fees otherwise provided for or required to be paid by Regulation I, PROVIDED the Control Officer shall waive payment of any fee or service charge hereby required if such fee is duplicative of a fee charged or required to be paid by another Article of this regulation.

10.04 FEE WAIVER, INDIGENCY

The Control Officer shall waive payment of any fee or service charge required by this Article to be paid upon a showing deemed sufficient by the Control Officer that the permit or service requested is necessary and payment of the fee would cause hardship upon the applicant.

10.05 GENERAL ADMINISTRATIVE FEES

A. A fee of \$.25 per page for photocopies shall be charged for ten or fewer copies.

B. A fee of \$.20 per page for photocopies shall be charged for more than ten copies.

C. A fee of \$20.00 per hour shall be charged for all time expended preparing photocopies and for obtaining documents to be photocopied for requests covering more than ten pages.

D. The actual cost of postage shall be charged for all material requested to be mailed.

E. For other administrative services requested and performed by Authority staff which are not provided to the public generally the Control Officer shall determine such charge as reasonably reimburses the Authority for time and materials expended in providing the service.

10.06 REGISTRATION AND INSPECTION FEES FOR AIR CONTAMINANT SOURCES

A. All air contaminant sources required by Article IV, Section 4.01 to be registered shall pay a fee of \$50.00 at the time of initial registration. In addition, registered air contaminant sources and those air contaminant sources required by Article V, Section 5.01 to obtain an approved Notice of Construction and Application for Approval shall pay an annual fee of \$50.00 per each calendar year, or portion thereof, in which each facility operates.

B. IN ADDITION to the fee provided in "A" above, each air contaminant source inspected annually shall pay an annual fee of:

(1) \$30.00 per each inspection for each stack or other emission point not to exceed \$600.00; and

(2) For Class B sources, \$10.00 per ton per year of each criteria and/or toxic air pollutant, as determined by annual emissions; and

(3) For Class A-2 sources, 10.00 per ton per year of each criteria and/or toxic air pollutant, as determined by annual emissions; and

(4) For Class A-1 sources, \$10.00 per ton per year of each criteria and/or toxic air pollutant up to 4,000 tons per year, as determined by annual emissions.

10.07 APPLICATION AND PERMIT FEES FOR NOTICE OF CONSTRUCTION AND APPLICATION FOR APPROVAL AND FOR NOTICE OF INTENT TO INSTALL AND OPERATE A TEMPORARY SOURCE

A. For all construction required by Article V to file a Notice of Construction and Application for Approval (NOC), a filing fee of \$50.00 shall be paid at the time of filing the NOC. The registration fee required in Section 10.06A shall be waived whenever a NOC is required.

B. IN ADDITION to the filing fee provided in "A" above, a plan review and inspection fee shall be paid according to one of the following:

(1) Fuel Burning Equipment With or Without Air Pollution Control Equipment:

Design Input Size (Mbtu/hr)	Install Fee	Fuel Change Fee
.4 < 5	\$ 50	\$ 20
5 < 10	\$ 100	\$ 40
10 < 20	\$ 150	\$ 60
20 < 50	\$ 250	\$ 80
50 < 100	\$ 350	\$ 100
100 < 250	\$ 500	\$ 150
250 < 500	\$ 650	\$ 200
500 < UP	\$ 850	\$ 250

(2) Refuse Burning Equipment Including Air Pollution Control Equipment:

Capacity (ton/day)	Fee
0 < 12	\$ 500
12 < 250	\$ 1,000
250 < UP	\$ 2,500

(3) Process Equipment and/or Air Pollution Control Equipment or Uncontrolled Process Equipment:

Actual ft ³ /min	Fee
0 < 5,000	\$ 100
5,000 < 20,000	\$ 200
20,000 < 50,000	\$ 300
50,000 < 100,000	\$ 400
100,000 < 250,000	\$ 500
250,000 < 500,000	\$ 650
500,000 < UP	\$ 800

(4) For sources not included in "1," "2," or "3" above, a plan review and inspection fee of \$100.00 shall be paid plus an hourly fee of \$50.00 per hour of time expended in plan review and inspection.

C. For temporary portable sources required by Article V to notify the Agency of intent to operate at a new location, the filing fee shall be \$50.00 and the plan review and inspection fee shall be one half (1/2) of the current fee for a Notice of Construction and Application for Approval.

D. IN ADDITION to the other fees and costs herein above required any new source of air pollution to be constructed and anticipated to produce SIGNIFICANT EMISSIONS shall pay an additional fee of \$250.00.

10.08 EMISSION REDUCTION CREDITS

A fee of \$500.00 shall be paid for each review of an emission reduction credit request.

10.09 ASBESTOS

Any owner or operator of a demolition or renovation activity required by federal regulation or Regulation I to notify the Authority prior to removal or demolition, or required by Federal Regulation to be approved or inspected by the Authority, shall give required notice and pay a fee according to the following:

(a) If more than 80 linear meters (260 linear feet), 15 square meters (160 square feet), or one cubic meter (35 cubic feet) of asbestos is to be removed a \$100.00 fee is required.

(b) If less than 80 linear meters (260 linear feet), 15 square meters (160 square feet), or one cubic meter (35 cubic feet) but more than 3 linear meters (10 linear feet), one square meter (11 square feet), one cubic foot of asbestos is to be removed a \$50.00 fee is required.

(c) If less than 3 linear meters (10 linear feet), one square meter (11 square feet), or one cubic foot of asbestos is to be removed or if the activity is a demolition not requiring asbestos removal a \$25.00 fee is required.

(d) If more than 3 linear meters (10 linear feet), one square meter (11 square feet), or one cubic foot of asbestos is to be removed from a private residence a \$25.00 fee is required.

(e) No notice or fee is required for private residences if the amount of asbestos to be removed is less than 3 linear meters (10 linear feet), one square meter (11 square feet), or one cubic foot.

(f) Registered sources may elect to submit an annual notice, for work conducted in their own facility by their own employees rather than individual notifications. A fee of \$100.00 shall accompany the annual notice.

10.10 RESIDENTIAL BURN BARRELS

An annual fee of \$15.00 shall be paid for issuance of any permit for a residential burning barrel.

10.11 SOLID FUEL BURNING DEVICE EXEMPTIONS

An initial fee of \$25.00 shall be paid for review of any exemption request to use solid fuel combustion device during periods of impaired air quality. An annual renewal fee of \$10.00 will be required each year thereafter. Payment of the fee shall not guarantee the applicant that the request will be approved. These fees may be waived per Section 10.04 or for emergency situations.

WSR 91-19-046

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 91-86—Filed September 12, 1991, 4:06 p.m., effective September 25, 1991, 12:01 a.m.]

Date of Adoption: September 10, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-44-05000N.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: This regulation is necessary to prevent overfishing while providing an incidental catch for the remainder of the year.

Effective Date of Rule: 12:01 a.m., September 25, 1991.

September 10, 1991

Judith Merchant

Deputy

for Joseph R. Blum

Director

NEW SECTION

WAC 220-44-05000P COASTAL BOTTOMFISH CATCH LIMITS. Notwithstanding the provisions of WAC 220-44-050, effective 12:01 a.m., September 25, 1991, until further notice it is unlawful to possess, transport through the waters of the state or land in any Washington State port bottomfish taken from Marine Fish-Shellfish Management and Catch Reporting Areas 29, 58B, 59A, 59B, 60A, 61, 62, or 63 in excess of the amounts or less than the minimum sizes shown below for the following species:

(1) The following definitions apply to this section:

(a) Biweekly fishing period. Each of the following is defined as a biweekly fishing period (hours given are on a 24-hour basis):

0001 hours August 28 to 2400 hours September 10;

0001 hours September 11 to 2400 hours September 24;

0001 hours September 25 to 2400 hours October 8;

0001 hours October 9 to 2400 hours October 22;

0001 hours October 23 to 2400 hours November 19;

0001 hours November 20 to 2400 hours December 3;

0001 hours December 4 to 2400 hours December 17;

0001 hours December 18 to 2400 hours December 31;

(b) Vessel trip - A vessel trip is defined as having occurred upon the initiation of transfer of catch from a fishing vessel.

(c) Vessel trip limit - The amount of fish that may not be exceeded per vessel trip. All fish aboard a fishing vessel upon the initiation of transfer of catch are to be counted towards the vessel trip limit.

(d) Week - Wednesday through the following Tuesday.

(2) Widow rockfish – 3,000 pounds per vessel trip. No limit on the number of vessel trips. No minimum size.

(3) Shortbelly rockfish – no maximum poundage per biweekly fishing period. No minimum size.

(4) Pacific ocean perch – No limit on the number of vessel trips for landings less than 1,000 pounds per vessel trip. Landings greater than 1,000 pounds but not to exceed 3,000 pounds allowed only if Pacific ocean perch represent 20 percent or less of fish aboard per vessel trip. No landings of more than 3,000 pounds per vessel trip. No minimum size.

(5) All other species of rockfish except widow, shortbelly, Pacific ocean perch and thornyhead or idiot rockfish (*Sebastes* spp.) – 12,500 pounds twice weekly, or 25,000 pounds weekly or 50,000 pounds biweekly of all other rockfish combined per biweekly fishing period, of which no more than 3,000 pounds may be yellowtail rockfish if landings are made twice weekly or weekly, or 5,000 pounds may be yellowtail rockfish if the landing is made biweekly. No minimum size.

(6) Deepwater complex – Sablefish, Dover sole, and thornyhead rockfish – 13,750 pounds twice weekly, or 27,500 pounds weekly, or 55,000 pounds biweekly of the deepwater complex per fishing period, of which no more than 6,250 pounds, 12,500 pounds, or 25,000 pounds may be thornyhead rockfish if landed twice weekly, weekly or biweekly, respectively. No restriction on vessel trips landing less than 4,000 pounds of the deepwater complex, except sablefish limited to 1,000 pounds per vessel trip. No size limit for dover sole and thornyhead rockfish.

The following limits apply to sablefish taken under this subsection:

(a) Trawl vessels – Landings above 1,000 pounds allowed only if sablefish represent 25 percent or less of the total combined weight of the deepwater complex onboard. Minimum size 22 inches in length unless dressed, in which case minimum size 15.5 inches from the anterior insertion of the first dorsal fin to the tip of the tail. To convert from dressed weight to round weight, multiply the dressed weight by 1.6. Trawl vessels are allowed an incidental catch less than the minimum size of 1,000 pounds or 25 percent of the total combined weight of all deepwater complex species aboard, but not to exceed 5,000 pounds of undersize sablefish.

(b) Non-trawl vessels – No sablefish may be possessed. allowed.

(7) No vessel may make more than 4 vessel trips per biweekly period if widow rockfish, 1,000 pounds of Pacific ocean perch, 3,000 pounds of other rockfish or 4,000 pounds of the deepwater complex is landed during any vessel trip during the biweekly period.

(8) It is unlawful during the unloading of the catch an prior to its being weighed or leaving the unloading facility to intermix with any other species a species or category of bottomfish having a vessel trip limit.

(9) The fisher's copy of all fish receiving tickets showing landings of species provided for in this section shall be retained aboard the landing vessel for 90 days after landing.

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

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-44-05000N COASTAL BOTTOM-FISH CATCH LIMITS (91-58)

WSR 91-19-047

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 91-87—Filed September 12, 1991, 4:09 p.m.]

Date of Adoption: September 11, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-40-02700A.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: Harvestable numbers of chinook and coho salmon are available.

Effective Date of Rule: Immediately.

September 11, 1991

Judith Merchant

Deputy

for Joseph R. Blum

Director

NEW SECTION

WAC 220-40-02700B WILLAPA BAY SALMON — FALL FISHERY. Notwithstanding the provisions of WAC 220-40-027, it is unlawful to fish for salmon in Willapa Bay for commercial purposes or to possess salmon taken from those waters for commercial purposes, except that:

FISHING PERIOD

(1) Gill net gear may be used to fish for salmon from:

(a) 6:00 p.m. September 16 to 6:00 p.m. October 17, 1991 in SMCRA 2M and that part of SMCRA 2G west of Willapa Channel Marker 24 and east of a line drawn true north-south through Willapa Channel Entrance Buoy 10, except that from 12:01 a.m. September 21 to 11:59 p.m. September 22, only, SMCRA 2M and that part of SMCRA 2G west of Willapa Channel Marker 24 and east of a line drawn true north-south through Willapa Channel Entrance Buoy 12.

(b) 6:00 p.m. Monday to 6:00 p.m. Tuesday and 6:00 p.m. Thursday to 6:00 p.m. Friday of each week September 16 through October 15 in SMCRA 2J and 2K, except that from 6:00 p.m. September 16 to 6:00 p.m. September 30, 1991, that part of SMCRA 2J north of an east-west line through the north entrance marker to

the Nahcotta basin (red flasher no. 2) is open continuously

(c) 6:00 p.m. September 16 to 6:00 p.m. November 30, 1991 in SMCRA 2H and that part of SMCRA 2G east of Willapa Channel Marker 24.

(d) The Tokeland Boat Basin is closed to commercial fishing during the opening in SMCRA 2G described in subsection (a) of this section. The Tokeland Boat Basin means that portion of SMCRA 2G bounded on the south by the shoreline of the boat basin, on the west by the seawall and on the north and east by a line from Tokeland Channel Marker "3" (flashing green, 4-second) to Tokeland Channel Marker "4" to the tip of the seawall.

GEAR

(2) Gill net gear shall be used as provided in WAC 220-40-015, except that before September 18, the maximum mesh size is 8-1/2 inches.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-40-02700A SALMON—WILLAPA BAY FALL FISHERY. (91-68)

WSR 91-19-048

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 91-88—Filed September 12, 1991, 4:12 p.m., effective September 13, 1991, 12:01 a.m.]

Date of Adoption: September 12, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-24-02000J and 220-56-25500J.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: Harvestable numbers of salmon are available for a commercial troll fishery.

Effective Date of Rule: 12:01 a.m., September 13, 1991.

September 12, 1991
 Judith Merchant
 Deputy
 for Joseph R. Blum
 Director

NEW SECTION

WAC 220-24-02000K COMMERCIAL SALMON TROLL SEASONS. Notwithstanding the provisions of WAC 220-24-010, WAC 220-24-020, and WAC 220-24-030, effective immediately until further notice it is unlawful to fish for or possess salmon taken

for commercial purposes with troll gear in waters west of the Bonilla-Tatoosh line, the Pacific Ocean, or waters west of a line drawn true north-south through Buoy 10 at the mouth of the Columbia River except as provided for in this section:

(1)(a) Waters north of 48°00'15" N. open on the following days:

September 13 through September 15, 1991.

(b) All salmon caught during the three-day fishery period provided for in this subsection must be sold within 24 hours of the closing date of each fishery and must be sold in the area caught or in an adjacent closed area. No fishing vessel may land more than 80 coho salmon per three-day fishery period.

(c) Terminal gear during the fishing periods provided for in this subsection is restricted to barbless bare blue or pink single shank single point hooks; pink hootchies not more than 3 inches in length may be used; flashers may be used.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-24-02000J COMMERCIAL—SALMON TROLL. (91-81)

WAC 220-56-25500J HALIBUT—SEASONS. (91-42)

WSR 91-19-049

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 91-89—Filed September 12, 1991, 4:15 p.m., effective September 13, 1991, 5:00 a.m.]

Date of Adoption: September 12, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-47-707.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: Restrictions in Areas 4B, 5, 6, 6A, 6C, 7, and 7A provide protection for United States and Canadian origin chinook stocks. Opening in Area 7B provides opportunity to harvest nontreaty allocation of coho salmon destined for the Nooksack-Samish region of origin; the gillnet mesh and in-season area restrictions are necessary to reduce chinook impacts. The openings in Area 8 are directed at the nontreaty share of Skagit River origin pink salmon, provide gillnet daylight opportunity, and are necessary to reduce wastage; Area 8 gillnet mesh restriction is necessary to reduce chinook impacts; Area 8 in-season area restriction provides protection for coho. The opening in Area 12A provides opportunity to harvest nontreaty share of

coho destined for the Quilcene National Fish Hatchery. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

Effective Date of Rule: 5:00 a.m., September 13, 1991.

September 12, 1991
Judith Merchant
Deputy
for Joseph R. Blum
Director

NEW SECTION

WAC 220-47-708 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. *Notwithstanding the provisions of Chapter 220-47 WAC, effective 5:00 AM Friday September 13, 1991, until further notice, it is unlawful to take, fish for, or possess salmon or Atlantic salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods and mesh and area restrictions:*

*Areas 4B, 5, 6, 6A, 6C, 7, and 7A - *Under the control of the Pacific Salmon Commission. Drift gillnet gear restricted to 5-inch minimum, 6-inch maximum mesh when open.*

*Area 7B - *Gillnets using 5-inch minimum, 6-inch maximum mesh, and purse seines may fish from 5:00 AM Monday September 9 to 4:00 PM Friday September 13. Area 7B is closed south of a line projected from Governors Point to most northerly point on Vendovi Island.*

*Area 8 - *Gillnets using 5-inch minimum, 6-inch maximum mesh and purse seines using the 5-inch strip may fish from 5:00 AM to 4:00 PM Friday September 13. In addition to the exclusion zone described in WAC 220-47-307, Area 8 is closed south and west of a line projected from Polnell Point on Whidbey Island to Rocky Point on Camano Island.*

*Area 12A - *Gillnets using 5-inch minimum mesh and purse seines using the 5-inch strip may fish continuously from 5:00 AM Monday September 9 to 4:00 PM Friday September 13. Exclusion zones described in WAC 220-47-307 are in effect for this fishery.*

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

REPEALER

The following sections of the Washington Administrative Code are repealed effective 5:00 AM Friday September 13, 1991:

WAC 220-47-707 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (91-83)

WSR 91-19-050
PROPOSED RULES
OFFICE OF
INSURANCE COMMISSIONER
[Filed September 12, 1991, 4:17 p.m.]

Original Notice.

Title of Rule: Regulation on two-tier deferred annuities.

Purpose: The purpose of this regulation is to protect annuity purchasers by clarifying and giving effect to RCW 48.23.460 with respect to two-tier annuities and permanent surrender charges in those annuities. These annuities are different from traditional annuities.

Other Identifying Information: Insurance Commissioner Matter No. R 91-8.

Statutory Authority for Adoption: RCW 48.02.060 (3)(a).

Statute Being Implemented: RCW 48.23.460.

Summary: In the past, most deferred annuities were of the traditional type. They had only one rate of interest applicable to premiums paid to the insurance company before maturity. Some modern deferred annuities are of the two-tier type. They have permanent surrender penalties, which do not end at the maturity date. This is a violation of RCW 48.23.460. That statute in essence allows surrender penalties before maturity. However, it requires surrender penalties to diminish as the maturity date approaches. It also requires that those penalties end at maturity. The proposed rule will prohibit permanent surrender penalties.

Reasons Supporting Proposal: In recent years, some insurers have introduced deferred annuities which violate RCW 48.23.460 by containing permanent surrender penalties.

Name of Agency Personnel Responsible for Drafting: Roy Olson and William Kay Kirby, Insurance Building, Olympia, Washington, (206) 753-7300; Implementation and Enforcement: David H. Rodgers, Roy Olson, and Janis LaFlash, Insurance Building, Olympia, Washington, (206) 753-7300.

Name of Proponent: Dick Marquardt, Insurance Commissioner, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of this regulation is to protect annuity purchasers by clarifying and giving effect to RCW 48.23.460 with respect to two-tier deferred annuities and permanent surrender charges in those annuities. These annuities are different from traditional annuities.

TRADITIONAL ANNUITIES

A traditional deferred annuity provides for an accumulation of premium payments at a declared interest rate, such as 8%. A typical purchase might be made at age 50. After purchase, there is a period of time, for example 20 years, before the deferred annuity reaches maturity. The owner may decide to cash the annuity out before maturity. If so, the owner will receive the principal and interest, reduced by a surrender penalty. The effective yield would then be less than the advertised 8%.

However, the surrender charges decrease as maturity draws near. The closer to maturity the cash-out occurs, the more closely the actual paid interest will approach the advertised 8%, payable if the contract is held to maturity. At maturity after 20 years, the effective yield merges with the 8%.

Assuming that the owner keeps the traditional deferred annuity until maturity, he or she will then choose between two modes of settlement. One choice is annuitization. This means that future periodic payments will be paid to the annuitant, typically the owner. The amount applied by the insurance company to purchase these periodic payments would be the principal and interest, which had accumulated at 8% over the 20 year period from issue to maturity.

Alternatively, the owner may choose a lump sum distribution at maturity. The amount would be the accumulated principal and interest, at 8% over the 20 year period from issue to maturity, the same as with annuitization.

TWO-TIER ANNUITIES

The difference between a traditional annuity and a two-tier annuity is that a two-tier annuity has two different rates of interest which may apply to the premiums paid by the owner over the 20 year period from issue to maturity. Which interest rate is paid depends upon which mode of settlement the owner chooses at maturity.

If the owner chooses annuitization, he or she will receive a comparatively high rate, such as 9.25%. This will be calculated over the 20 year period from issue to maturity. However, if the owner chooses a lump sum distribution at maturity, he or she will be penalized by the use of a comparatively low interest rate, such as 6.75%, for that period. This is the second tier of interest. This low interest rate deters the choice of the lump sum option. Because the penalty for taking a lump sum increases as time passes, the owner is effectively locked into the annuitization option soon after the annuity is purchased. This, in turn, means that the amount the insurance company pays upon annuitization does not need to be competitive in comparison with amounts offered by other insurers. Instead of having a choice based on the marketplace, the owner will be compelled to accept the offer of annuitization made by the company that issued the contract.

OBJECTIONS TO TWO-TIER ANNUITIES

There are several objections to two-tier annuities. First is the fact that they compel the owner to choose annuitization early in the life of the contract. Lump sum payment at maturity is not a realistic alternative, because of the severe penalty imposed through the use of a low interest rate. The owner is not allowed to exercise true freedom of choice at the time of maturity, which is the only time when alternative investment opportunities, and the real financial needs of the owner, will be known.

Two-tier annuities are misleading because many purchasers are concerned only with the currently declared interest rate. They may not realize the consequences of the low interest rate penalty for selecting lump sum

payment at maturity. Although this fact is disclosed in the contract, it may not be emphasized at the time the sale is made. Even if the prospective purchasers understand this point, they are generally inclined to think it is the "other guy" who is going to need his or her money back in a few years.

Unforeseen events and emergencies sometimes overtake people. They may need immediate cash instead of a lifetime income. Thus, they have no choice but to choose the lump-sum alternative and absorb the heavy penalty. Two-tier annuities compel those owners who select lump sum payment at maturity to subsidize those who select annuitization. It is only because the former group receives a low 6.75% interest rate that the insurer can pay the latter group the high advertised rate of 9.25%.

Also, the subsidization of one group of owners by another group gives the insurer an unfair advantage over those insurers which sell traditional deferred annuities. The insurer selling two-tier annuities can advertise high interest rates like 9.25%, while the insurer selling the traditional product can advertise only a much lower interest rate, such as 8%.

PROHIBITION OF PERMANENT SURRENDER PENALTIES

RCW 48.23.460 authorizes surrender penalties only before the maturity date. Those penalties decrease as that date approaches. RCW 48.23.460 refers to the "maturity value of the paid-up annuity benefit." "Maturity value" means value on the maturity date. "Paid-up" means no future premium payments are required to provide the benefit. "Annuity benefit" means the mode of settlement is assumed to be annuitization. The expression refers to the amount applied by the insurance company to provide periodic payments to the annuitant. Removing most of the qualifying expressions, RCW 48.23.460 requires that cash surrender values be at least equal to the "present value...of the maturity value of the paid-up annuity benefit." The reference to "present value" refers to the fact that it is appropriate to reduce amounts payable in the future for the time value of money. The same concept applies to mortgages, bonds and other loans. The statute places an upper limit on the surrender penalty by limiting the interest rate use to calculate present values to a rate no more than 1% higher than the interest rate guaranteed by the insurance company.

At maturity, surrender penalties vanish as the present value of the maturity value of the paid-up annuity benefit merges with the maturity value of the paid-up annuity benefit. The proposed regulation simply clarifies this by providing in its last sentence, "There are no surrender charges at maturity."

INSURANCE IN THE PUBLIC INTEREST

Some insurers have taken the position that, by providing greater benefits for those who annuitize than for those who surrender, the desirable goals of discouraging disintermediation and promoting insurer solvency are achieved. However, disintermediation should not be confused with payments at maturity. Solvency should not be confused with the ability to defer obligations.

Insurers are in the business of paying benefits, and plan to do precisely that when developing insurance products. Investment strategies should contemplate the cash flow needs of business in force. Insurers plan to make lump sum distributions when their contracts mature, regarding the payments as neither premature nor unanticipated. Such is the business of insurance.

It seems appropriate – and consistent with RCW 48.23.460 – that for deferred annuity contracts which provide cash surrender benefits, there should be a date when the contract matures and no surrender penalties apply. If an insurer is to retain assets, rather than distribute them as lump sum payments, it must provide value. For the insurer to compete in the open market on the basis of the value of its settlements is considered a worthwhile objective.

Proposal does not change existing rules.

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

The Regulatory Fairness Act (chapter 19.85 RCW) requires a regulatory agency to consider and, to the extent that it can, to minimize the impact of a rule upon small businesses. Most life insurance companies do not fall within the definition of "small business" found in RCW 43.31.025(4). On the other hand, many insurance agencies, through which annuities may be sold, are small businesses. RCW 19.85.040 requires the agency to analyze the cost of compliance. This includes the cost of equipment, supplies, labor, and increased administrative costs. These are to be compared with costs for both large and small businesses, using one of the following bases: Cost per employee, cost per hour of labor, cost per one hundred dollars of sales, or any combination of these criteria. The cost of small businesses, as that term is defined in RCW 43.331.025(4) [43.31.025(4)], per \$100 of sales is estimated to be zero in the case of insurance agencies. There are many presently available alternative products on the market, such as traditional annuities, which the rule does not prohibit. The cost for large businesses, such as most insurance companies now selling two-tier annuities, is not measurable. Although the rule would prohibit those annuities, insurance companies typically change existing products and bring out new products every year, or every few years, at present. In addition, most and perhaps all insurance companies now selling two-tier annuities now have products to sell, which the rule would not prohibit.

Hearing Location: Office of Insurance Commissioner, Insurance Building, Conference Room, Olympia, Washington, on October 22, 1991, at 10:30 a.m.

Submit Written Comments to: Insurance Commissioner, Insurance Building, AQ-21, Olympia, Washington 98504-0321, by October 22, 1991.

Date of Intended Adoption: October 25, 1991.

September 11, 1991
Dick Marquardt
Insurance Commissioner
By David H. Rodgers
Chief Deputy
Insurance Commissioner

NEW SECTION

WAC 284-23-570 DEFERRED ANNUITIES WITH CASH SURRENDER BENEFITS—CLARIFICATION. (1) For contracts which provide cash surrender benefits, the "maturity value of the paid-up annuity benefit," to which RCW 48.23.460 refers, shall be equal to the cash surrender value on the maturity date.

(2) On the maturity date, the cash surrender value shall be equal to the amount used to determine the annuity benefit payments. There are no surrender charges at maturity.

WSR 91-19-051
PROPOSED RULES
OFFICE OF
INSURANCE COMMISSIONER

[Filed September 12, 1991, 4:19 p.m.]

Original Notice.

Title of Rule: Rules affecting general agents, surplus line brokers and insurance agents: When general agents may accept applications from nonappointed agents; unfair practice with respect to use of general agent defined; and relationship between surplus line broker and insurance agent.

Purpose: The purpose of these rules is to clearly describe the limited circumstances under which a general agent may accept applications from a nonappointed agent and to define "nonstandard and speciality markets"; to make it an unfair practice for an insurer to cancel or nonrenew any insurance policy because its contract or arrangement with a general agent or nonappointed agent is terminated; and to clearly state the specific relationship between the surplus line broker and the insurance agent when a surplus line broker accepts surplus line business from an insurance agent.

Other Identifying Information: Insurance Commissioner Matter No. R 91-7.

Statutory Authority for Adoption: RCW 48.02.060, 48.05.310, and 48.30.010.

Statute Being Implemented: RCW 48.05.310, 48.30.010, and 48.15.080.

Summary: "Nonstandard and speciality markets" is defined at subsection (2) of WAC 284-12-090. The balance of this rule delineates the procedures to be followed by general agents and nonappointed agents in their dealings with applicants and insureds. This rule deals with the following additional aspects:

To whom it applies.

Nonappointed agents must be furnished with written instructions setting forth the agent's authority and the limitations thereof; instructions must specifically state that a nonappointed agent may not bind.

Only the applicant's check for premium may be received from the nonappointed agent (except where a general agent otherwise instructs in writing). A nonappointed agent must use the separate premium account (RCW 48.17.600 and WAC 284-12-080).

A nonappointed agent becomes the representative of the insurer and its general agent.

A nonappointed agent's activities with respect to insurance obtained under this section is limited to its procurement until the nonappointed agent is appointed by the insurer. The insurer must notify the insured of where

and to whom future premiums and inquiries should be directed.

A nonappointed agent and general agent are required to keep records of each transaction.

Failure to comply with this section is an unfair or deceptive act or practice and an unfair method of competition in the conduct of the business of insurance.

WAC 284-12-111 defines it to be an unfair practice for an insurer to cancel or refuse to renew any insurance policy because its contract or arrangement with a general agent or nonappointed agent is terminated.

WAC 284-15-080 clearly sets forth the relationship between the surplus line broker and insurance agent in an insurance transaction involving both.

Reasons Supporting Proposal: RCW 48.05.310 required the commissioner to define "nonstandard and speciality markets" before the statute could be effective. A difference in interpretation of the term and conditions for using nonappointed agents will be eliminated when the rule is adopted.

Name of Agency Personnel Responsible for Drafting: Robert E. Johnson and Melodie Bankers, Insurance Building, Olympia, Washington, (206) 753-7300; Implementation and Enforcement: David H. Rodgers and Robert E. Johnson, Insurance Building, Olympia, Washington, (206) 753-7300.

Name of Proponent: Dick Marquardt, Insurance Commissioner, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 284-12-090 sets forth the manner in which an insurer's general agent may accept applications from nonappointed agents. The commissioner anticipates that only property/casualty general agents will be affected because life and disability general agents operate in a different manner than property/casualty general agents and life/disability general agents generally do not accept applications from nonappointed agents. This rule clarifies the limitations on authority of nonappointed agents and sets forth the responsibilities of insurers, general agents and nonappointed agents to the insured public. The commissioner determined that it is in the best interest of consumers to broadly define "nonstandard and speciality markets" and to narrowly define the authority of the nonappointed agent. WAC 284-12-111 defines it to be an unfair practice for an insurer to cancel or refuse to renew any insurance policy because its contract or arrangement with a general agent or nonappointed agent is terminated; and WAC 284-15-080 recognizes generally accepted legal principles and the current method of operation of surplus line brokers. Return premiums and claims payments delivered by the surplus line broker to the insurance agent shall not be deemed to have been paid to the insured or claimant until such payments are received by the insured or claimant. Delivery of notices shall not be deemed made until received by the insured. Notice to the agent is not notice to the insured.

Proposal does not change existing rules.

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

These proposed rules will impact general agents who accept insurance applications from nonappointed agents. Some general agents will have to change some of their business practices; this may cause added expense. It is impossible to compare costs per employee, per hour of labor or per \$100 of sales (RCW 19.85.040); however, because there is no requirement that any insurer or general agent accept applications from nonappointed agents, neither insurers nor general agents need to incur expenses associated with the changes to their business practices required by these proposed rules. Insurers may appoint agents directly or through general agents and avoid the consequences of these rules. Insureds should not have their policies canceled or nonrenewed simply because an insurer terminates its relationship with a general agent or nonappointed agent.

Hearing Location: John L. Cherberg Building, Hearing Room #1, State Capitol Campus, 14th and Water Streets, Olympia, Washington, on October 23, 1991, at 9:30 a.m.

Submit Written Comments to: Insurance Commissioner, Insurance Building, AQ-21, Olympia, Washington 98504-0321, by October 23, 1991.

Date of Intended Adoption: October 31, 1991.

September 9, 1991

Dick Marquardt

Insurance Commissioner

By Melodie Bankers

Assistant Deputy Commissioner

NEW SECTION

WAC 284-12-090 WHEN GENERAL AGENT MAY ACCEPT APPLICATIONS FROM NONAPPOINTED AGENTS. (1) If so empowered, in writing, by an authorized insurer, its general agent licensed pursuant to RCW 48.05.310 may accept applications for insurance from licensed agents who are not appointed by such insurer but who are licensed for the kind of insurance involved, where the risk involved is placed in a nonstandard or specialty market of such insurer.

(2) A nonstandard or specialty market is one which provides coverage for risks which are not ordinarily insured by a majority of insurers authorized to write such risks and which are of such type that an agent licensed for the kind of insurance involved will have such infrequent demands to obtain the coverage that appointment of the agent to represent the insurer is not justified.

(3) Before accepting an application from a nonappointed agent, the general agent shall furnish the nonappointed agent with written instructions setting forth the agent's authority, emphasizing the limited nature thereof, and specifically stating that the agent has no authority to bind an insurance risk on behalf of the insurer for which the general agent is acting. The instructions shall set forth the procedures to be followed by the agent, and identify the nonstandard or specialty business as to which the agent may take applications, the application forms which are to be used, and the material which may be used to write the business, which may include underwriting criteria and rates. The instructions shall be signed by the general agent and the nonappointed agent shall sign the instructions to acknowledge their receipt and acceptance. Both the general agent and nonappointed agent shall retain copies of such instructions and make copies available to the commissioner upon request.

(4)(a) Unless otherwise instructed by the general agent, in writing, the nonappointed agent shall submit only an applicant's check, draft, or money order endorsed or payable to the insurer or its general agent, in payment of premium, and shall forward it with the application to the general agent. If the general agent permits the nonappointed agent to receive cash or other payment of premium from the applicant, it shall be deposited in a separate premium account of the nonappointed agent, and be maintained and disbursed, in the same manner as with other premiums received by the agent.

(b) The nonappointed agent shall promptly provide a receipt to the applicant for any payment received which shall be dated, identify the

agent and the agent's address, identify the person by or for whom payment is made, state the amount received, identify the applicable insurer by its full legal name, identify the coverage for which application is made, include or be accompanied with a disclaimer of binding authority, and briefly explain that an application for insurance is being made by the agent to the general agent (who shall be identified) to assist the applicant or prospective insured to obtain insurance coverage. The receipt need not be an independent document. The information required in the receipt may be incorporated in an application and serve in lieu of a separate receipt, if a copy of such application is given to the applicant or prospective insured when payment is received by the nonappointed agent.

(5) By permitting its general agent to accept business from a nonappointed agent pursuant to RCW 48.05.310 and this section, the nonappointed agent becomes the representative of the insurer and its general agent to the extent that the services of the nonappointed agent are utilized in the transaction of insurance for which application is made or is to be made to the insurer. In accord therewith, it is the intent of this subsection that:

(a) The insurer will be deemed to have received any premiums paid by the applicant or insured to the nonappointed agent.

(b) Return premiums or claim payments delivered by the insurer or general agent to the nonappointed agent shall not be deemed to have been paid to the insured or claimant until such payments are received by the insured or claimant.

(6) Such business as is permitted by this section shall not be bound by the nonappointed agent. The application shall have printed thereon or have attached thereto a prominent notice advising the applicant that the agent has no authority to bind coverage and shall include a statement informing the applicant as to when and how the coverage applied for will be bound. Applicants shall sign or initial such notice to indicate that it has been brought to their attention, and shall be given a copy of such application with such notice. The name, address, and telephone number of the general agent shall be set forth in the application.

(7) A nonappointed agent's activities with respect to the insurance obtained under this section shall be limited to its procurement through the submission of the application as herein provided. Except as provided in subsection (8) of this section, until appointed to represent the insurer, directly or by affiliation with an appointed agent, such agent shall not be involved in the subsequent transaction of insurance under the resulting policy. When coverage is bound, the insured shall be notified by the insurer or its general agent of the person or entity with whom the insured should deal relative to future transactions, such as requesting policy changes or reporting claims.

(8) The insurer, directly or through its general agent or an appointed agent, shall bill the insured for premiums and otherwise transact insurance business arising under the policy. If it chooses to do so, the insurer may advise the insured, in writing, in connection with any premium billing and payments required to be made, that such payments may be made to the original nonappointed agent who will receive such premiums on behalf of the insurer.

(9) Records of each transaction resulting from the operation of this section shall be maintained by the nonappointed agent and by the general agent, and shall specifically include all of the following:

(a) Identification of the insured or prospective insured, insurer, general agent, and nonappointed agent, whether or not insurance is actually procured, and including, in the case of the nonappointed agent's records, identity of any applicant or prospective insured who pays premium to such agent in expectation of obtaining insurance from an insurer which has not appointed the agent, whether or not an application is submitted.

(b) A brief description of the subject of the insurance, the policy number, date coverage commences, and the amount of premium paid or to be paid.

(c) Copies of the documents utilized by the licensee in each transaction.

(10) For purposes of this section an "insurance transaction" or the "transaction of insurance" or "transacting insurance," or similar forms of those words includes any:

- (a) Solicitation.
- (b) Negotiations preliminary to execution.
- (c) Execution of an insurance contract.
- (d) Transaction of matters subsequent to execution of the contract and arising out of it.
- (e) Insuring.

(11) A failure to comply with this section shall be an unfair or deceptive act or practice and an unfair method of competition in the conduct of the business of insurance, pursuant to RCW 48.30.010, and a violation of a regulation pursuant to RCW 48.05.140 and 48.17.530.

NEW SECTION

WAC 284-12-111 UNFAIR PRACTICE WITH RESPECT TO USE OF GENERAL AGENT DEFINED. It is an unfair or deceptive practice and an unfair method of competition pursuant to RCW 48.30.010 for an insurer to cancel or refuse to renew any insurance policy because its contract or arrangement with a general agent or a nonappointed agent through whom such policy was written has been terminated.

NEW SECTION

WAC 284-15-080 RELATIONSHIP BETWEEN SURPLUS LINE BROKER AND INSURANCE AGENT. When a surplus line broker accepts surplus line business from an insurance agent, as permitted by RCW 48.15.080, such agent becomes the representative of the surplus line broker to the extent that the broker utilizes the agent in the transaction of such business.

(1) Return premiums or claim payments delivered by the surplus line broker to the insurance agent shall not be deemed to have been paid to the insured or claimant until such payments are received by the insured or claimant.

(2) Delivery of notices involving the insurance, such as cancellation or renewal notices, shall not be deemed to have been made until received by the insured. Notice to the agent is not notice to the insured. However, the agent may act on behalf of the broker in giving proper notices to the insured.

WSR 91-19-052

EMERGENCY RULES

WILDLIFE COMMISSION

[Order 511—Filed September 13, 1991, 2:39 p.m.]

Date of Adoption: September 13, 1991.

Purpose: To close GMU 450 to coyote hunting from September 15, 1991, to November 30, 1991, to protect the endangered gray wolf pack using that portion of the Henry M. Jackson Wilderness Area within GMU 450 from accidental killing due to mistaken identity.

Statutory Authority for Adoption: RCW 77.04.055 and 77.12.040.

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

Reasons for this Finding: In March 1991 the Wildlife Commission adopted the 1991 closure of coyote hunting (WAC 232-28-228) within areas of known wolf occurrences to prevent accidental killing of the endangered wolf due to mistaken identity. At that time, the areas specified included known wolf activity sites. The Glacier Peak Wilderness Area was closed to protect wolves documented to be using the southern portion of the wilderness area. The Glacier Peak Wilderness constitutes the majority of Game Management [Unit] 450. The southernmost region of the GMU includes a portion of the Henry M. Jackson Wilderness Area. Information since the time of adoption of the rule has documented that the wolf pack activity has extended into the Henry M.

Jackson Wilderness Area. Adding reference to GMU 450 in the closure will include both the Glacier Peak Wilderness (which already is closed) and a portion of the Henry M. Jackson Wilderness Area and will protect the wolves using this area from accidental killing due to mistaken identity during the September 15, 1991 - November 30, 1991, hunting seasons.

Effective Date of Rule: Immediately.

September 13, 1991
 Curt Smitch
 Director
 for Dean A. Lydig
 Chair

NEW SECTION

WAC 232-28-22802 OFFICIAL HUNTING HOURS AND SMALL GAME SEASONS - TAKING OF COYOTE Notwithstanding the provision of WAC 232-28-228, it is unlawful to hunt coyote from September 15, 1991 to November 30, 1991 (both dates inclusive) in the following closed area: GMU 450 (Cascade). All other applicable regulations remain in effect and unchanged.

This amends the corresponding information on page 28 of the 1991-92 Hunting Seasons and Rules, pamphlet edition.

WSR 91-19-053

EMERGENCY RULES

WILDLIFE COMMISSION

[Order 512—Filed September 13, 1991, 2:40 p.m.]

Date of Adoption: September 13, 1991.

Purpose: To provide a sanctuary around the Skykomish rearing pond to protect hatchery summer-run broodstock.

Statutory Authority for Adoption: RCW 77.12.040.

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

Reasons for this Finding: The majority of region four's hatchery summer-run steelhead broodstock is collected at the Skykomish rearing pond. Six hundred adults are required to maintain a normal program. To date, only 260 fish have been collected and it is estimated that an additional 140 will return by the end of the season for a total of only 400. An immediate closure is needed to maximize the return to the rearing pond and maintain a stable hatchery summer steelhead program.

Effective Date of Rule: Immediately.

September 13, 1991
 Curt Smitch
 Director
 for Dean A. Lydig
 Chair

NEW SECTION

WAC 232-28-61821 1990-92 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS - SKYKOMISH RIVER. Notwithstanding the provisions of WAC 232-28-618, the following regulations apply to the game fish seasons for the Skykomish River:

SKYKOMISH RIVER, from its mouth to mouth of Sultan River: June 1-last day of Feb. season. TROUT - Catch limit - 2, min. lgth. 12". Fishing from any floating device prohibited Nov. 1-last day of Feb. from the boat ramp below Lewis Street Bridge at Monroe downstream 2500'. Additional Mar. 1-Apr. 30 season; TROUT - Catch-and-Release Only, Selective Fishery Regulations, see page 6. Fishing from any floating device prohibited from the boat ramp below Lewis Street Bridge at Monroe downstream 2500'.

From the mouth of the Sultan River to the forks: June 1-Mar. 31 season. TROUT - catch limit - 2, min. lgth. 12". WILD STEELHEAD RELEASE Mar. 1-Mar. 31, see page 6. Fishing from any floating device prohibited in an area 1500' upstream to 1000' downstream of the outlet at Skykomish rearing ponds and the same area is closed to fishing Sept. 16, 1991 to 8:00 a.m. Oct. 16, 1991.

WSR 91-19-054

PROPOSED RULES

CLARK COLLEGE

[Filed September 13, 1991, 2:55 p.m.]

Original Notice.

Title of Rule: New section WAC 132N-128-122; and repealing WAC 132N-128-010, 132N-128-020, 132N-128-030, 132N-128-040, 132N-128-050, 132N-128-060, 132N-128-070, 132N-128-080, 132N-128-085, 132N-128-090, 132N-128-100, 132N-128-110, 132N-128-112, 132N-128-114, 132N-128-116, 132N-128-118, and 132N-128-120.

Purpose: To establish the policy of the board of trustees of Clark College on matters relating to tenure and dismissals of academic employees.

Statutory Authority for Adoption: Chapters 28B.50 and 28B.10 RCW.

Statute Being Implemented: RCW 28B.50.861 and 28B.50.873.

Summary: Adopt the board of trustees' general statement of policy with regard to matters relating to tenure and dismissals of academic employees.

Reasons Supporting Proposal: Policy and procedure regarding these matters is governed by state law and by the terms of the board/faculty negotiated agreement.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Earl P. Johnson, Office of the President, 699-0494.

Name of Proponent: Clark College, public.

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

Explanation of Rule, its Purpose, and Anticipated Effects: All matters relating to tenure and dismissals of academic employees of Clark College shall be governed by the laws of the state of Washington and the terms of

the negotiated agreement between the board and the academic employee bargaining unit.

Proposal Changes the Following Existing Rules: This change brings Clark's tenure and dismissal policy in congruence with the new board/faculty negotiated contract.

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

Hearing Location: Clark College, Baird Administration Building, Board Room, on October 23, 1991, at 4 p.m.

Submit Written Comments to: Earl P. Johnson, by October 23, 1991.

Date of Intended Adoption: October 23, 1991.

September 4, 1991

Earl P. Johnson

President

NEW SECTION

WAC 132N-128-122 GENERAL STATEMENT OF POLICY. IT IS THE POLICY OF THE BOARD OF TRUSTEES OF WASHINGTON COMMUNITY COLLEGE DISTRICT NO. 14 THAT ALL MATTERS RELATING TO TENURE AND DISMISSALS OF ACADEMIC EMPLOYEES SHALL BE GOVERNED BY THE LAWS OF THE STATE OF WASHINGTON AND THE TERMS OF THE NEGOTIATED AGREEMENT BETWEEN THE BOARD AND THE DULY ELECTED ACADEMIC EMPLOYEE BARGAINING AGENT AS CONTAINED IN THAT AGREEMENT.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- 132N-128-010 PURPOSE.
- 132N-128-020 DEFINITIONS.
- 132N-128-030 SELECTION OF THE TENURE REVIEW COMMITTEE.
- 132N-128-040 DUTIES OF TENURE REVIEW COMMITTEE.
- 132N-128-050 DISMISSAL FOR CAUSE.
- 132N-128-060 SELECTION OF REVIEW COMMITTEE—DISMISSAL FOR SUFFICIENT CAUSE.
- 132N-128-070 DISMISSAL FOR SUFFICIENT CAUSE.
- 132N-128-080 PROCEDURES.
- 132N-128-085 REDUCTION IN FORCE UNITS.
- 132N-128-090 THE NEED FOR REDUCTION IN FORCE.
- 132N-128-100 SPECIFIC IMPLEMENTATION.
- 132N-128-110 REDUCTION IN FORCE REVIEW COMMITTEE.
- 132N-128-112 HEARING OFFICER—APPOINTMENT.
- 132N-128-114 HEARING OFFICER—DUTIES.
- 132N-128-116 RESPONSIBILITIES OF REVIEW COMMITTEE.
- 132N-128-118 FINAL DECISION BY THE BOARD OF TRUSTEES.
- 132N-128-120 REEMPLOYMENT AND OTHER CONSIDERATIONS.

Purpose: With the increasing number of short fields, racing associations are restricted to taking a possible entry when the common tie is in the trainer thus making the entry a coupled entry even though there are different owners.

Statutory Authority for Adoption: RCW 67.16.040.

Summary: Enable racing secretary's to possibly fill a short field of entries by allowing an entry where the common tie is only in the trainer not the owners.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: John Crowley, Olympia, Washington (206) 459-6462.

Name of Proponent: Washington Horse Racing Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Will possibly enable racing secretary's to fill a short field of entries by allowing the entry of horses trained by the same trainer, but not the same owners.

Proposal does not change existing rules.

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

The enactment above is not anticipated to affect more than 20 percent of all industries nor more than 10 percent of any one industry as defined by section 2(3), chapter, Laws of 1982. Therefore, a small business economic statement has not been prepared.

Hearing Location: Sea-Tac Red Lion Inn, 18740 Pacific Highway South, Seattle, WA 98188, on November 12, 1991, at 1 p.m.

Submit Written Comments to: John Crowley, Executive Secretary, Washington Horse Racing Commission, 3700 Martin Way, Suite 101, Olympia, WA 98506, by November 8, 1991.

Date of Intended Adoption: November 12, 1991.

September 11, 1991

John Crowley

Executive Secretary

AMENDATORY SECTION (Amending Rules of Racing [Order 81-05], filed 4/21/61 [7/10/81])

WAC 260-48-110 "ENTRY"—WAGER ON ONE IS WAGER ON ALL. When two or more horses run in a race, and are coupled because of common ties they are called an "entry" and a wager on one of them shall be a wager on all of them. In cases where the only common tie is that the horses are trained by the same trainer, the horses shall be uncoupled for wagering purposes. ~~((except in quinella or exacta races. At nonprofit or sixty-forty meets, when the only common tie is that the horses are trained by the same trainer, the horses may be uncoupled for wagering purposes.))~~

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

WSR 91-19-055

PROPOSED RULES

HORSE RACING COMMISSION

[Filed September 13, 1991, 3:02 p.m.]

Original Notice.

Title of Rule: WAC 260-48-110 "Entry"—Wager on one is wager on all.

WSR 91-19-056

PROPOSED RULES

HORSE RACING COMMISSION

[Filed September 13, 1991, 3:06 p.m.]

Original Notice.

Title of Rule: WAC 260-36-030 Veterinarians, platers, and dentists—License required—Ineligible as trainers.

Purpose: Amend restrictive language prohibiting platers and dentists from becoming trainers while holding an occupational permit.

Statutory Authority for Adoption: RCW 67.16.040.

Summary: Amendment of this rule will enable platers and dentists to also obtain a trainer's license while holding an occupational permit as a plater or dentist.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: John Crowley, Olympia, Washington, (206) 459-6462.

Name of Proponent: Washington Horse Racing Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule prohibits platers and dentists from obtaining a trainer's license while holding an occupational permit. Amending this rule will enable those individuals to not only hold the occupations permit for their category, but also enable them to also be licensed as a trainer.

Proposal does not change existing rules.

Small Business Economic Impact Statement: [No Information Supplied By Agency.]

The enactment above is not anticipated to affect more than 20 percent of all industries nor more than 10 percent of any one industry as defined by section 2(3), chapter, Laws of 1982. Therefore, a small business economic statement has not been prepared.

Hearing Location: Sea-Tac Red Lion Inn, 18740 Pacific Highway South, Seattle, WA 98188, on November 12, 1991, at 1 p.m.

Submit Written Comments to: John Crowley, Executive Secretary, Washington Horse Racing Commission, 3700 Martin Way, Suite 101, Olympia, WA 98506, by November 8, 1991.

Date of Intended Adoption: November 12, 1991.

September 11, 1991

John Crowley
Executive Secretary

AMENDATORY SECTION (Amending Rules of Racing [Order 89-03], filed 4/21/61 [6/9/89])

WAC 260-36-030 VETERINARIANS, PLATERS, AND DENTISTS—LICENSE REQUIRED—INELIGIBLE AS TRAINERS. The license fee for veterinarians, platers, and dentists shall be for one year and shall be \$15.00. They must be approved by the commission before practicing their professions on the grounds of an association. The(ϕ) veterinarian shall not be eligible to hold a license to train horses while holding said occupational license.

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

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 91-19-057

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 91-91—Filed September 13, 1991, 3:49 p.m., effective September 15, 1991, 12:01 a.m.]

Date of Adoption: September 13, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-47-708.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: Restrictions in Areas 4B, 5, 6, 6A, 6C, 7, and 7A provide protection for United States and Canadian origin chinook stocks. Openings in Area 7E provide opportunity to harvest the nontreaty share of chinook salmon destined for the Glenwood Springs Hatchery; the eastern in-season area restriction is necessary to provide protection to milling fish entering the hatchery rack; the western in-season area restriction is necessary to reduce impacts to dogfish consistent with conservation of that resource. The openings in Areas 7B, 8A, 8D, 10, and 11 are directed at the nontreaty share of Nooksack-Samish, Stillaguamish-Snohomish and South Sound origin coho salmon; the Area 7B gillnet mesh and in-season area restrictions are necessary to reduce chinook impacts; the Area 8D coho season has been moved forward one week by state-tribal agreement; the Area 8A exclusion zone is listed here since 1991 change to WAC 220-47-307 modifying that paragraph has not yet gone into effect; the Area 10 in-season restricted area provides commercial/recreational gear separation. The openings in Areas 9A and 12A provide opportunity to harvest nontreaty share of coho destined for the Quilcene National Fish Hatchery. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

Effective Date of Rule: 12:01 a.m., September 15, 1991.

September 13, 1991

Sally J. Hicks
for Joseph R. Blum
Director

NEW SECTION

WAC 220-47-709 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:01 AM Sunday September 15, 1991, until further notice, it is unlawful to take, fish for, or possess salmon or Atlantic salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods and mesh and area restrictions:

*Areas 4B, 5, 6, 6A, 6C, 7, and 7A – Under the control of the Pacific Salmon Commission. Drift gillnet gear restricted to 5-inch minimum, 6-inch maximum mesh when open.

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

*Area 7E – Gillnets using 7-inch minimum mesh may fish from 5:00 PM to 9:00 AM nightly Monday, Tuesday, and Wednesday, September 16, 17, and 18, and purse seines may fish from 5:00 AM to 9:00 PM daily Monday, Tuesday, and Wednesday, September 16, 17, and 18. Area 7E is closed east of a line projected from Madrona Point (also known as Tongue Point) to the second point south of Griffin Rocks and closed west of a line projected true south from Madrona Point.

*Areas 8A and 8D – Purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM Monday September 16, and gillnets using 5-inch minimum mesh may fish from 5:00 PM Monday September 16 to 9:00 AM Tuesday September 17. Area 8A is closed in those waters easterly of a line projected from Mission Point to Buoy "C1" (excluding the waters of Area 8D), thence through the green light at the entrance jetty of the Snohomish River, thence across the mouth of the Snohomish River to the landfall on the eastern shore, and closed in those waters northerly of a line projected from Camano Head to the northern boundary of Area 8D.

*Areas 10 and 11 – Purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM Monday September 16, and gillnets using 5-inch minimum mesh may fish from 5:00 PM Monday September 16 to 9:00 AM Tuesday September 17. In addition to the exclusion zones described in WAC 220-47-307, area 10 is closed east of a line projected from Alki Point to the light at Fourmile Rock.

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

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

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 AM Sunday September 15, 1991:

WAC 220-47-708 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (91-89)

WSR 91-19-058
NOTICE OF PUBLIC MEETINGS
OFFICE OF
FINANCIAL MANAGEMENT
(Governor's Affirmative Action Policy Committee)
 [Memorandum—September 12, 1991]

Following is a list of the 1991 dates and meetings locations for the Governor's Affirmative Action Policy Committee operating under Executive Order 91-06 signed by the Governor on September 6, 1991:

September 24 and 25
 September 30 and October 1
 October 14 and 15
 November 5 and 6
 November 21 and 22
 December 3 and 4
 December 17 and 18

All meetings will be held at the Department of Personnel, 600 Franklin, Olympia, WA.

WSR 91-19-059
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed September 16, 1991, 9:27 a.m.]

Original Notice.

Title of Rule: WAC 388-80-005 Definitions.

Purpose: To update the terms used in the medical care programs.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: Terms that no longer apply have been deleted. New terminology is added with the addition of new programs. Other terms have been technically rewritten for clarity and ease of readability.

Reasons Supporting Proposal: Assure correctness of terms, delete obsolete terms and add new terms.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance, 753-0529.

Name of Proponent: Department of Social and Health Services, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on October 22, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805, Olympia, Washington 98504, by October 22, 1991.

Date of Intended Adoption: November 5, 1991.

September 16, 1991

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 1996, filed 8/5/83)

WAC 388-80-005 DEFINITIONS. This section contains definitions of words and phrases the department uses in describing the rules of the medical programs. Words used for both medical and financial programs are under section 388-22-030 WAC.

(1) "Application" ~~((shall))~~ for medical care means a written request ~~((for medical assistance or limited-casualty program))~~ from the applicant, an authorized representative, or if the applicant is incompetent or incapacitated, someone acting responsibly for the applicant to the department of social and health services. The application shall be on a form prescribed by the department.

(2) "Assignment-Medicare" ~~((is))~~ means the method by which the provider receives payment for services under Part B of Medicare.

(3) "Assignment of Rights" means the assignment to the state of rights to medical support and to payment for medical care from a third party.

(4) "Assistance unit" means a person or members of a family unit who are eligible for cash or medical ~~((assistance under a federally matched program including state supplement))~~ care.

~~((4))~~ (5) "Authorization" means an official approval ~~((of a department))~~ for department action.

~~((5))~~ (6) "Beneficiary" ~~((is))~~ means an eligible ~~((individual))~~ person who receives a federal cash benefit ~~((and/or))~~ or state supplement or both under Title XVI.

~~((6))~~ (7) "Benefit period" ~~((is))~~ means the time period used in determining whether Medicare can pay for covered Part A services. A benefit period begins the first day a beneficiary is furnished inpatient hospital or extended care services by a qualified provider. It ends when the beneficiary has not been an inpatient of a hospital or other facility primarily providing skilled nursing or rehabilitation services for sixty consecutive days. There is no limit to the number of benefit periods a beneficiary can have.

~~((7))~~ (8) "Cabulance" means a for-hire vehicle designed and used ~~((for the purpose of transporting))~~ to transport a person(s) and wheelchair, when the person is confined to a wheelchair or persons otherwise physically restricted.

~~((8))~~ (9) "Caretaker relative" for the purpose of medical programs means a relative of specified degree as defined under WAC 388-24-125, with whom a child resides, and is receiving federally-matched cash assistance or medical benefits on behalf of the child.

(10) "Carrier" ~~((is))~~ means an organization ~~((who has a contract))~~ contracting with the federal government to process claims under Part B of Medicare.

~~((9))~~ (11) "Categorically needy" ~~((refers to))~~ means a Washington State resident ~~((of the state of Washington whose income and resources are evaluated for cash assistance and))~~ who is:

(a) Receiving or eligible to receive federally-matched cash assistance:(

(i) Aid to families of dependent children (AFDC);

(ii) Supplemental Security Income (SSI), including grandfathered individuals and individuals with essential spouses;

(iii) State supplement;

(iv) Special categories);

(b) A ~~((financially eligible))~~ person ~~((under twenty-one))~~ age twenty or under who would be eligible for ~~((AFDC))~~ federally-matched cash assistance but does not qualify as a dependent child and who is in:

(i) Foster care~~((or))~~;

(ii) Subsidized adoption~~((or))~~;

(iii) A ~~((skilled))~~ nursing ~~((home, intermediate care))~~ facility, or intermediate care facility for mentally retarded~~((;))~~; or

(iv) An approved inpatient psychiatric facility.

(c) ~~((Individuals))~~ A person who would be eligible for cash assistance except for ~~((their))~~ the persons institutional status~~((;))~~;

(d) ~~((An individual))~~ A person who is ~~((SSI categorically))~~ Supplemental Security Income (SSI) related and would not be eligible for cash assistance if ~~((they))~~ the person were not institutionalized and whose gross income does not exceed ~~((the))~~ three hundred percent of the SSI federal benefit ~~((cap. This includes only aged, blind, and disabled groups))~~ rate.

~~((10))~~ "Central disbursements" is a state office section which audits non-Medicaid medical claims for payment:

~~((11))~~ "Certification date" means the date the worker certifies changes in a recipient's circumstances and authorizes an action:

~~((12))~~ "CFR" means the code of federal regulations and is a codification of the general and permanent rules published in the federal register by the executive departments and agencies of the federal government:

~~((13))~~ "Child" or "minor child" means a person under eighteen years of age:

~~((14))~~ "Client" means an applicant for or recipient of financial and/or social services provided by the department of social and health services:

~~((15))~~ (e) A pregnant woman meeting the income levels set by the Medicaid program;

(f) A child eighteen years of age and under who meets the income levels set by the Medicaid program;

(g) A person whose categorical eligibility is protected by statute;

(h) Aliens as defined under 388-83 WAC.

(12) "Children's Health Program" means a state funded medical program for children under 388-83 WAC.

(13) "Coinsurance-Medicare" means the portion of reimbursable hospital and medical expenses, after subtraction of ~~((any))~~ a deductible, which Medicare does not pay. Under Part A, coinsurance is a per day dollar amount, and under Part B, is twenty percent of reasonable charges.

~~((16))~~ (14) "CSO" (community service office) ~~((is))~~ means an office of the department which administers the various social and health services at the community level.

~~((17))~~ "Continuing assistance" means payments to persons who presumably will be eligible for and receive, from the date of authorization, regular monthly grants on a prepayment basis. Continuing assistance includes federal aid and continuing general assistance grants to unemployable persons:

~~((18))~~ (15) "Copayment" means a fixed dollar amount of the cost of a medical service that is the responsibility of the recipient of such specified services.

~~((19))~~ (16) "Deductible" means an initial specified amount that is the client's responsibility ~~((of the applicant and/or recipient))~~.

(a) Part A of Medicare - Inpatient hospital deductible - an initial amount of the medical care cost in each benefit period which Medicare does not pay.

(b) Part B of Medicare - ~~((The first sixty dollars in expenses which must be incurred before Medicare starts to pay))~~ Out patient deductible - an initial amount of the medical care cost of Medicare Part B covered expenses in each calendar year which Medicare does not pay.

~~((c))~~ Limited casualty program-medically indigent means incurring a dollar amount as specified in chapter 388-100 WAC, the department does not pay:

~~((20))~~ (17) "Delayed certification" ~~((shall mean the date of certification))~~ means a delayed approval of eligibility for Medicaid ~~((and))~~ beginning with the date ~~((of application for SSI are the same for an SSI beneficiary whose eligibility decision was delayed due to administrative action))~~:

(a) An SSI or SSI-related client is determined eligible for the SSI or SSI-related program when the client is certified eligible after the sixty day application processing time limit;

(b) A client becomes eligible as a result of a fair hearing; or

(c) A department caused delay resulting in certification after the sixty day application processing time limit.

~~((21))~~ (18) "Department" ~~((shall))~~ means the state's department of social and health services.

~~((22))~~ "Division of medical assistance" shall mean the single state agency authorized to administer the Title XIX medical assistance program:

~~((23))~~ (19) "Durable medical equipment" means equipment that:

(a) Can withstand repeated use;

(b) Is primarily and customarily used to serve a medical purpose;

(c) Generally is not useful to a person in the absence of illness or injury; and

(d) Is appropriate for use in the recipient's residence.

(20) "Early Periodic Screening, Diagnosis and Treatment (EPSDT)" also known as the "Healthy Kids" program, means a program providing early and periodic screening, diagnosis and treatment to a person twenty years of age and under who is eligible under Title XIX of the Social Security Act.

(21) "Electronic Fund Transfers" mean automatic bank deposits to a client's account.

(22) "Eligible couple" means an eligible ((individual)) person and person's eligible spouse.

((24)) (23) "Eligible ((individual)) person" means an aged, blind or disabled person as defined in Title XVI of the Social Security Act. If two such persons are husband and wife (and have not been living apart for more than six months), only one of them may be considered an eligible individual.

((25) "EPSDT" shall mean a program providing early and periodic screening, diagnosis and treatment to persons under twenty-one years of age who are eligible under Title XIX of the Social Security Act.

(26)) (24) "Essential spouse" means a spouse whose needs ((were taken into account)) are included in determining the need of Old Age Assistance (OAA), Aid to the Blind (AB), or Disability Assistance (DA) recipient for December, 1973, who continues to live in the home of such recipient, and continues to be an essential spouse.

((27)) (25) "Extended care patient" ((is)) means a recently hospitalized Medicare patient ((who needs)) needing relatively short-term skilled nursing and rehabilitative care in a ((skilled)) nursing facility.

((28) "Fair hearing" means an administrative proceeding by which the department hears and decides the appeal of an applicant/recipient from an action or decision of the department:

(29) "Federal aid" means the assistance programs for which the state receives matching funds from the federal government:

(30) "Fraud" shall mean a deliberate, intentional, and willful act, with the specific purpose of deceiving the department with respect to any material, fact, condition, or circumstances affecting eligibility or need:

(31) "General assistance - continuing" (GAU) means assistance to unemployable persons who are not eligible for or not receiving federal aid assistance and whose medical care is defined in chapter 388-86 WAC:

(32)) (26) "Garnishment" means the withholding of an amount from a person's gross earned or unearned income in order to satisfy a debt or legal obligation.

(27) "Grandfathering" refers to:

(a) A noninstitutionalized ((individual)) person who meets all current requirements for Medicaid eligibility except the criteria for blindness or disability; and

(i) ((As)) Was eligible for Medicaid in December, 1973, as blind or disabled, whether or not ((he/she)) the person was receiving cash assistance in December, 1973; and

(ii) ((For each consecutive month after December, 1973;)) Continues to meet the criteria for blindness and disability and other conditions of eligibility used under the Medicaid plan in December, 1973((; and

(iii) The needs of the "essential person" shall only be considered when he/she is living with such person in the same household)).

(b) An institutionalized ((individual)) person who was eligible for Medicaid in December, 1973, or any part of that month, as an inpatient of a medical institution or resident of intermediate care facility that was participating in the Medicaid program and for each consecutive month after December, 1973:

(i) Continued to meet the requirements for Medicaid eligibility that were in effect under the state's plan in December, 1973, for institutionalized individuals; and

(ii) Remained institutionalized.

(28) "Health Insuring Organization" means an organization administering medical care programs.

(29) "Health Maintenance Organization" means an organization providing direct medical services at a capitated rate.

(30) "Home health agency" ((is)) means an agency or organization certified under Medicare to provide skilled nursing and other therapeutic services to ((the)) a patient in ((his/her)) the patient's place of residence.

((34)) (31) "Hospital" ((shall mean any)) means an institution licensed as a hospital by the official state licensing authority.

((35)) (32) "Institution" ((shall)) means an establishment ((which furnishes)) furnishing food ((and)), shelter, medically-related services, and medical care to four or more persons unrelated to the proprietor ((and, in addition provides medically related services and medical care)). This ((would)) includes hospitals, ((skilled)) nursing facilities, ((intermediate care facilities;)) and institutions for the mentally retarded or mentally diseased, but does not include correctional institutions.

((36)) (a) "Institution-public" means an institution that is the responsibility of a governmental unit or over which a governmental unit exercises administrative control.

(b) "Institution for mental diseases" means a hospital, nursing facility or other institution of more than sixteen beds, primarily engaged in providing diagnosis, treatment or care of persons with mental diseases including medical attention, nursing care, and related services.

(c) "Institution for the mentally retarded or persons with related conditions" means an institution that:

(i) Is primarily for the diagnosis, treatment, or rehabilitation of the mentally retarded or persons with related conditions; and

(ii) Provides in a protected residential setting, ongoing care, twenty-four hour supervision, evaluation and planning to help a person function at the person's greatest ability.

(d) "Institution for tuberculosis" means an institution for the diagnosis, treatment, and care of a person with tuberculosis.

(e) "Medical Institution" means an institution that:

(i) Is organized to provide medical care;

(ii) Has the necessary professional personnel, equipment, and facilities to manage a patient's health needs on a continuing basis in accordance with acceptable standards;

(iii) Is authorized under state law to provide medical care; and

(iv) Is staffed by professional personnel.

(33) "Intermediary" ((is)) means an organization ((who has)) having an agreement with the federal government to process Medicare claims under Part A.

((37) "Intermediate care facility" shall mean a licensed facility certified to provide intermediate care for which an agreement has been executed:

(38) "Intermediate care facility/IMR" shall mean a state institution or a licensed nursing home either of which has been certified by state office ((SO)) as meeting the CFR regulations to provide twenty-four hour health-related care and services to mentally retarded persons or persons with related conditions:

(39)) (34) "Legal dependent((s))" ((are)) means a person((s)) whom ((an individual)) another person is required ((by law)) to support.

((40)) (35) "Limited casualty program" means a medical care program for medically needy as defined in chapter 388-99 WAC, and for medically indigent as defined in chapter 388-100 WAC.

((41)) (36) "Medicaid" or "medical assistance" (MA) ((shall)) means the federal aid Title XIX program under which medical care is provided to:

(a) Categorically needy as defined in chapter 388-82 and 388-83 WAC((-);

(b) Medically needy as defined in chapters 388-92 and 388-99 WAC.

((42)) (37) Medical Assistance Administration means the state agency authorized to administer the Title XIX medical assistance program and the state-funded medical care programs.

(38) "Medical care services" means the limited scope of care financed by state funds and provided to a general assistance recipient((s)) and to a recipient of alcohol and drug addiction services under chapter 74.50 RCW.

((43)) (39) "Medical consultant" ((shall)) means a physician employed by ((the department at)) the ((ESO level)) medical assistance administration.

((44)) (40) "Medical facility." See "institution."

((45)) (41) "Medically necessary" is a term for describing requested service which is reasonably calculated to prevent, diagnose, correct, cure, alleviate or prevent the worsening of conditions in the recipient that endanger life, or cause suffering or pain, or result in illness or infirmity, or threaten to cause or aggravate a handicap, or cause physical deformity or malfunction, and there is no other equally effective more conservative or substantially less costly course of treatment available or suitable for the recipient requesting the service. For the purpose of this section "course of treatment" may include mere observation or, where appropriate, no treatment at all.

((46)) (42) "Medically Indigent" means a state funded medical program for a person with limited income and resources who has an emergency medical condition.

(43) "Medically Needy" means a federally funded medical program which is part of the Limited Casualty Program for a person having income and resources or both above the levels for categorically needy eligibility.

(44) "Medicare" ((is a commonly used term for)) means the federal government health insurance program for a certain aged or disabled recipient((s)) under Titles II and ((XVIII)) XVIII of the Social Security Act.

~~((47))~~ (a) "Part A" covers the Medicare inpatient hospital, posthospital skilled nursing facility care, home health services, and hospice care.

(b) "Part B" is the supplementary medical insurance benefit (SMIB) covering the Medicare doctor's services, outpatient hospital care, outpatient physical therapy and speech pathology services, home health care and other health services and supplies not covered under Medicare Part A.

(45) "Month of application" (~~shall~~) means the calendar month in which ~~(the)~~ a person's application for medical care is filed unless ~~((it))~~ the application is for the medically needy program, then, at the person's request and if the application is filed in the last ten days of that month; then the month of application may be the following month.

~~((48))~~ "Nursing care consultant" shall mean a qualified and licensed registered nurse employed by the bureau of nursing home affairs who is centrally supervised, but stationed in CSOs.

~~(49))~~ (46) "Nursing facility" unless otherwise described, means an institution or facility licensed by the department as a nursing facility or a nursing facility unit of a hospital licensed and certified by the state department of social and health services, and has an agreement to provide skilled nursing facility care.

(47) "Outpatient" (~~is~~) means a nonhospitalized patient receiving care in ~~((an))~~ a hospital outpatient or emergency department ~~((of a hospital))~~, or away from a hospital such as in a physician's office or the patient's own home or a nursing ~~((home))~~ facility.

~~((50))~~ "Part A" is the hospital insurance portion of Medicare.

~~(51)~~ "Part B" is the supplementary medical insurance benefit (SMIB) or the "doctor's portion" of Medicare.

~~(52))~~ (48) "PAS" - professional activity study is a compilation of inpatient hospital data by diagnosis and age, conducted by the commission of professional and hospital activities, which resulted in ~~((the determination of an))~~ determining average length of stay for a patient(s). These data were published in a book entitled "Length of Stay in PAS Hospitals, Western." The department has adopted this book as the basis for authorizing payment for the maximum number of inpatient hospital days for recipients of state-funded programs, or where no memorandum of understanding with a Professional Standards Review Organization (PSRO) exists.

~~((53))~~ (49) "Patient transportation" means the recipient's transportation ~~((of recipients))~~ to and from medical services covered under the medical ~~((assistance))~~ care program.

~~((54))~~ (50) "Physician" (~~is~~) means a doctor of medicine, osteopathy, or podiatrist who is legally authorized to perform the functions of ~~((his))~~ the profession by the state in which ~~((he performs them))~~ the services are performed.

~~((55))~~ (51) "Professional standards review organization" (PSRO). See "Washington state professional standards review organization."

~~((56))~~ (52) "Prosthetic devices" mean replacement, corrective, or supportive devices prescribed by a physician or other licensed practitioner of the healing arts within the scope of the physician's practice as defined by state law to:

- (a) Artificially replace a missing portion of the body;
- (b) Prevent or correct physical deformity or malfunction; or
- (c) Support a weak or deformed portion of the body.

(53) "Provider" or "provider of service" means an institution, agency, or individual who:

- (a) Has a signed agreement to furnish medical care ~~((and))~~, goods ~~((and/or))~~, services, or all three to recipients; and ~~((who))~~
- (b) Is eligible to receive payment from the department.

~~((57))~~ (54) "Provider services" (~~shall~~) means ~~((the))~~ an office ~~((of))~~ within the ~~((division of))~~ medical assistance administration which processes claims for payment under Title XIX and state-funded programs.

~~((58))~~ Residence, state of means:

- (a) The state where the applicant/recipient is living with the intent to remain there permanently or for an indefinite period;
 - (b) The state which he/she entered with a job commitment or to seek employment, whether or not currently employed;
 - (c) The state making a state supplementary payment;
 - (d) The state making placement in an out-of-state institution;
 - (e) The state of the parents or legal guardian, if one has been appointed, of an institutionalized individual who is under age twenty-one or is age twenty-one or over and who became incapable of determining residential intent before age twenty-one;
 - (f) The state where the person over age twenty-one judged to be legally incompetent is living)
- (55) "Qualified Medicare Beneficiaries

(QMB)" means a Medicaid program covering only deductibles, coinsurance and premiums for certain financially eligible clients entitled to Title XVIII Part A.

(56) "Qualified Disabled Working Individual (QDWI)" means a Medicaid program covering only Medicare Part A premiums for certain financially eligible clients.

~~((59))~~ (57) "Resource" means any personal or real property that a person, spouse, or any member of the assistance unit owns, has the right, authority, or power to convert to cash if not already cash, and is not legally restricted from using for support and maintenance as of the first moment of the first day of the month being considered.

(a) Real property is land, including buildings or immovable objects attached permanently to the land.

(b) Personal property is any property that is not real property, including but not limited to such things as household goods, tools, life insurance policies and automobiles.

(c) Liquid resources are any resources in the form of cash or in any other form which cannot be converted to cash within twenty workdays.

(d) Nonliquid resources are any resources which are not in the form of cash and which cannot be converted to cash within twenty workdays.

(e) Countable resources are the value of any asset meeting the definition of a resource that counts against the applicable statutory limit to the extent that the rules do not exclude the resource.

(f) Excluded resources are assets meeting the definition of a resource that does not count against the applicable statutory resource limit.

(58) "Retroactivity" means~~((:))~~ the period of no more than three calendar months prior to the application month ~~((of application-to))~~ of an otherwise eligible ~~((individual))~~ person under the Federal aid Title XIX medical assistance program.

~~((60))~~ "Skilled nursing facility," unless otherwise described, shall mean any institution or facility licensed by the department as a nursing home, or is a nursing home unit of a hospital licensed by the state department of social and health services and is certified, and has an agreement to provide skilled nursing home care.

~~((61))~~ (59) "Spell of illness." See "benefit period."

~~((62))~~ (60) "Spend down" means the ~~((individual incurs medical expenses))~~ process by which a person uses incurred medical expenses to reduce income or resources or both to the financial standards established by the department.

~~((63))~~ (61) "Spouse" means:

(a) ~~((Eligible spouse))~~ means an aged, blind or disabled individual who is the husband or wife of an eligible individual and who has not been living apart from such eligible individual for more than six months.

(b) "Ineligible spouse" means the husband or wife of an eligible individual who is not aged, blind or disabled, or who although aged, blind or disabled has not applied for such assistance.) A community spouse who is the spouse of an institutionalized person. The community spouse must be living in the community and not receiving institutionalized services.

(b) "An institutionalized spouse" who is a married person in an institution or who receives services from a home or community waived program.

(c) "A nonapplying spouse" ~~((means))~~ who is the husband or wife of an eligible ~~((individual))~~ person who ~~((although aged, blind or disabled))~~ has not applied for ~~((such))~~ assistance.

~~((64))~~ (62) "State office" or "SO" (~~shall~~) means the ~~((division of))~~ medical assistance administration of the department.

~~((65))~~ (63) "Supplementary payment" means the state money payment to ~~((individuals))~~ a person receiving benefits under Title XVI (or who would, but for ~~((their))~~ the person's income, be eligible for such benefits) as assistance based on need ~~((in supplementation of))~~ to supplement SSI benefits. ~~((This payment includes:~~

(a) "Mandatory state supplement" means the state money payment with respect to individuals who, for December, 1973, were recipients of money payments under the department's former programs of old age assistance, aid to the blind and disability assistance.

(b) "Optional state supplement" means the elected state money payment to individuals eligible for SSI benefits or who except for the level of their income would be eligible for such benefits.

~~((66))~~ (64) "Supplemental security income (SSI) program, Title XVI," means the federal grant program ~~((of supplemental security income))~~ for the aged, blind, and disabled established by section 301 of the social security amendments of 1972, and subsequent amendments, and administered by the Social Security Administration (SSA).

~~((67))~~ (65) "SSI-related" means an aged, blind, or disabled person meeting Title XIX resource and income standards.

(66) "Third party" means ~~((any))~~ an entity that is or may be liable to pay all or part of the medical cost of injury, disease, or disability of ~~((an))~~ a Medicaid applicant or recipient ~~((of Medicaid))~~.

~~((68))~~ (67) "Value-Fair Market" means the current value of a resource at the going price for which the resource can reasonably be expected to sell on the open market in the particular geographic area involved.

(68) "Value-Uncompensated" means the equity market value of a resource minus the compensation amount received in exchange for the resource.

(69) "Value of compensation" received means the gross amount the purchaser paid or agrees to pay.

(70) "Washington state professional standards review organization" (WSPSRO) ~~((is))~~ means the state level organization responsible for determining whether health care activities:

- (a) Are medically necessary~~(;)~~;
- (b) Meet professionally acceptable standards of health care; and
- (c) Are appropriately provided in an outpatient or institutional setting for Medicare beneficiaries ~~((of Medicare))~~ and Medicaid recipients ~~((of Medicaid))~~ and maternal and child health.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 91-19-060
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3245—Filed September 16, 1991, 9:29 a.m., effective September 17, 1991, 12:01 a.m.]

Date of Adoption: September 16, 1991.

Purpose: To update the terms used in the medical care programs.

Citation of Existing Rules Affected by this Order: Amending WAC 388-80-005 Definitions.

Statutory Authority for Adoption: RCW 74.08.090.

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

Reasons for this Finding: To assure correctness of terms, delete obsolete terms and add new terms.

Effective Date of Rule: September 17, 1991, 12:01 a.m.

September 16, 1991
Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 1996, filed 8/5/83)

WAC 388-80-005 DEFINITIONS. This section contains definitions of words and phrases the department uses in describing the rules of the medical programs. Words used for both medical and financial programs are under section 388-22-030 WAC.

(1) "Application" ~~((shall))~~ for medical care means a written request ~~((for medical assistance or limited casualty program))~~ from the applicant, an authorized representative, or if the applicant is incompetent or incapacitated, someone acting responsibly for the applicant to the department of social and health services. The application shall be on a form prescribed by the department.

(2) "Assignment-Medicare" ~~((is))~~ means the method by which the provider receives payment for services under Part B of Medicare.

(3) "Assignment of Rights" means the assignment to the state of rights to medical support and to payment for medical care from a third party.

(4) "Assistance unit" means a person or members of a family unit who are eligible for cash or medical ~~((assistance under a federally matched program including state supplement))~~ care.

~~((4))~~ (5) "Authorization" means an official approval ~~((of a departmental))~~ for department action.

~~((5))~~ (6) "Beneficiary" ~~((is))~~ means an eligible ~~((individual))~~ person who receives a federal cash benefit ~~((and/))~~ or state supplement or both under Title XVI.

~~((6))~~ (7) "Benefit period" ~~((is))~~ means the time period used in determining whether Medicare can pay for covered Part A services. A benefit period begins the first day a beneficiary is furnished inpatient hospital or extended care services by a qualified provider. It ends when the beneficiary has not been an inpatient of a hospital or other facility primarily providing skilled nursing or rehabilitation services for sixty consecutive days. There is no limit to the number of benefit periods a beneficiary can have.

~~((7))~~ (8) "Cabulance" means a for-hire vehicle designed and used ~~((for the purpose of transporting))~~ to transport a person~~((s))~~ and wheelchair, when the person is confined to a wheelchair or persons otherwise physically restricted.

~~((8))~~ (9) "Caretaker relative" for the purpose of medical programs means a relative of specified degree as defined under WAC 388-24-125, with whom a child resides, and is receiving federally-matched cash assistance or medical benefits on behalf of the child.

(10) "Carrier" ~~((is))~~ means an organization ~~((who has a contract))~~ contracting with the federal government to process claims under Part B of Medicare.

~~((9))~~ (11) "Categorically needy" ~~((refers to))~~ means a Washington State resident ~~((of the state of Washington whose income and resources are evaluated for cash assistance and))~~ who is:

(a) Receiving or eligible to receive federally-matched cash assistance~~(:~~

(i) ~~Aid to families of dependent children (AFDC).~~

(ii) ~~Supplemental Security Income (SSI), including grandfathered individuals and individuals with essential spouses:~~

(iii) ~~State supplement:~~

(iv) ~~Special categories:);~~

(b) A ~~((financially eligible))~~ person ~~((under twenty-one))~~ age twenty or under who would be eligible for ~~((AFDC))~~ federally-matched cash assistance but does not qualify as a dependent child and who is in:

(i) Foster care~~(, or);~~

(ii) Subsidized adoption ~~(, or)~~;
 (iii) A ((skilled)) nursing ((home, intermediate care)) facility, or intermediate care facility for mentally retarded ~~(;)~~;
 or

(iv) An approved inpatient psychiatric facility.

(c) ~~((Individuals))~~ A person who would be eligible for cash assistance except for ((their)) the persons institutional status ~~(;)~~;

(d) ~~((An individual))~~ A person who is ((SSI categorically)) Supplemental Security Income (SSI) related and would not be eligible for cash assistance if ((they)) the person were not institutionalized and whose gross income does not exceed ((the)) three hundred percent of the SSI federal benefit ((cap. This includes only aged, blind, and disabled groups)) rate.

~~((10))~~ "Central disbursements" is a state office section which audits non-Medicaid medical claims for payment.

~~(11)~~ "Certification date" means the date the worker certifies changes in a recipient's circumstances and authorizes an action.

~~(12)~~ "CFR" means the code of federal regulations and is a codification of the general and permanent rules published in the federal register by the executive departments and agencies of the federal government.

~~(13)~~ "Child" or "minor child" means a person under eighteen years of age.

~~(14)~~ "Client" means an applicant for or recipient of financial and/or social services provided by the department of social and health services.

~~(15))~~ (e) A pregnant woman meeting the income levels set by the Medicaid program;

(f) A child eighteen years of age and under who meets the income levels set by the Medicaid program;

(g) A person whose categorical eligibility is protected by statute;

(h) Aliens as defined under 388-83 WAC.

(12) "Children's Health Program" means a state funded medical program for children under 388-83 WAC.

(13) "Coinsurance-Medicare" means the portion of reimbursable hospital and medical expenses, after subtraction of ((any)) a deductible, which Medicare does not pay. Under Part A, coinsurance is a per day dollar amount, and under Part B, is twenty percent of reasonable charges.

~~((16))~~ (14) "CSO" (community service office) ((is)) means an office of the department which administers the various social and health services at the community level.

~~((17))~~ "Continuing assistance" means payments to persons who presumably will be eligible for and receive, from the date of authorization, regular monthly grants on a prepayment basis. Continuing assistance includes federal aid and continuing general assistance grants to unemployable persons.

~~(18))~~ (15) "Copayment" means a fixed dollar amount of the cost of a medical service that is the responsibility of the recipient of such specified services.

~~((19))~~ (16) "Deductible" means an initial specified amount that is the client's responsibility ((of the applicant and/or recipient)).

(a) Part A of Medicare - Inpatient hospital deductible - an initial amount of the medical care cost in each benefit period which Medicare does not pay.

(b) Part B of Medicare - ((The first sixty dollars in expenses which must be incurred before Medicare starts to pay)) Out patient deductible - an initial amount of the medical care cost of Medicare Part B covered expenses in each calendar year which Medicare does not pay.

~~((c))~~ Limited casualty program-medically indigent means incurring a dollar amount as specified in chapter 388-100 WAC, the department does not pay.

~~(20))~~ (17) "Delayed certification" ((shall mean the date of certification)) means a delayed approval of eligibility for Medicaid ((and)) beginning with the date ((of application for SSI are the same for an SSI beneficiary whose eligibility decision was delayed due to administrative action)):

(a) An SSI or SSI-related client is determined eligible for the SSI or SSI-related program when the client is certified eligible after the sixty day application processing time limit;

(b) A client becomes eligible as a result of a fair hearing; or

(c) A department caused delay resulting in certification after the sixty day application processing time limit.

~~((21))~~ (18) "Department" ((shall)) means the state's department of social and health services.

~~((22))~~ "Division of medical assistance" shall mean the single state agency authorized to administer the Title XIX medical assistance program.

~~(23))~~ (19) "Durable medical equipment" means equipment that:

(a) Can withstand repeated use;

(b) Is primarily and customarily used to serve a medical purpose;

(c) Generally is not useful to a person in the absence of illness or injury; and

(d) Is appropriate for use in the recipient's residence.

(20) "Early Periodic Screening, Diagnosis and Treatment (EPSDT)" also known as the "Healthy Kids" program, means a program providing early and periodic screening, diagnosis and treatment to a person twenty years of age and under who is eligible under Title XIX of the Social Security Act.

(21) "Electronic Fund Transfers" mean automatic bank deposits to a client's account.

(22) "Eligible couple" means an eligible ((individual)) person and person's eligible spouse.

~~((24))~~ (23) "Eligible ((individual)) person" means an aged, blind or disabled person as defined in Title XVI of the Social Security Act. If two such persons are husband and wife (and have not been living apart for more than six months), only one of them may be considered an eligible individual.

~~((25))~~ "EPSDT" shall mean a program providing early and periodic screening, diagnosis and treatment to persons under twenty-one years of age who are eligible under Title XIX of the Social Security Act.

~~(26))~~ (24) "Essential spouse" means a spouse whose needs ((were taken into account)) are included in determining the need of Old Age Assistance (OAA), Aid to

the Blind (AB), or Disability Assistance (DA) recipient for December, 1973, who continues to live in the home of such recipient, and continues to be an essential spouse.

~~((27))~~ (25) "Extended care patient" ((is)) means a recently hospitalized Medicare patient ((who needs)) needing relatively short-term skilled nursing and rehabilitative care in a ((skilled)) nursing facility.

~~((28) "Fair hearing" means an administrative proceeding by which the department hears and decides the appeal of an applicant/recipient from an action or decision of the department.~~

~~(29) "Federal aid" means the assistance programs for which the state receives matching funds from the federal government.~~

~~(30) "Fraud" shall mean a deliberate, intentional, and willful act, with the specific purpose of deceiving the department with respect to any material, fact, condition, or circumstances affecting eligibility or need.~~

~~(31) "General assistance - continuing" (GAU) means assistance to unemployable persons who are not eligible for or not receiving federal aid assistance and whose medical care is defined in chapter 388-86 WAC.~~

~~(32)) (26) "Garnishment" means the withholding of an amount from a person's gross earned or unearned income in order to satisfy a dept or legal obligation.~~

~~(27) "Grandfathering" refers to:~~

~~(a) A noninstitutionalized ((individual)) person who meets all current requirements for Medicaid eligibility except the criteria for blindness or disability; and~~

~~(i) ((As)) Was eligible for Medicaid in December, 1973, as blind or disabled, whether or not ((he/she)) the person was receiving cash assistance in December, 1973; and~~

~~(ii) ((For each consecutive month after December, 1973,)) Continues to meet the criteria for blindness and disability and other conditions of eligibility used under the Medicaid plan in December, 1973((; and~~

~~(iii) The needs of the "essential person" shall only be considered when he/she is living with such person in the same household)).~~

~~(b) An institutionalized ((individual)) person who was eligible for Medicaid in December, 1973, or any part of that month, as an inpatient of a medical institution or resident of intermediate care facility that was participating in the Medicaid program and for each consecutive month after December, 1973:~~

~~(i) Continued to meet the requirements for Medicaid eligibility that were in effect under the state's plan in December, 1973, for institutionalized individuals; and~~

~~(ii) Remained institutionalized.~~

~~(28) "Health Insuring Organization" means an organization administering medical care programs.~~

~~(29) "Health Maintenance Organization" means an organization providing direct medical services at a capitated rate.~~

~~(30) "Home health agency" ((is)) means an agency or organization certified under Medicare to provide skilled nursing and other therapeutic services to ((the)) a patient in ((his/her)) the patient's place of residence.~~

~~((34)) (31) "Hospital" ((shall mean any)) means an institution licensed as a hospital by the official state licensing authority.~~

~~((35)) (32) "Institution" ((shall)) means an establishment ((which furnishes)) furnishing food ((and)), shelter, medically-related services, and medical care to four or more persons unrelated to the proprietor ((and, in addition provides medically related services and medical care)). This ((would)) includes hospitals, ((skilled)) nursing facilities, ((intermediate care facilities,)) and institutions for the mentally retarded or mentally diseased, but does not include correctional institutions.~~

~~((36)) (a) "Institution-public" means an institution that is the responsibility of a governmental unit or over which a governmental unit exercises administrative control.~~

~~(b) "Institution for mental diseases" means a hospital, nursing facility or other institution of more than sixteen beds, primarily engaged in providing diagnosis, treatment or care of persons with mental diseases including medical attention, nursing care, and related services.~~

~~(c) "Institution for the mentally retarded or persons with related conditions" means an institution that:~~

~~(i) Is primarily for the diagnosis, treatment, or rehabilitation of the mentally retarded or persons with related conditions; and~~

~~(ii) Provides in a protected residential setting, ongoing care, twenty-four hour supervision, evaluation and planning to help a person function at the person's greatest ability.~~

~~(d) "Institution for tuberculosis" means an institution for the diagnosis, treatment, and care of a person with tuberculosis.~~

~~(e) "Medical Institution" means an institution that:~~

~~(i) Is organized to provide medical care;~~

~~(ii) Has the necessary professional personnel, equipment, and facilities to manage a patient's health needs on a continuing basis in accordance with acceptable standards;~~

~~(iii) Is authorized under state law to provide medical care; and~~

~~(iv) Is staffed by professional personnel.~~

~~(33) "Intermediary" ((is)) means an organization ((who has)) having an agreement with the federal government to process Medicare claims under Part A.~~

~~((37) "Intermediate care facility" shall mean a licensed facility certified to provide intermediate care for which an agreement has been executed.~~

~~(38) "Intermediate care facility/IMR" shall mean a state institution or a licensed nursing home either of which has been certified by state office (SO) as meeting the CFR regulations to provide twenty-four hour health-related care and services to mentally retarded persons or persons with related conditions.~~

~~(39)) (34) "Legal dependent((s))" ((are)) means a person((s)) whom ((an individual)) another person is required ((by law)) to support.~~

~~((40)) (35) "Limited casualty program" means a medical care program for medically needy as defined in chapter 388-99 WAC, and for medically indigent as defined in chapter 388-100 WAC.~~

~~((41))~~ (36) "Medicaid" or "medical assistance" (MA) ~~((shall))~~ means the federal aid Title XIX program under which medical care is provided to:

(a) Categorically needy as defined in chapter 388-82 and 388-83 WAC~~((:));~~

(b) Medically needy as defined in chapters 388-92 and 388-99 WAC.

~~((42))~~ (37) Medical Assistance Administration means the state agency authorized to administer the Title XIX medical assistance program and the state-funded medical care programs.

(38) "Medical care services" means the limited scope of care financed by state funds and provided to a general assistance recipient~~((s))~~ and to a recipient of alcohol and drug addiction services under chapter 74.50 RCW.

~~((43))~~ (39) "Medical consultant" ~~((shall))~~ means a physician employed by ~~((the department at))~~ the ~~((CSO level))~~ medical assistance administration.

~~((44))~~ (40) "Medical facility." See "institution."

~~((45))~~ (41) "Medically necessary" is a term for describing requested service which is reasonably calculated to prevent, diagnose, correct, cure, alleviate or prevent the worsening of conditions in the recipient that endanger life, or cause suffering or pain, or result in illness or infirmity, or threaten to cause or aggravate a handicap, or cause physical deformity or malfunction, and there is no other equally effective more conservative or substantially less costly course of treatment available or suitable for the recipient requesting the service. For the purpose of this section "course of treatment" may include mere observation or, where appropriate, no treatment at all.

~~((46))~~ (42) "Medically indigent" means a state funded medical program for a person with limited income and resources who has an emergency medical condition.

(43) "Medically Needy" means a federally funded medical program which is part of the Limited Casualty Program for a person having income and resources or both above the levels for categorically needy eligibility.

(44) "Medicare" ~~((is a commonly used term for))~~ means the federal government health insurance program for a certain aged or disabled recipient~~((s))~~ under Titles II and ~~((XVH))~~ XVIII of the Social Security Act.

~~((47))~~ (a) "Part A" covers the Medicare inpatient hospital, posthospital skilled nursing facility care, home health services, and hospice care.

(b) "Part B" is the supplementary medical insurance benefit (SMIB) covering the Medicare doctor's services, outpatient hospital care, outpatient physical therapy and speech pathology services, home health care and other health services and supplies not covered under Medicare Part A.

(45) "Month of application" ~~((shall))~~ means the calendar month in which ~~((the))~~ a person's application for medical care is filed unless ~~((it))~~ the application is for the medically needy program, then, at the person's request and if the application is filed in the last ten days of that month, then the month of application may be the following month.

~~((48))~~ "Nursing care consultant" shall mean a qualified and licensed registered nurse employed by the bureau of nursing home affairs who is centrally supervised, but stationed in CSOs.

~~((49))~~ (46) "Nursing facility" unless otherwise described, means an institution or facility licensed by the department as a nursing facility or a nursing facility unit of a hospital licensed and certified by the state department of social and health services, and has an agreement to provide skilled nursing facility care.

(47) "Outpatient" ~~((is))~~ means a nonhospitalized patient receiving care in ~~((an))~~ a hospital outpatient or emergency department ~~((of a hospital))~~, or away from a hospital such as in a physician's office or the patient's own home or a nursing ~~((home))~~ facility.

~~((50))~~ "Part A" is the hospital insurance portion of Medicare.

(51) "Part B" is the supplementary medical insurance benefit (SMIB) or the "doctor's portion" of Medicare.

~~((52))~~ (48) "PAS" - professional activity study is a compilation of inpatient hospital data by diagnosis and age, conducted by the commission of professional and hospital activities, which resulted in ~~((the determination of an))~~ determining average length of stay for a patient~~((s))~~. These data were published in a book entitled "Length of Stay in PAS Hospitals, Western." The department has adopted this book as the basis for authorizing payment for the maximum number of inpatient hospital days for recipients of state-funded programs, or where no memorandum of understanding with a Professional Standards Review Organization (PSRO) exists.

~~((53))~~ (49) "Patient transportation" means the recipient's transportation ~~((of recipients))~~ to and from medical services covered under the medical ~~((assistance))~~ care program.

~~((54))~~ (50) "Physician" ~~((is))~~ means a doctor of medicine, osteopathy, or podiatrist who is legally authorized to perform the functions of ~~((his))~~ the profession by the state in which ~~((he performs them))~~ the services are performed.

~~((55))~~ (51) "Professional standards review organization" (PSRO). See "Washington state professional standards review organization."

~~((56))~~ (52) "Prosthetic devices" mean replacement, corrective, or supportive devices prescribed by a physician or other licensed practitioner of the healing arts within the scope of the physician's practice as defined by state law to:

(a) Artificially replace a missing portion of the body;
(b) Prevent or correct physical deformity or malfunction; or

(c) Support a weak or deformed portion of the body.

(53) "Provider" or "provider of service" means an institution, agency, or individual who:

(a) Has a signed agreement to furnish medical care ~~((and))~~, goods ~~((and/or))~~, services, or all three to recipients; and ~~((who))~~

(b) Is eligible to receive payment from the department.

~~((57))~~ (54) "Provider services" ~~((shall))~~ means ~~((the))~~ an office ~~((of))~~ within the ~~((division of))~~ medical

assistance administration which processes claims for payment under Title XIX and state-funded programs.

~~((58))~~ Residence, state of means:

~~(a) The state where the applicant/recipient is living with the intent to remain there permanently or for an indefinite period;~~

~~(b) The state which he/she entered with a job commitment or to seek employment, whether or not currently employed;~~

~~(c) The state making a state supplementary payment;~~

~~(d) The state making placement in an out-of-state institution;~~

~~(e) The state of the parents or legal guardian, if one has been appointed, of an institutionalized individual who is under age twenty-one or is age twenty-one or over and who became incapable of determining residential intent before age twenty-one;~~

~~(f) The state where the person over age twenty-one judged to be legally incompetent is living))~~ (55) "Qualified Medicare Beneficiaries (QMB)" means a Medicaid program covering only deductibles, coinsurance and premiums for certain financially eligible clients entitled to Title XVIII Part A.

(56) "Qualified Disabled Working Individual (QDWI)" means a medicaid program covering only Medicare Part A premiums for certain financially eligible clients.

~~((59))~~ (57) "Resource" means any personal or real property that a person, spouse, or any member of the assistance unit owns, has the right, authority, or power to convert to cash if not already cash, and is not legally restricted from using for support and maintenance as of the first moment of the first day of the month being considered.

(a) Real property is land, including buildings or immovable objects attached permanently to the land.

(b) Personal property is any property that is not real property, including but not limited to such things as household goods, tools, life insurance policies and automobiles.

(c) Liquid resources are any resources in the form of cash or in any other form which cannot be converted to cash within twenty workdays.

(d) Nonliquid resources are any resources which are not in the form of cash and which cannot be converted to cash within twenty workdays.

(e) Countable resources are the value of any asset meeting the definition of a resource that counts against the applicable statutory limit to the extent that the rules do not exclude the resource.

(f) Excluded resources are assets meeting the definition of a resource that does not count against the applicable statutory resource limit.

(58) "Retroactivity" means((-)) the period of no more than three calendar months prior to the application month ((of application to)) of an otherwise eligible ((individual)) person under the Federal aid Title XIX medical assistance program.

~~((60)) "Skilled nursing facility," unless otherwise described, shall mean any institution or facility licensed by the department as a nursing home, or is a nursing home~~

~~unit of a hospital licensed by the state department of social and health services and is certified, and has an agreement to provide skilled nursing home care.~~

~~((61))~~ (59) "Spell of illness." See "benefit period."

~~((62))~~ (60) "Spend down" means the ((individual incurs medical expenses)) process by which a person uses incurred medical expenses to reduce income or resources or both to the financial standards established by the department.

~~((63))~~ (61) "Spouse" means:

~~(a) ((Eligible spouse" means an aged, blind or disabled individual who is the husband or wife of an eligible individual and who has not been living apart from such eligible individual for more than six months.~~

~~(b) "Ineligible spouse" means the husband or wife of an eligible individual who is not aged, blind or disabled, or who although aged, blind or disabled has not applied for such assistance))~~ A community Spouse" who is the spouse of an institutionalized person. The community spouse must be living in the community and not receiving institutionalized services.

~~(b) "An institutionalized spouse" who is a married person in an institution or who receives services from a home or community waived program.~~

~~(c) "A nonapplying spouse" ((means)) who is the husband or wife of an eligible ((individual)) person who ((although aged, blind or disabled)) has not applied for ((such)) assistance.~~

~~((64))~~ (62) "State office" or "SO" ((shall)) means the ((division of)) medical assistance administration of the department.

~~((65))~~ (63) "Supplementary payment" means the state money payment to ((individuals)) a person receiving benefits under Title XVI (or who would, but for ((their)) the person's income, be eligible for such benefits) as assistance based on need ((in supplementation of)) to supplement SSI benefits. ((This payment includes:

~~(a) "Mandatory state supplement" means the state money payment with respect to individuals who, for December, 1973, were recipients of money payments under the department's former programs of old age assistance, aid to the blind and disability assistance.~~

~~(b) "Optional state supplement" means the elected state money payment to individuals eligible for SSI benefits or who except for the level of their income would be eligible for such benefits.~~

~~((66))~~ (64) "Supplemental security income (SSI) program, Title XVI," means the federal grant program ((of supplemental security income)) for the aged, blind, and disabled established by section 301 of the social security amendments of 1972, and subsequent amendments, and administered by the Social Security Administration (SSA).

~~((67))~~ (65) "SSI-related" means an aged, blind, or disabled person meeting Title XIX resource and income standards.

~~((66))~~ "Third party" means ((any)) an entity that is or may be liable to pay all or part of the medical cost of injury, disease, or disability of ((an)) a Medicaid applicant or recipient ((of Medicaid)).

~~((68))~~ (67) "Value-Fair Market" means the current value of a resource at the going price for which the resource can reasonable be expected to sell on the open market in the particular geographic area involved.

(68) "Value-Uncompensated" means the equity market value of a resource minus the compensation amount received in exchange for the resource.

(69) "Value of compensation" received means the gross amount the purchaser paid or agrees to pay.

(70) "Washington state professional standards review organization" (WSPSRO) ((is)) means the state level organization responsible for determining whether health care activities:

(a) Are medically necessary((;));

(b) Meet professionally acceptable standards of health care; and

(c) Are appropriately provided in an outpatient or institutional setting for Medicare beneficiaries ((of Medicare)) and Medicaid recipients ((of Medicaid)) and maternal and child health.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 91-19-061

PERMANENT RULES

DEPARTMENT OF

RETIREMENT SYSTEMS

[Filed September 16, 1991, 10:43 a.m.]

Date of Adoption: September 13, 1991.

Purpose: To implement RCW 42.17.260 (4)(a) and (b), which requires state agencies to establish and implement a system of indexing for certain records maintained by the agencies.

Statutory Authority for Adoption: RCW 41.50.050 and 42.17.260 (4)(a) and (b).

Pursuant to notice filed as WSR 91-16-093 on August 7, 1991.

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

September 13, 1991

George Northcroft

Director

AMENDATORY SECTION (Amending Order 4, filed 7/27/77)

WAC 415-06-090 RECORDS INDEX. (1) ((INDEX. The director has available to all persons a current index which provides identifying information as to the following records issued, adopted or promulgated since June 30, 1972:

~~"(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;~~

~~"(b) Those statements of policy and interpretations of policy, statute and the constitution which have been adopted by the agency;~~

~~"(c) Administrative staff manuals and instructions to staff that affect a member of the public;~~

~~"(d) Planning policies and goals, and interim and final planning decisions;~~

~~"(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports or surveys, whether conducted by public employees or others; and~~

~~"(f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory or enforcement responsibilities of the agency; whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party."~~

(2) AVAILABILITY. The current index promulgated by the director shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.)) Purpose. This rule is intended to implement RCW 42.17.260 (4)(a) and (b), which require state agencies to establish and implement a system of indexing for certain records maintained by state agencies.

(2) Responsibility for department's indexing system. The department's indexing system for records covered under this section is administered by the manager of the files unit. All record indices described in this section shall be located at the department's files unit.

(3) The department shall establish and implement a system of indexing for all records issued before July 1, 1990, for which the department has maintained an index. The department has maintained an index for the following records which have existed before July 1, 1990:

(a) "Final opinions" which include the director's final orders and other final orders in adjudicative proceedings concerning the department;

(b) "Statements and interpretations of law and policy" which include the department's "DRS notices" advising employers of the department's position regarding law and/or policy; and formal and informal opinions by the state attorney general's office, used by the department as the basis for administrative decisions;

(c) "Administrative staff manuals and instructions" which affect members of the public;

(d) "Planning policies and goals";

(e) "Factual reports and studies" by department staff, consultants, other governmental entities, and private organizations;

(f) "Correspondence" by the department in which the department determines or provides an opinion on the rights of state government, the public, subdivisions of state government, or any private party.

(4) The department shall establish and implement a system of indexing for the following records on or after July 1, 1990:

(a) "Final orders" which are issued in an adjudicative proceeding as defined by RCW 34.05.010(1) containing analyses or decisions of substantial importance to the department;

(b) "Declaratory orders" which are issued pursuant to RCW 34.05.240 containing analyses or decisions of substantial importance to the department;

(c) "Interpretive statements" which are a written expression of an opinion by the department, entitled "interpretive statement" by the department's director, or his or her designee, and relating to the meaning of a statute or other provision of law, court decision, or agency order; and

(d) "Policy statements" which are a written description of the department's current policy, entitled "policy statement" by the department's director, or his or her designee, and implementing a statute or other provision of law, or court decision, or agency order.

(5) The system of indexing the records identified in WAC 415-06-090 (3) and (4) is as follows:

(a) An index will be organized in WAC 415-06-090 (3) and (4).

(b) Staff of the department's legal/legislative affairs unit will select the final orders and declaratory orders to be indexed reviewing all final orders and declaratory orders entered after June 30, 1990, and evaluating the substantial importance of the orders.

(c) Records will be indexed by a phrase describing the record's subject, issue or holding, and by citation of the law involved. Examples of phrases to be used are "service credit," "retirement benefits," "membership," and "contributions."

(6) Availability: The department record index shall be available to all persons in the same manner as public records available for inspection, under chapter 415-06 WAC.

WSR 91-19-062
PERMANENT RULES
DEPARTMENT OF
RETIREMENT SYSTEMS
 [Filed September 16, 1991, 10:45 a.m.]

Date of Adoption: September 13, 1991.

Purpose: To clarify and define the interest rate and assessment procedures relating to payments owed to the Department of Retirement Systems.

Citation of Existing Rules Affected by this Order:
 Repealing WAC 415-114-010, 415-114-020, 415-114-030, 415-114-040, 415-114-050, 415-114-055, 415-114-060, and 415-114-070.

Statutory Authority for Adoption: RCW 41.50.050, 41.50.120, and chapter 34.05 RCW.

Pursuant to notice filed as WSR 91-16-091 on August 7, 1991.

Effective Date of Rule: Thirty-one days after filing.
 September 13, 1991
 George Northcroft
 Director

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 415-114-010 Purpose.
- WAC 415-114-020 Definitions.
- WAC 415-114-030 What is Considered an Overdue Payment of an Obligation Owed to the Department.

- WAC 415-114-040 Assessment of Interest Charge.
- WAC 415-114-050 Assessment of Interest Charge on Accrued Obligations.
- WAC 415-114-055 Assessment of Interest Charge on Debit Balance Forward.
- WAC 415-114-060 Billing of Interest Charges.
- WAC 415-114-070 Erroneous Charges of Interest.

CHAPTER 415-114

A Rule Relating to the Assessment of Interest Charges on Employers' Overdue Payments

NEW SECTION

WAC 415-114-100 PURPOSE. These rules relate to the implementation of RCW 41.50.120 which provides the Department of Retirement Systems the authority to assess interest charges on employers' overdue payments of obligations owed to the Department. These rules are intended to encourage employers to pay obligations in a timely manner.

NEW SECTION

WAC 415-114-200 DEFINITIONS. As used in this chapter, unless a different meaning is plainly required by the context:

(1) "Department" – refers to the Department of Retirement Systems established pursuant to chapter 41.50 RCW as now existing or hereafter amended;

(2) "Employers" – refers to all employers within the retirement systems administered by the Department as defined in RCW 41.50.030;

(3) "Obligations owed to the Department" – include, but are not limited to, employer and employee contributions;

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

NEW SECTION

WAC 415-114-300 WHAT IS CONSIDERED AN OVERDUE PAYMENT OF AN OBLIGATION OWED TO THE DEPARTMENT. Payment for a calendar month, or any portion thereof, shall be made to the Department on or before the 15th day of the following calendar month. Payment is overdue if not received within three business days following the 15th day of the following calendar month. Payment must be received by the Department or credited to the Department's account before the close of business on the third business day following the 15th day of the following calendar month.

NEW SECTION

WAC 415-114-400 ASSESSMENT OF INTEREST CHARGE. (1) When a payment is overdue, interest will be charged in the following manner:

A 1% simple interest charge will be assessed against the employer's balance due on account multiplied by the number of the days past due divided by 30.40 (annual average number of days in a month). The balance due on the account is the total of the obligations owed to the Department, less payments received. The interest obligation shall not be compounded.

(2) Interest charges of less than five dollars will not be billed.

(3) Interest charges will be based upon the employer's monthly contribution report as received by the Department. If the employer's contributions have not been received in a timely manner as stated in WAC 415-114-300, interest charges will be based on an average of contribution reports processed from the prior six months. Such interest charges will then be adjusted when the late contribution report is received and processed.

(4) Interest will be charged for overdue obligations owed to the Department for reports and current obligations which are due on or before June 15, 1991. Current obligations are all obligations except debit balance forwards as defined in WAC 415-114-550.

NEW SECTION

WAC 415-114-500 ASSESSMENT OF INTEREST CHARGE ON ACCRUED OBLIGATIONS. Employers will be given until June 15, 1991, to pay the total balance due to the Department on all obligations, including those accrued and owing to the Department prior to May 1991 obligations. Accrued obligations not paid by the close of business on the third business day after June 15, 1991, will be assessed an interest charge in accordance with WAC 415-114-400.

NEW SECTION

WAC 415-114-550 ASSESSMENT OF INTEREST CHARGE ON DEBIT BALANCE FORWARD. Employers will be given until August 15, 1991, to pay the total debit balance forward. Debit balance forwards are obligations accrued and owing to the Department prior to March 1989 and not paid subsequently. Debit balance forwards not paid by the close of business day on the third business day after August 15, 1991, will be assessed an interest charge in accordance with WAC 415-114-400. Employers with a credit balance forward will not have their credit balance forward applied to current obligations until August 15, 1991. Credit balance forwards are credits given prior to March 1989.

NEW SECTION

WAC 415-114-600 BILLING OF INTEREST CHARGES. Interest charges assessed against an employer for overdue payments will appear on the employer's monthly accounts receivable statement. Interest charges assessed on a monthly accounts receivable statement are due and payable by the close of the third business day after the 15th day of the following calendar month in accordance with WAC 415-114-300.

NEW SECTION

WAC 415-114-700 ERRONEOUS CHARGES OF INTEREST. If the department erroneously charges interest against an employer, the Department will credit

the employer's account an amount equal to the erroneous interest that was charged. Employers who believe that they have been erroneously charged interest must submit to the Department written proof prior to the Department making a determination regarding the cancellation of the interest charge.

WSR 91-19-063
PERMANENT RULES
DEPARTMENT OF
RETIREMENT SYSTEMS
[Filed September 16, 1991, 10:48 a.m.]

Date of Adoption: September 13, 1991.

Purpose: To amend WAC 415-104-108 relating to LEOFF actuarial tables.

Citation of Existing Rules Affected by this Order: Amending WAC 415-104-108.

Statutory Authority for Adoption: RCW 41.50.050 and 41.26.060.

Pursuant to notice filed as WSR 91-16-094 on August 7, 1991.

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

September 13, 1991

George Northcroft

Director

AMENDATORY SECTION (Amending WSR 91-02-019, filed 12/21/90, effective 1/21/91)

WAC 415-104-108 ACTUARIAL TABLES, SCHEDULES, AND FACTORS. This chapter contains the tables, schedules, and factors adopted by the director of the department of retirement systems pursuant to the authority granted by RCW 41.50.050 and 41.26.060 for calculating optional retirement allowances of members of the Washington state law enforcement officers' and firefighters' retirement system, as administered by the director. These tables, schedules, and factors were adopted by the director upon the recommendation of and in light of the findings of the state actuarial investigation into the mortality, service, compensation, and other experience of the members and beneficiaries of the law enforcement officers' and firefighters' retirement system. The tables, schedules, and factors contained in this chapter shall govern the retirement allowances only of members retiring during the period from October 1, 1990 until such time as these tables, schedules, and factors are amended by the director following the next actuarial investigation conducted by the state actuary. The retirement allowances of members retiring before October 1, 1990 shall continue to be governed by the tables, schedules, and factors in effect at the time of each member's retirement. Any new tables, schedules, and factors adopted by the director in the future shall govern retirement allowances only of members retiring after the adoption of such new tables, schedules, and factors.

LAW
ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN I
Monthly Benefit per
\$1.00 of Accumulation

LAW
ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN II
Monthly Benefit per
\$1.00 of Accumulation

LAW
ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN I
Monthly Benefit per
\$1.00 of Accumulation

LAW
ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN II
Monthly Benefit per
\$1.00 of Accumulation

20	.0025142	20	.0039808
21	.0025304	21	.0039997
22	.0025472	22	.0040196
23	.0025647	23	.0040405
24	.0025828	24	.0040624
25	.0026017	25	.0040855
26	.0026214	26	.0041098
27	.0026418	27	.0041353
28	.0026632	28	.0041622
29	.0026854	29	.0041905
30	.0027086	30	.0042204
31	.0027327	31	.0042518
32	.0027579	32	.0042850
33	.0027842	33	.0043200
34	.0028117	34	.0043569
35	.0028404	35	.0043958
36	.0028704	36	.0044370
37	.0029018	37	.0044805
38	.0029346	38	.0045266
39	.0029690	39	.0045752
40	.0030050	40	.0046267
41	.0030427	41	.0046810
42	.0030823	42	.0047384
43	.0031237	43	.0047988
44	.0031672	44	.0048626
45	.0032128	45	.0049298
46	.0032607	46	.0050007
47	.0033111	47	.0050753
48	.0033640	48	.0051539
49	.0034197	49	.0052369
50	.0034785	50	.0053245
51	.0035404	51	.0054172
52	.0036059	52	.0055155
53	.0036751	53	.0056199
54	.0037485	54	.0057310
55	.0038265	55	.0058496
56	.0039096	56	.0059764
57	.0039981	57	.0061122
58	.0040928	58	.0062578
59	.0041941	59	.0064139
60	.0043026	60	.0065811
61	.0044195	61	.0067600
62	.0045451	62	.0069511
63	.0046805	63	.0071548
64	.0048266	64	.0073714
65	.0049847	65	.0076011
66	.0051560	66	.0078441
67	.0053424	67	.0081009
68	.0055445	68	.0083721
69	.0057645	69	.0086591
70	.0060046	70	.0089634
71	.0062678	71	.0092866
72	.0065554	72	.0096299

73	.0068706	73	.0099940
74	.0072168	74	.0103786
75	.0075947	75	.0107825
76	.0080069	76	.0112040
77	.0084560	77	.0116408
78	.0089449	78	.0120905
79	.0094696	79	.0125511
80	.0100369	80	.0130204
81	.0106372	81	.0134944
82	.0112701	82	.0139758
83	.0119271	83	.0144609
84	.0126119	84	.0149489
85	.0133170	85	.0154388
86	.0140467	86	.0159282
87	.0147922	87	.0164053
88	.0155623	88	.0168983
89	.0163745	89	.0173754
90	.0172295	90	.0178441
91	.0181323	91	.0183008
92	.0190934	92	.0187436
93	.0201303	93	.0191730
94	.0212247	94	.0195820
95	.0223693	95	.0199697
96	.0236226	96	.0203443
97	.0250062	97	.0207038
98	.0265426	98	.0210462
99	.0282645	99	.0213706

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN II
Early Retirement Factors
by Year and Month

0	0	1.0000
	1	.9918
	2	.9836
	3	.9754
	4	.9672
	5	.9590
	6	.9508
	7	.9426
	8	.9344
	9	.9262
	10	.9180
	11	.9098
1	0	.9016
	1	.8943
	2	.8870
	3	.8797
	4	.8724

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN II
Early Retirement Factors
by Year and Month

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN II
Early Retirement Factors
by Year and Month

	5	.8652		10	.5587
	6	.8579		11	.5541
	7	.8506		6 0	.5495
	8	.8433		1	.5453
	9	.8360		2	.5412
	10	.8287		3	.5370
	11	.8215		4	.5329
2	0	.8142		5	.5287
	1	.8077		6	.5246
	2	.8012		7	.5204
	3	.7947		8	.5163
	4	.7883		9	.5121
	5	.7818		10	.5080
	6	.7753		11	.5038
	7	.7688		7 0	.4996
	8	.7623		1	.4959
	9	.7558		2	.4922
	10	.7494		3	.4884
	11	.7429		4	.4847
3	0	.7364		5	.4810
	1	.7306		6	.4773
	2	.7248		7	.4735
	3	.7191		8	.4698
	4	.7133		9	.4661
	5	.7075		10	.4623
	6	.7017		11	.4586
	7	.6959		8 0	.4549
	8	.6902		1	.4515
	9	.6844		2	.4481
	10	.6786		3	.4448
	11	.6728		4	.4414
4	0	.6670		5	.4381
	1	.6619		6	.4347
	2	.6567		7	.4313
	3	.6515		8	.4280
	4	.6464		9	.4246
	5	.6412		10	.4213
	6	.6360		11	.4179
	7	.6309		9 0	.4145
	8	.6257		1	.4115
	9	.6205		2	.4085
	10	.6153		3	.4054
	11	.6102		4	.4024
5	0	.6050		5	.3994
	1	.6004		6	.3964
	2	.5958		7	.3933
	3	.5911		8	.3903
	4	.5865		9	.3873
	5	.5819		10	.3842
	6	.5772		11	.3812
	7	.5726		10 0	.3782
	8	.5680		1	.3754
	9	.5634		2	.3727
				3	.3700

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN II
Early Retirement Factors
by Year and Month

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN II
Early Retirement Factors
by Year and Month

4	.3672
5	.3645
6	.3618
7	.3590
8	.3563
9	.3535
10	.3508
11	.3481
11 0	.3453
1	.3429
2	.3404
3	.3379
4	.3354
5	.3330
6	.3305
7	.3280
8	.3255
9	.3231
10	.3206
11	.3181
12 0	.3156
1	.3134
2	.3112
3	.3089
4	.3067
5	.3044
6	.3022
7	.2999
8	.2977
9	.2955
10	.2932
11	.2910
13 0	.2887
1	.2867
2	.2847
3	.2826
4	.2806
5	.2786
6	.2765
7	.2745
8	.2725
9	.2705
10	.2684
11	.2664
14 0	.2644
1	.2625
2	.2607
3	.2588
4	.2570
5	.2551
6	.2533
7	.2514
8	.2496
9	.2478

10	.2459
11	.2441
15 0	.2422
1	.2405
2	.2389
3	.2372
4	.2355
5	.2338
6	.2322
7	.2305
8	.2288
9	.2271
10	.2254
11	.2238
16 0	.2221
1	.2206
2	.2190
3	.2175
4	.2160
5	.2145
6	.2129
7	.2114
8	.2099
9	.2084
10	.2068
11	.2053
17 0	.2038
1	.2024
2	.2010
3	.1996
4	.1982
5	.1968
6	.1955
7	.1941
8	.1927
9	.1913
10	.1899
11	.1885
18 0	.1871
1	.1858
2	.1846
3	.1833
4	.1820
5	.1808
6	.1795
7	.1782
8	.1770
9	.1757
10	.1744
11	.1732
19 0	.1719
1	.1708
2	.1696
3	.1684

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN II
Early Retirement Factors
by Year and Month

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN II
Early Retirement Factors
by Year and Month

	4	.1673
	5	.1661
	6	.1650
	7	.1638
	8	.1627
	9	.1615
	10	.1604
	11	.1592
20	0	.1580
	1	.1570
	2	.1559
	3	.1549
	4	.1538
	5	.1528
	6	.1517
	7	.1506
	8	.1496
	9	.1485
	10	.1475
	11	.1464
21	0	.1454
	1	.1444
	2	.1434
	3	.1425
	4	.1415
	5	.1405
	6	.1396
	7	.1386
	8	.1376
	9	.1367
	10	.1357
	11	.1347
22	0	.1338
	1	.1329
	2	.1320
	3	.1311
	4	.1302
	5	.1294
	6	.1285
	7	.1276
	8	.1267
	9	.1258
	10	.1249
	11	.1241
23	0	.1232
	1	.1224
	2	.1216
	3	.1208
	4	.1199
	5	.1191
	6	.1183
	7	.1175
	8	.1167
	9	.1159

	10	.1151
	11	.1143
24	0	.1135
	1	.1127
	2	.1120
	3	.1113
	4	.1105
	5	.1098
	6	.1090
	7	.1083
	8	.1075
	9	.1068
	10	.1061
	11	.1053
25	0	.1046
	1	.1039
	2	.1032
	3	.1025
	4	.1019
	5	.1012
	6	.1005
	7	.0998
	8	.0991
	9	.0985
	10	.0978
	11	.0971
26	0	.0964
	1	.0958
	2	.0952
	3	.0946
	4	.0939
	5	.0933
	6	.0927
	7	.0921
	8	.0914
	9	.0908
	10	.0902
	11	.0896
27	0	.0889
	1	.0884
	2	.0878
	3	.0872
	4	.0867
	5	.0861
	6	.0855
	7	.0849
	8	.0844
	9	.0838
	10	.0832
	11	.0826
28	0	.0821
	1	.0815
	2	.0810
	3	.0805

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN II
Early Retirement Factors
by Year and Month

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN II
Early Retirement Factors
by Year and Month

	4	.0800
	5	.0794
	6	.0789
	7	.0784
	8	.0779
	9	.0773
	10	.0768
	11	.0763
29	0	.0758
	1	.0753
	2	.0748
	3	.0743
	4	.0738
	5	.0733
	6	.0729
	7	.0724
	8	.0719
	9	.0714
	10	.0709
	11	.0704
30	0	.0700
	1	.0695
	2	.0691
	3	.0686
	4	.0682
	5	.0677
	6	.0673
	7	.0668
	8	.0664
	9	.0660
	10	.0655
	11	.0651
31	0	.0646
	1	.0642
	2	.0638
	3	.0634
	4	.0630
	5	.0626
	6	.0622
	7	.0618
	8	.0613
	9	.0609
	10	.0605
	11	.0601
32	0	.0597
	1	.0593
	2	.0590
	3	.0586
	4	.0582
	5	.0578
	6	.0575
	7	.0571
	8	.0567
	9	.0563

	10	.0559
	11	.0556
33	0	.0552
	1	.0548
	2	.0545
	3	.0541
	4	.0538
	5	.0535
	6	.0531
	7	.0528
	8	.0524
	9	.0521
	10	.0517
	11	.0514
34	0	.0510
	1	.0507
	2	.0504
	3	.0501
	4	.0497
	5	.0494
	6	.0491
	7	.0488
	8	.0485
	9	.0481
	10	.0478
	11	.0475
35	0	.0472
	1	.0469
	2	.0466
	3	.0463
	4	.0460
	5	.0457
	6	.0454
	7	.0451
	8	.0448
	9	.0445
	10	.0442
	11	.0439
36	0	.0437
	1	.0434
	2	.0431
	3	.0428
	4	.0426
	5	.0423
	6	.0420
	7	.0417
	8	.0415
	9	.0412
	10	.0409
	11	.0407
37	0	.0404
	1	.0401
	2	.0399
	3	.0396

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN II

Early Retirement Factors
by Year and Month

4	.0394
5	.0391
6	.0389
7	.0386
8	.0384
9	.0381
10	.0379
11	.0376
38 0	.0374
1	.0372
2	.0369
3	.0367
4	.0365
5	.0363
6	.0361
7	.0359
8	.0356
9	.0354
10	.0352
11	.0350
39 0	.0348
1	.0346
2	.0344
3	.0342
4	.0340
5	.0338
6	.0336
7	.0334
8	.0332
9	.0330
10	.0327
11	.0325
40 or more	.0323

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS RETIREMENT SYSTEM

PLAN II

Option II Age Difference Option III

0.726	8	0.843
0.718	9	0.838
0.711	10	0.833
0.704	11	0.828
0.697	12	0.824
0.690	13	0.818
0.681	14	0.812
0.672	15	0.805
0.663	16	0.799
0.656	17	0.794
0.650	18	0.790
0.644	19	0.786
0.639	20	0.782
0.634	21	0.778
0.630	22	0.775
0.625	23	0.771
0.621	24	0.768
0.617	25	0.765
0.613	26	0.762
0.609	27	0.759
0.606	28	0.756
0.602	29	0.754
0.599	30	0.751
0.596	31	0.749
0.593	32	0.746
0.590	33	0.744
0.587	34	0.742
0.585	35	0.740
0.582	36	0.738
0.580	37	0.736
0.578	38	0.734
0.575	39	0.732
0.573	40	0.731

Beneficiary Older

0.956	-20 or more	0.980
0.951	-19	0.978
0.946	-18	0.975
0.940	-17	0.972
0.934	-16	0.968
0.927	-15	0.965
0.920	-14	0.961
0.913	-13	0.957
0.905	-12	0.953
0.897	-11	0.948
0.889	-10	0.944
0.881	-09	0.939
0.872	-08	0.933
0.863	-07	0.927
0.854	-06	0.920
0.846	-05	0.914
0.837	-04	0.908

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS RETIREMENT SYSTEM

PLAN II

Age Difference

Option II Option III

Member Older

0.800	0	0.887
0.790	1	0.883
0.778	2	0.877
0.768	3	0.871
0.759	4	0.865
0.750	5	0.859
0.742	6	0.854
0.734	7	0.849

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS RETIREMENT SYSTEM

PLAN II

Option II	Age Difference	Option III
0.828	-03	0.902
0.819	-02	0.897
0.810	-01	0.892

AGE DIFFERENCE = MEMBER'S AGE MINUS BENEFICIARY AGE

* For converting the Normal Form (Option I) to Option II or III.

~~LEOFF II JSR~~ Age Difference ~~LEOFF II JSR~~
~~OPTION II~~ Beneficiary Older ~~OPTION III~~

0.956	-20 or more	0.980
0.951	-19	0.978
0.946	-18	0.975
0.940	-17	0.972
0.934	-16	0.968
0.927	-15	0.965
0.920	-14	0.961
0.913	-13	0.957
0.905	-12	0.953
0.897	-11	0.948
0.889	-10	0.944
0.881	-9	0.939
0.872	-8	0.934
0.863	-7	0.929
0.854	-6	0.924
0.846	-5	0.919
0.837	-4	0.913
0.828	-3	0.908
0.819	-2	0.902
0.810	-1	0.897

Beneficiary Younger

0.800	0	0.894
0.790	1	0.889
0.778	2	0.881
0.768	3	0.874
0.759	4	0.866
0.750	5	0.860
0.742	6	0.854
0.734	7	0.849
0.726	8	0.843
0.718	9	0.838
0.711	10	0.833
0.704	11	0.828
0.697	12	0.824
0.690	13	0.818
0.681	14	0.812
0.672	15	0.805
0.663	16	0.799
0.656	17	0.794
0.650	18	0.790
0.644	19	0.786
0.639	20	0.782

~~LEOFF II JSR~~ Age Difference ~~LEOFF II JSR~~
~~OPTION II~~ Beneficiary Older ~~OPTION III~~

0.634	21	0.778
0.630	22	0.775
0.625	23	0.771
0.621	24	0.768
0.617	25	0.765
0.613	26	0.762
0.609	27	0.759
0.606	28	0.756
0.602	29	0.754
0.599	30	0.751
0.596	31	0.749
0.593	32	0.746
0.590	33	0.744
0.587	34	0.742
0.585	35	0.740
0.582	36	0.738
0.580	37	0.736
0.578	38	0.734
0.575	39	0.732
0.573	40 or more	0.731

Age difference = member's age minus beneficiary age))

WSR 91-19-064
PERMANENT RULES
DEPARTMENT OF
RETIREMENT SYSTEMS
[Filed September 16, 1991, 10:50 a.m.]

Date of Adoption: September 13, 1991.

Purpose: To amend WAC 415-04-020 to rename the Department of Retirement System personnel designated in the petition process.

Citation of Existing Rules Affected by this Order: Amending WAC 415-04-020.

Statutory Authority for Adoption: RCW 41.50.050.

Pursuant to notice filed as WSR 91-16-092 on August 7, 1991.

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

September 13, 1991

George Northcroft

Director

AMENDATORY SECTION (Amending Order 4, filed 7/27/77)

WAC 415-04-020 PETITION—RESPONSE—DECISION—APPEAL. The initial application or petition shall contain the following:

(1) A complete and detailed statement of the factual situation underlying the application or petition; which may include all relevant documents and sworn statements deemed appropriate by the petitioner.

(2) A concise but detailed statement of the constitutional, statutory or common law provisions or precedents relied upon by the petitioner in support of his petition.

(3) An identification of the individual or individuals filing the petition, as well as an identification of legal counsel if such persons are represented by the same.

(4) The address to which the petitioner wishes further correspondence from the department to be sent.

(5) Upon receipt of the petition, the director will assign the same to the special assistant to the director (~~for program services~~). The special assistant to the director will, within seven days, notify the employer(s) if the petitioner is a member(s) or the affected member(s) if the applicant or petitioner is an employer(s). Said notification shall request the employer(s) or member(s) to submit any written response to the petition no later than 20 days from the date of receipt of the notice, except upon an extension being granted by the special assistant to the director upon good cause shown. The response shall generally take the form of and contain information required of the original petition as described in this section.

(6) Upon receipt of the response, the special assistant to the director shall forward a copy of the response to the original petitioner who shall have ten days in which to reply to the same.

(7) Within 20 days of the expiration of the 10 day period for reply, the special assistant to the director shall enter a written decision containing such findings of fact and conclusions of law as he deems necessary to dispose of the matter.

(8) The decision of the special assistant to the director may be appealed to the director in accordance of the procedures established by WAC 415-08-010 through 415-08-480. An appeal of the (~~assistant director's~~) special assistant's decision to the director shall be a necessary prerequisite to appeal to the superior court of the state of Washington.

of the department of retirement systems pursuant to the authority granted by RCW 41.50.050 and 41.32.140 for calculating optional retirement allowances of members of the Washington state teachers' retirement system, as administered by the director. These tables, schedules, and factors were adopted by the director upon the recommendation of and in light of the findings of the state actuarial investigation into the mortality, service, compensation, and other experience of the members and beneficiaries of teachers' retirement system. The tables, schedules, and factors contained in this chapter shall govern the retirement allowances only of members retiring during the period from October 1, 1990 until such time as these tables, schedules, and factors are amended by the director following the next actuarial investigation conducted by the state actuary. The retirement allowances of members retiring before October 1, 1990 shall continue to be governed by the tables, schedules, and factors in effect at the time of each member's retirement. Any new tables, schedules, and factors adopted by the director in the future shall govern retirement allowances only of members retiring after the adoption of such new tables, schedules, and factors.

Teachers Retirement System TRS 1 Optional COLA*		Teachers Retirement System TRS 1 Option 1 Monthly Benefit per \$1.00 of Accumulation	
20	.633	20	.0061484
21	.634	21	.0061561
22	.636	22	.0061643
23	.638	23	.0061732
24	.639	24	.0061828
25	.641	25	.0061930
26	.643	26	.0062039
27	.645	27	.0062156
28	.647	28	.0062281
29	.649	29	.0062414
30	.652	30	.0062558
31	.654	31	.0062711
32	.656	32	.0062875
33	.659	33	.0063050
34	.661	34	.0063238
35	.664	35	.0063440
36	.667	36	.0063655
37	.670	37	.0063886
38	.673	38	.0064133
39	.676	39	.0064398
40	.679	40	.0064682
41	.682	41	.0064988
42	.686	42	.0065315
43	.689	43	.0065666
44	.693	44	.0066042
45	.697	45	.0066444
46	.701	46	.0066874
47	.705	47	.0067334
48	.709	48	.0067823
49	.714	49	.0068345
50	.718	50	.0068901
51	.723	51	.0069492

WSR 91-19-065
PERMANENT RULES
DEPARTMENT OF
RETIREMENT SYSTEMS
 [Filed September 16, 1991, 10:52 a.m.]

Date of Adoption: September 13, 1991.

Purpose: To amend WAC 415-112-040 relating to TRS actuarial tables.

Citation of Existing Rules Affected by this Order: Amending WAC 415-112-040.

Statutory Authority for Adoption: RCW 41.50.050 and 41.32.140.

Pursuant to notice filed as WSR 91-16-095 on August 7, 1991.

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

September 13, 1991

George Northcroft

Director

AMENDATORY SECTION (Amending WSR 91-02-020, filed 12/21/90, effective 1/21/91)

WAC 415-112-040 ACTUARIAL TABLES, SCHEDULES, AND FACTORS. This chapter contains the tables, schedules, and factors adopted by the director

Teachers
Retirement System
TRS 1 Optional
COLA*

Teachers
Retirement System
TRS 1 Option 1
Monthly Benefit per
\$1.00 of Accumulation

TEACHERS
RETIREMENT SYSTEM
PLAN 1
Early Retirement Factors
by Year and Month

52	.728
53	.734
54	.739
55	.745
56	.751
57	.758
58	.764
59	.771
60	.779
61	.787
62	.795
63	.804
64	.814
65	.824
66	.835
67	.847
68	.860
69	.875
70	.890
71	.907
72	.927
73	.948
74 or more	.972

52	.0070122
53	.0070794
54	.0071512
55	.0072280
56	.0073102
57	.0073984
58	.0074931
59	.0075950
60	.0077049
61	.0078235
62	.0079521
63	.0080907
64	.0824070
65	.0084029
66	.0085784
67	.0087680
68	.0089727
69	.0091936
70	.0094312
71	.0096865
72	.0099604
73	.0102542
74	.0105696
75	.0109088
76	.0112739
77	.0116669
78	.0120898
79	.0125439
80	.0130304
81	.0135505
82	.0141057
83	.0146979
84	.0153295
85	.0160001
86	.0167200
87	.0174922
88	.0183233
89	.0192217
90	.0201938
91	.0212433
92	.0223781
93	.0236079
94	.0249403
95	.0263868
96	.0279635
97	.0296927
98	.0315504
99	.0335425

0	0	1.0000
	1	.9927
	2	.9854
	3	.9780
	4	.9707
	5	.9634
	6	.9561
	7	.9488
	8	.9414
	9	.9341
	10	.9268
	11	.9195
1	0	.9122
	1	.9056
	2	.8990
	3	.8924
	4	.8858
	5	.8792
	6	.8727
	7	.8661
	8	.8595
	9	.8529
	10	.8463
	11	.8397
2	0	.8331
	1	.8272
	2	.8213
	3	.8153
	4	.8094
	5	.8034
	6	.7975
	7	.7916
	8	.7856
	9	.7797
	10	.7737
	11	.7678
3	0	.7619
	1	.7565
	2	.7511
	3	.7457
	4	.7404
	5	.7350
	6	.7296
	7	.7243
	8	.7189
	9	.7135
	10	.7082
	11	.7028
4	0	.6974
	1	.6926
	2	.6877
	3	.6829
	4	.6780
	5	.6731
	6	.6683
	7	.6634

* For converting from the normal form Option 0 without a COLA, to Option 0 with a COLA

TEACHERS RETIREMENT SYSTEM PLAN I Early Retirement Factors by Year and Month		TEACHERS RETIREMENT SYSTEM PLAN I Early Retirement Factors by Year and Month	
8	.6586	4	.4428
9	.6537	5	.4397
10	.6489	6	.4367
11	.6440	7	.4337
5 0	.6391	8	.4307
1	.6347	9	.4276
2	.6303	10	.4246
3	.6259	11	.4216
4	.6215	10 0	.4186
5	.6171	1	.4158
6	.6127	2	.4131
7	.6083	3	.4103
8	.6039	4	.4076
9	.5995	5	.4048
10	.5951	6	.4020
11	.5907	7	.3993
6 0	.5863	8	.3965
1	.5823	9	.3938
2	.5783	10	.3910
3	.5743	11	.3882
4	.5703	11 0	.3855
5	.5663	1	.3830
6	.5623	2	.3804
7	.5583	3	.3779
8	.5543	4	.3754
9	.5503	5	.3729
10	.5463	6	.3704
11	.5423	7	.3678
7 0	.5383	8	.3653
1	.5346	9	.3628
2	.5310	10	.3603
3	.5273	11	.3578
4	.5237	12 0	.3552
5	.5201	1	.3529
6	.5164	2	.3506
7	.5128	3	.3483
8	.5092	4	.3460
9	.5055	5	.3437
10	.5019	6	.3414
11	.4982	7	.3391
8 0	.4946	8	.3368
1	.4913	9	.3345
2	.4880	10	.3322
3	.4847	11	.3299
4	.4813	13 0	.3276
5	.4780	1	.3254
6	.4747	2	.3233
7	.4714	3	.3212
8	.4681	4	.3191
9	.4648	5	.3170
10	.4615	6	.3149
11	.4582	7	.3128
9 0	.4548	8	.3107
1	.4518	9	.3085
2	.4488	10	.3064
3	.4458	11	.3043

TEACHERS
RETIREMENT SYSTEM
PLAN 1
Early Retirement Factors
by Year and Month

TEACHERS
RETIREMENT SYSTEM
PLAN 1
Early Retirement Factors
by Year and Month

14	0	.3022
	1	.3003
	2	.2983
	3	.2964
	4	.2945
	5	.2925
	6	.2906
	7	.2887
	8	.2867
	9	.2848
	10	.2828
	11	.2809
15	0	.2790
	1	.2772
	2	.2754
	3	.2736
	4	.2719
	5	.2701
	6	.2683
	7	.2665
	8	.2648
	9	.2630
	10	.2612
	11	.2594
16	0	.2577
	1	.2560
	2	.2544
	3	.2528
	4	.2511
	5	.2495
	6	.2479
	7	.2462
	8	.2446
	9	.2430
	10	.2413
	11	.2397
17	0	.2381
	1	.2366
	2	.2351
	3	.2336
	4	.2321
	5	.2306
	6	.2291
	7	.2276
	8	.2261
	9	.2246
	10	.2231
	11	.2216
18	0	.2201
	1	.2187
	2	.2173
	3	.2159
	4	.2146
	5	.2132
	6	.2118
	7	.2104

	8	.2090
	9	.2077
	10	.2063
	11	.2049
19	0	.2035
	1	.2023
	2	.2010
	3	.1997
	4	.1984
	5	.1972
	6	.1959
	7	.1946
	8	.1934
	9	.1921
	10	.1908
	11	.1896
20	0	.1883
	1	.1871
	2	.1860
	3	.1848
	4	.1836
	5	.1824
	6	.1813
	7	.1801
	8	.1789
	9	.1778
	10	.1766
	11	.1754
21	0	.1743
	1	.1732
	2	.1721
	3	.1710
	4	.1699
	5	.1689
	6	.1678
	7	.1667
	8	.1656
	9	.1646
	10	.1635
	11	.1624
22	0	.1613
	1	.1603
	2	.1593
	3	.1583
	4	.1573
	5	.1563
	6	.1554
	7	.1544
	8	.1534
	9	.1524
	10	.1514
	11	.1504
23	0	.1494
	1	.1485
	2	.1476
	3	.1466

TEACHERS
RETIREMENT SYSTEM
PLAN 1
Early Retirement Factors
by Year and Month

TEACHERS
RETIREMENT SYSTEM
PLAN 1
Early Retirement Factors
by Year and Month

4	.1457	28	0	.1021
5	.1448		1	.1015
6	.1439		2	.1009
7	.1430		3	.1003
8	.1421		4	.0997
9	.1411		5	.0991
10	.1402		6	.0984
11	.1393		7	.0978
24	0		8	.0972
	1		9	.0966
	2		10	.0960
	3		11	.0953
	4	29	0	.0947
	5		1	.0942
	6		2	.0936
	7		3	.0930
	8		4	.0924
	9		5	.0919
	10		6	.0913
	11		7	.0907
25	0		8	.0902
	1		9	.0896
	2		10	.0890
	3		11	.0884
	4	30	0	.0879
	5		1	.0873
	6		2	.0868
	7		3	.0863
	8		4	.0858
	9		5	.0852
	10		6	.0847
	11		7	.0842
26	0		8	.0836
	1		9	.0831
	2		10	.0826
	3		11	.0820
	4	31	0	.0815
	5		1	.0810
	6		2	.0805
	7		3	.0801
	8		4	.0796
	9		5	.0791
	10		6	.0786
	11		7	.0781
27	0		8	.0776
	1		9	.0771
	2		10	.0766
	3		11	.0761
	4	32	0	.0756
	5		1	.0752
	6		2	.0747
	7		3	.0743
	8		4	.0738
	9		5	.0734
	10		6	.0729
	11		7	.0725

TEACHERS
RETIREMENT SYSTEM
PLAN 1
Early Retirement Factors
by Year and Month

8	.0720
9	.0716
10	.0711
11	.0707
33 0	.0702
1	.0698
2	.0694
3	.0689
4	.0685
5	.0681
6	.0677
7	.0673
8	.0668
9	.0664
10	.0660
11	.0656
34 0	.0652
1	.0648
2	.0644
3	.0640
4	.0636
5	.0632
6	.0628
7	.0624
8	.0620
9	.0617
10	.0613
11	.0609
35 or more	.0605

TRS I Age Difference TRS I
OPTION II Beneficiary Older OPTION III

0.887	0	0.940
0.876	1	0.934
0.866	2	0.928
0.858	3	0.923
0.852	4	0.920
0.847	5	0.917
0.842	6	0.914
0.838	7	0.912
0.834	8	0.910
0.830	9	0.907
0.826	10	0.905
0.823	11	0.903
0.819	12	0.901
0.815	13	0.898
0.810	14	0.895
0.803	15	0.891
0.798	16	0.888
0.794	17	0.886
0.792	18	0.885
0.789	19	0.883
0.786	20	0.881
0.784	21	0.880
0.782	22	0.878
0.780	23	0.876
0.778	24	0.875
0.776	25	0.874
0.774	26	0.873
0.772	27	0.872
0.771	28	0.871
0.769	29	0.870
0.768	30	0.869
0.767	31	0.868
0.765	32	0.867
0.764	33	0.866
0.763	34	0.866
0.762	35	0.865
0.761	36	0.864
0.760	37	0.864
0.759	38	0.863
0.758	39	0.862
0.757	40 or more	0.862

Age difference = member's age minus beneficiary age

TRS I OPTION II	Age Difference Beneficiary Older	TRS I OPTION III
0.974	-20 or more	0.988
0.972	-19	0.987
0.969	-18	0.986
0.967	-17	0.984
0.964	-16	0.983
0.961	-15	0.982
0.958	-14	0.980
0.955	-13	0.978
0.952	-12	0.977
0.949	-11	0.975
0.945	-10	0.973
0.942	-9	0.971
0.938	-8	0.969
0.934	-7	0.967
0.930	-6	0.965
0.926	-5	0.963
0.922	-4	0.961
0.916	-3	0.957
0.908	-2	0.952
0.898	-1	0.946

TEACHERS
RETIREMENT SYSTEM
PLAN 2
Monthly Benefit per \$1.00
of Accumulation

20	.0038822
21	.0038963
22	.0039111
23	.0039267
24	.0039430
25	.0039602
26	.0039783
27	.0039972

TRS II OPTION II	Age Difference Beneficiary Older	TRS II OPTION III
0.733	13	0.852
0.724	14	0.847
0.716	15	0.841
0.709	16	0.836
0.704	17	0.831
0.699	18	0.828
0.694	19	0.824
0.689	20	0.821
0.685	21	0.818
0.681	22	0.814
0.676	23	0.811
0.672	24	0.808
0.669	25	0.805
0.665	26	0.803
0.661	27	0.800
0.658	28	0.798
0.655	29	0.795
0.652	30	0.793
0.649	31	0.791
0.646	32	0.788
0.643	33	0.786
0.641	34	0.784
0.638	35	0.782
0.636	36	0.781
0.634	37	0.779
0.632	38	0.777
0.630	39	0.775
0.628	40 or more	0.773

Age difference = member's age minus beneficiary age

TEACHERS
RETIREMENT SYSTEM
PLAN 2
Early Retirement Factors
by Year and Month

TEACHERS
RETIREMENT SYSTEM
PLAN 2
Early Retirement Factors
by Year and Month

0	0	1.0000
	1	.9916
	2	.9832
	3	.9748
	4	.9664
	5	.9580
	6	.9495
	7	.9411
	8	.9327
	9	.9243
	10	.9159
	11	.9075
1	0	.8991
	1	.8916
	2	.8842
	3	.8768
	4	.8693
	5	.8619
	6	.8545
	7	.8470
	8	.8396

		9	.8322
		10	.8247
		11	.8173
2	0		.8099
		1	.8033
		2	.7967
		3	.7901
		4	.7835
		5	.7769
		6	.7704
		7	.7638
		8	.7572
		9	.7506
		10	.7440
		11	.7374
3	0		.7308
		1	.7250
		2	.7191
		3	.7133
		4	.7074
		5	.7016
		6	.6957
		7	.6899
		8	.6840
		9	.6781
		10	.6723
		11	.6664
4	0		.6606
		1	.6554
		2	.6502
		3	.6449
		4	.6397
		5	.6345
		6	.6293
		7	.6241
		8	.6189
		9	.6137
		10	.6085
		11	.6032
5	0		.5980
		1	.5934
		2	.5887
		3	.5841
		4	.5794
		5	.5748
		6	.5701
		7	.5654
		8	.5608
		9	.5561
		10	.5515
		11	.5468
6	0		.5422
		1	.5380
		2	.5338
		3	.5297
		4	.5255

TEACHERS
RETIREMENT SYSTEM
PLAN 2
Early Retirement Factors
by Year and Month

TEACHERS
RETIREMENT SYSTEM
PLAN 2
Early Retirement Factors
by Year and Month

5	.5214	11	0	.3384
6	.5172		1	.3359
7	.5130		2	.3335
8	.5089		3	.3310
9	.5047		4	.3286
10	.5005		5	.3261
11	.4964		6	.3237
7 0	.4922		7	.3212
1	.4885		8	.3188
2	.4847		9	.3163
3	.4810		10	.3139
4	.4773		11	.3114
5	.4735	12	0	.3089
6	.4698		1	.3067
7	.4661		2	.3045
8	.4623		3	.3023
9	.4586		4	.3001
10	.4549		5	.2979
11	.4511		6	.2956
8 0	.4474		7	.2934
1	.4441		8	.2912
2	.4407		9	.2890
3	.4374		10	.2868
4	.4340		11	.2846
5	.4307	13	0	.2823
6	.4273		1	.2803
7	.4239		2	.2783
8	.4206		3	.2763
9	.4172		4	.2743
10	.4139		5	.2723
11	.4105		6	.2703
9 0	.4072		7	.2683
1	.4042		8	.2663
2	.4012		9	.2643
3	.3981		10	.2623
4	.3951		11	.2603
5	.3921	14	0	.2582
6	.3891		1	.2564
7	.3861		2	.2546
8	.3831		3	.2528
9	.3800		4	.2510
10	.3770		5	.2491
11	.3740		6	.2473
10 0	.3710		7	.2455
1	.3683		8	.2437
2	.3656		9	.2419
3	.3628		10	.2400
4	.3601		11	.2382
5	.3574	15	0	.2364
6	.3547		1	.2348
7	.3520		2	.2331
8	.3493		3	.2315
9	.3465		4	.2298
10	.3438		5	.2282
11	.3411		6	.2265
			7	.2248

TEACHERS
RETIREMENT SYSTEM
PLAN 2
Early Retirement Factors
by Year and Month

8	.2232
9	.2215
10	.2199
11	.2182
16 0	.2166
1	.2151
2	.2136
3	.2121
4	.2106
5	.2091
6	.2076
7	.2061
8	.2046
9	.2031
10	.2016
11	.2001
17 0	.1986
1	.1972
2	.1959
3	.1945
4	.1931
5	.1918
6	.1904
7	.1890
8	.1877
9	.1863
10	.1849
11	.1836
18 0	.1822
1	.1810
2	.1797
3	.1785
4	.1772
5	.1760
6	.1747
7	.1735
8	.1723
9	.1710
10	.1698
11	.1685
19 0	.1673
1	.1662
2	.1650
3	.1639
4	.1628
5	.1616
6	.1605
7	.1594
8	.1582
9	.1571
10	.1560
11	.1548
20 0	.1537
1	.1527
2	.1516
3	.1506

TEACHERS
RETIREMENT SYSTEM
PLAN 2
Early Retirement Factors
by Year and Month

4	.1496
5	.1485
6	.1475
7	.1465
8	.1454
9	.1444
10	.1433
11	.1423
21 0	.1413
1	.1403
2	.1394
3	.1384
4	.1375
5	.1366
6	.1356
7	.1347
8	.1337
9	.1328
10	.1318
11	.1309
22 0	.1299
1	.1291
2	.1282
3	.1274
4	.1265
5	.1256
6	.1248
7	.1239
8	.1230
9	.1222
10	.1213
11	.1205
23 0	.1196
1	.1188
2	.1180
3	.1172
4	.1164
5	.1156
6	.1149
7	.1141
8	.1133
9	.1125
10	.1117
11	.1109
24 0	.1101
1	.1094
2	.1087
3	.1079
4	.1072
5	.1065
6	.1058
7	.1051
8	.1043
9	.1036
10	.1029
11	.1022

TEACHERS
RETIREMENT SYSTEM
PLAN 2
Early Retirement Factors
by Year and Month

TEACHERS
RETIREMENT SYSTEM
PLAN 2
Early Retirement Factors
by Year and Month

25	0	.1014
	1	.1008
	2	.1001
	3	.0994
	4	.0988
	5	.0981
	6	.0975
	7	.0968
	8	.0961
	9	.0955
	10	.0948
	11	.0941
26	0	.0935
	1	.0929
	2	.0923
	3	.0917
	4	.0911
	5	.0904
	6	.0898
	7	.0892
	8	.0886
	9	.0880
	10	.0874
	11	.0868
27	0	.0862
	1	.0856
	2	.0851
	3	.0845
	4	.0840
	5	.0834
	6	.0828
	7	.0823
	8	.0817
	9	.0812
	10	.0806
	11	.0801
28	0	.0795
	1	.0790
	2	.0785
	3	.0780
	4	.0775
	5	.0769
	6	.0764
	7	.0759
	8	.0754
	9	.0749
	10	.0744
	11	.0739
29	0	.0734
	1	.0729
	2	.0724
	3	.0720
	4	.0715
	5	.0710
	6	.0705
	7	.0701

	8	.0696
	9	.0691
	10	.0687
	11	.0682
30	0	.0677
	1	.0673
	2	.0669
	3	.0664
	4	.0660
	5	.0656
	6	.0651
	7	.0647
	8	.0643
	9	.0638
	10	.0634
	11	.0630
31	0	.0625
	1	.0621
	2	.0617
	3	.0613
	4	.0609
	5	.0605
	6	.0602
	7	.0598
	8	.0594
	9	.0590
	10	.0586
	11	.0582
32	0	.0578
	1	.0574
	2	.0570
	3	.0567
	4	.0563
	5	.0559
	6	.0556
	7	.0552
	8	.0548
	9	.0545
	10	.0541
	11	.0537
33	0	.0534
	1	.0530
	2	.0527
	3	.0524
	4	.0520
	5	.0517
	6	.0514
	7	.0510
	8	.0507
	9	.0503
	10	.0500
	11	.0497
34	0	.0493
	1	.0490
	2	.0487
	3	.0484

TEACHERS
RETIREMENT SYSTEM
PLAN 2
Early Retirement Factors
by Year and Month

4	.0481
5	.0478
6	.0475
7	.0472
8	.0469
9	.0465
10	.0462
11	.0459
((35 or more	0 .0456))
35	0 .0456
1	.0453
2	.0450
3	.0448
4	.0445
5	.0442
6	.0439
7	.0436
8	.0433
9	.0430
10	.0428
11	.0425
36	0 .0422
1	.0419
2	.0417
3	.0414
4	.0411
5	.0409
6	.0406
7	.0403
8	.0401
9	.0398
10	.0396
11	.0393
37	0 .0390
1	.0388
2	.0385
3	.0383
4	.0381
5	.0378
6	.0376
7	.0373
8	.0371
9	.0368
10	.0366
11	.0364
38	0 .0361
1	.0359
2	.0357
3	.0354
4	.0352
5	.0350
6	.0348
7	.0345
8	.0343
9	.0341
10	.0339

TEACHERS
RETIREMENT SYSTEM
PLAN 2
Early Retirement Factors
by Year and Month

11	.0336
39	0 .0334
1	.0332
2	.0330
3	.0328
4	.0326
5	.0324
6	.0322
7	.0320
8	.0318
9	.0316
10	.0313
11	.0311
40	0 .0309
1	.0307
2	.0306
3	.0304
4	.0302
5	.0300
6	.0298
7	.0296
8	.0294
9	.0292
10	.0290
11	.0288
41	0 .0286
1	.0285
2	.0283
3	.0281
4	.0279
5	.0278
6	.0276
7	.0274
8	.0272
9	.0271
10	.0269
11	.0267
42	0 .0265
1	.0264
2	.0262
3	.0260
4	.0259
5	.0257
6	.0255
7	.0254
8	.0252
9	.0251
10	.0249
11	.0247
43	0 .0246
1	.0244
2	.0243
3	.0241
4	.0240
5	.0238
6	.0237

TEACHERS
RETIREMENT SYSTEM
PLAN 2

Early Retirement Factors
by Year and Month

7	.0235
8	.0234
9	.0232
10	.0231
11	.0229
44 0	.0228
1	.0226
2	.0225
3	.0223
4	.0222
5	.0221
6	.0219
7	.0218
8	.0216
9	.0215
10	.0214
11	.0212
45 or more 0	.0211

WSR 91-19-066
PROPOSED RULES
TRAFFIC SAFETY COMMISSION
[Filed September 16, 1991, 1:15 p.m.]

Original Notice.

Title of Rule: WAC 467-01-010, 467-02-010 - 467-02-110, Public access to information and records.

Purpose: To formalize commission's procedures for voting/final action and to clarify procedures for public access to information and records.

Statutory Authority for Adoption: RCW 43.59.040.

Statute Being Implemented: Chapter 43.59 RCW.

Summary: The proposed rule amendments incorporate housekeeping changes, as well as codify the procedures for final commission action, and clarify the procedures for public access to information and records.

Reasons Supporting Proposal: Updated WACs as recommended by Legislative Transportation Committee review.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Steve Lind, 1000 South Cherry Street, Olympia, WA 98504, 753-6538.

Name of Proponent: Washington Traffic Safety Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule amendments incorporate housekeeping changes, as well as codify the procedures for final commission action, and clarify the procedures for public access to information and records.

Proposal does not change existing rules.

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

Hearing Location: Washington Traffic Safety Commission, 1000 South Cherry Street, PD-11, Olympia, WA 98504, on October 23, 1991, at 1:30 p.m.

Submit Written Comments to: Steve Lind, Washington Traffic Safety Commission, 1000 South Cherry Street, PD-11, Olympia, WA 98504, by October 21, 1991.

Date of Intended Adoption: October 23, 1991.

September 13, 1991

Steve Lind

Deputy Director

AMENDATORY SECTION (Amending Order 1, filed 4/11/77)

WAC 467-02-010 PURPOSE. The purpose of this chapter shall be to ensure compliance by the Washington traffic safety commission with the provisions of ((chapter 1, Laws of 1973, and in particular with sections 25 through 32 of that act)) RCW 42.17.250 through 42.17.340 dealing with public records.

AMENDATORY SECTION (Amending Order 1, filed 4/11/77)

WAC 467-02-030 EXEMPTED RECORDS. In accordance with RCW 42.17.310, the following personal and other records shall be exempt from public inspection and copying:

(1) Personal information in any files maintained for students in public schools, patients or clients of public institutions or public health agencies, welfare recipients, prisoners, probations or parolees.

(2) Personal information in files maintained for employees, appointees or elected officials of any public agency to the extent that disclosure would violate their right to privacy.

(3) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would violate the taxpayer's right to privacy or would result in unfair competitive disadvantage to such taxpayer.

(4) Specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.

(5) Information revealing the identity of persons who file complaints with investigative, law enforcement, or penology agencies, except as the complainant may authorize.

(6) Test questions, scoring keys, and other examination data used to administer a license, employment or academic examination.

(7) Except as provided by chapter 8.26 RCW, the contents of real estate appraisals, made for or by any agency relative to the acquisition or sale of property, until the project or prospective sale is abandoned or until such time as all of the property has been acquired or the property to which the sale appraisal relates is sold, but in no event shall disclosure be denied for more than three years after the appraisal.

(8) Valuable formulae, designs, drawings and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss.

(9) Preliminary drafts, notes, recommendations and intra-agency memorandums in which opinions are expressed or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action.

(10) Records which are relevant to a controversy to which an agency is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.

(11) All applications for public employment, including the names of applicants, resumes, and other related materials submitted with respect to an applicant.

(12) The residential addresses and residential telephone numbers of the employees or volunteers of a public agency which are held by the agency in personnel records, employment or volunteer rosters, or mailing lists of employees or volunteers.

(13) Records, maps, or other information identifying the location of archaeological sites in order to avoid the looting or depredation of such sites.

(14) Any library record, the primary purpose of which is to maintain control of library materials, or to gain access to information, which discloses or could be used to disclose the identity of a library user.

(15) Financial information supplied by or on behalf of a person, firm, or corporation for the purpose of qualifying to submit a bid or proposal for:

(a) A ferry system construction or repair contract as required by RCW 47.60.680 through 47.60.750; or

(b) Highway construction or improvement as required by RCW 47.28.070.

(16) The exemptions of this section shall be inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interests, can be deleted from the specific records sought. No exemption shall be construed to permit the nondisclosure of statistical information not descriptive of any readily identifiable person or persons.

AMENDATORY SECTION (Amending Order 1, filed 4/11/77)

WAC 467-02-050 PUBLIC RECORDS OFFICER. The Washington traffic safety commission public records shall be ~~((in charge of the clerk typist HH who shall be))~~ managed by the public records officer for the commission. The person so designated shall be officed in the ~~((Highways-Licenses))~~ Washington Traffic Safety Commission Building, Olympia, Washington. The public records officer shall be responsible for implementation of the commission's rules and regulations regarding release of public records, coordinating staff efforts of the ~~((commission in this regard))~~ commission's rules and regulations regarding release of public records, and generally ensuring compliance of the staff with the public records disclosure requirements of chapter 1, Laws of 1973.

AMENDATORY SECTION (Amending Order 1, filed 4/11/77)

WAC 467-02-070 REQUESTS FOR PUBLIC RECORDS. Subject to the provisions of subsection (3) of this section, ~~((and in accordance with the requirements of chapter 1, Laws of 1973, that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the commission;))~~ public records are ~~((only))~~ obtainable by members of the public when those members of the public comply with the following procedures.

(1) A request shall be addressed to the public records officer. Such request shall include the following:

(a) The name of the person requesting the record.

(b) The time of day and calendar date on which the request was made.

(c) If the matter requested is referenced within the current index maintained by the Washington traffic safety commission, a reference to the requested record as it is described in such current index.

(d) If the requested matter is not identifiable by reference to the Washington traffic safety commission's current index, a statement that identifies the specific record requested.

(e) A verification that the records requested shall not be used to compile a commercial sales list.

(2) The public records officer shall inform the member of the public making the request whether the requested record is available for inspection ~~((or))~~ and copying ~~((at the Highways-Licenses Building))~~ at 1000 S. Cherry Street, in Olympia, Washington.

(3) When it appears that a request for a record is made by or on behalf of a party to a lawsuit or a controversy to which the commission is also a party (or when such a request is made by or on behalf of an attorney for such a party) the request shall be referred to the assistant attorney general assigned to the commission for appropriate response.

AMENDATORY SECTION (Amending Order 1, filed 4/11/77)

WAC 467-02-080 AVAILABILITY FOR PUBLIC INSPECTION AND COPYING OF PUBLIC RECORDS—OFFICE HOURS. Public records shall be available for inspection and copying during the ~~((customary office))~~ normal business hours of the Washington traffic safety commission. For the purposes of this chapter, the ~~((customary))~~ normal office hours shall be from 8 a.m. to 5 p.m., Monday through Friday, excluding legal holidays.

AMENDATORY SECTION (Amending Order 1, filed 4/11/77)

WAC 467-02-120 REVIEW OF DENIALS OF PUBLIC RECORDS REQUESTS. (1) Any person who objects to the denial of a request for a public record may petition the public records officer for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

(2) After receiving a written request for review of a decision denying a public record, if the public records officer determines to affirm the denial, then the written request shall immediately be referred to the assistant attorney general assigned to the commission. The assistant attorney general shall promptly consider the matter and either affirm or reverse such denial. In any case, the request shall be returned with a final decision, within two business days following ~~((the original denial))~~ receipt of the petition for review.

(3) Administrative remedies shall not be considered exhausted until the public records officer has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever first occurs.

AMENDATORY SECTION (Amending Order 1, filed 4/11/77)

WAC 467-02-130 RECORDS INDEX. (1) The commission has available to all persons at its offices in Olympia a current index which provides identifying information as to the following records issued, adopted or promulgated by the commission:

(a) Minutes of commission meetings~~((federal and state traffic safety legislation and proposed federal rules and regulations pertaining to highway safety standards));~~

(b) Those statements of policy and interpretations of policy, statute and the constitution which have been adopted by the commission;

(c) Administrative staff manuals and instructions to staff that affect a member of the public;

(d) Planning policies and goals, and interim and final planning decisions;

(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports or surveys, whether conducted by public employees or others.

(2) A system of indexing for identification and location of the following records is hereby established by the commission. Such records shall include the following:

(a) Final orders entered after June 30, 1990, issued in adjudicative proceedings as defined in RCW 34.05.010(1) that contain an analysis or decision of substantial importance to the agency in carrying out its duties.

(b) Declaratory orders entered after June 10, 1990, that contain an analysis or decision of substantial importance to the agency in carrying out its duties.

(c) Interpretative statements as defined in RCW 34.05.010(8).

(d) Policy statements entered after June 30, 1990, as defined in RCW 34.05.010(14).

(3) A system of indexing shall be as follows:

(a) The indexing system will be administered by the commission's rules coordinator and located at 1000 S. Cherry Street, Olympia, Washington.

(b) Copies of all indexes shall be available for public inspection and copying in the manner provided for the inspection and copying of public records.

(c) The rules coordinator shall establish and maintain a separate index for each item contained in subsection (1)(a) through (e) of this section as follows:

(i) The index shall list all final orders and declaratory orders selected by the commission that contain decisions of substantial importance to the agency which orders shall be listed alphabetically by the titles of the hearing or controversy and shall contain a phrase describing the issue or issues and relevant citations of law.

(ii) Interpretative statements and policy statements shall be indexed by the applicable program administered by the commission.

(d) The rules coordinator shall update all indexes at least once a year and shall revise such indexes when deemed necessary by the commission.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 467-02-040 DESCRIPTION OF ORGANIZATION OF WASHINGTON TRAFFIC SAFETY COMMISSION.
 WAC 467-02-060 PUBLIC RECORDS AVAILABLE.
 WAC 467-02-100 PROTECTION OF PUBLIC RECORDS.

AMENDATORY SECTION (Amending Order 1, filed 4/11/77)

WAC 467-01-010 DESCRIPTION OF ORGANIZATION. ~~((+))~~ The Washington traffic safety commission is a ~~((nine))~~ ten-member commission organized under the provisions of chapter 43.59 RCW, and under which the commission is to seek solutions to traffic problems caused by increases in motor vehicles on highways, plan and supervise accident prevention programs, coordinate state and local development of traffic safety programs, promote uniform enforcement of traffic safety laws and the establishment of standards for investigation and reporting of traffic accidents, and promote and improve driver education. The commission consists of the governor, as chairman; the superintendent of public instruction; the director of motor vehicles; the director of highways; the chief of the state patrol; the director of the department of social and health services; the secretary of the department of health; a representative of the association of Washington cities appointed by the governor; a member of the association of Washington counties appointed by the governor; and a representative of the judiciary appointed by the governor. The director of the Washington traffic safety commission, appointed by the governor, serves as secretary to the commission and is responsible for carrying into effect the commission orders and rules and regulations promulgated by the commission. The director is also authorized to employ staff necessary to carry out the orders, rules and regulations of the commission. As secretary, the director coordinates the activities of the commission and supervises the work of the staff of the commission.

~~((2))~~ Regular public meetings of the Washington traffic safety commission are held quarterly in the governor's conference room, Legislative Building, Olympia, Washington, or at such other place named by the commission. The commission may deviate from the regular quarterly meeting schedule and hold special meetings as may be required at the discretion of the commission. Advance notice of such meetings is given in accordance with the provisions of chapter 42.30 RCW.

~~(3)~~ Persons desiring to write the commission to obtain information or to make submissions or requests shall address their correspondence to: Washington Traffic Safety Commission, P.O. Box 1399, Olympia, Washington 98504.

~~(4)~~ Persons desiring to be heard by and to make submissions to the commission orally shall submit requests for appointments in writing addressed to: Director, Washington Traffic Safety Commission, P.O. Box 1399, Olympia 98504. The writer shall identify the subject matter proposed for discussion. This paragraph shall not apply to hearings governed by specific provisions of law or other rule.

~~(5)~~ The office of the director of the commission is in the Highways-Licenses Building, Olympia, Washington.

NEW SECTION

WAC 467-01-020 TIME AND PLACE OF MEETINGS. Regular public meetings of the Washington traffic safety commission are held quarterly on the fourth Tuesday in January, April, July, and October in the Washington Traffic Safety Commission Conference Room, 1000 S. Cherry Street, Olympia, Washington, or at such other place named by the commission and all provisions of chapter 42.30 RCW shall apply.

NEW SECTION

WAC 467-01-030 QUORUM. For purposes of taking final action, a quorum shall consist of six commissioners. Final action will be determined by a simple majority. Final action includes adopting rules and approval of the highway safety plan and other formal traffic safety plans adopted by the commission.

NEW SECTION

WAC 467-01-040 SPECIAL MEETING. A special meeting of the traffic safety commission may be called by the secretary, or by a majority of the members of the commission, by delivering personally or

by mail written notice to all members of the commission at least twenty-four hours before the time of such meeting as specified in the notice. The notice calling a special meeting shall state the purpose for which the meeting is called and the date, hour, and place of such meeting and all provisions of chapter 42.30 RCW shall apply.

NEW SECTION

WAC 467-01-050 EMERGENCY MEETING. If, by reason of an emergency, there is a need for expedited action by the commission to meet the emergency, the secretary may provide for a meeting site, and the notice requirements of chapter 42.30 RCW shall be suspended during such emergency. To the extent possible, notice of such emergency meeting will be delivered personally, by telephone, telegram, or mail to the members of the commission and interested persons, and shall specify the time and place of the emergency meeting and the business to be transacted. Any action taken by the commission at such emergency meeting may be reconsidered by the commission at its next regular quarterly meeting.

NEW SECTION

WAC 467-01-060 ADDRESS OF THE COMMISSION. Persons wishing to obtain information or to make submissions or requests of any kind shall address their correspondence to:

Director
 Washington Traffic Safety Commission
 1000 South Cherry Street, Mailstop: PD-11
 Olympia, WA 98504

WSR 91-19-067
COLUMBIA RIVER
GORGE COMMISSION

[Filed September 16, 1991, 1:18 p.m.]

Reviser's note: The following material has not been adopted under the Administrative Procedure Act, chapter 34.05 RCW, but has been filed in the office of the code reviser and is published in the Register exactly as filed.

The above named agency given notice of hearing.

Hearings to be Held: November 12, 1991, 9:30 a.m., Skamania County Courthouse Annex, Vancouver Avenue, Stevenson, Washington.

Hearings Officer(s): Stafford Hansell, Chair.

Pursuant to the statutory authority of RCW 43.97-.015 to 43.97.035. The following action is proposed: Adopting Columbia River Gorge National Scenic Area Management Plan, amending 350-20-003, 350-20-004, and 350-20-010.

No prior notice given.

Interest persons may comment on the proposed rules orally or in writing at the hearing. Written comments received by November 1, 1991, will also be considered. Written comments should be sent to and copies of the proposed rulemaking may be obtained from: Columbia River Gorge Commission, 288 East Jewett Boulevard, P.O. Box 730, White Salmon, WA 98672, ATTN: Jan Brending, Rules Coordinator, (509) 493-3323.

September 11, 1991

Richard Benner

In the matter of amendment to administrative rules relating to review by the Commission of Major Development Actions and Residential Development, 350-20.

HEARING AND AMENDMENT OF RULES

The Columbia River Gorge Commission proposes to amend rules relating to its development review process, 350-20, at its regularly scheduled meeting on: November 12, 1991, 9:30 a.m., Skamania County Courthouse Annex, Vancouver Avenue, Stevenson, Washington. Commission Chair Stafford Hansell will preside over the and conduct the hearing.

Amendment: Rule 350-20-003, 350-20-004, and 350-20-010. The commission is the proponent of these proposed amendments.

No prior notice given.

Summary of Rules: The proposed amendments replace the final interim guidelines with the Columbia River Gorge National Scenic Area Management Plan as standards for review of major development actions and residential development during the interim period prior to approval of ordinances to implement the management plan.

Statement of Need: The proposed amendments will facilitate the commission's development review decision making process by substituting a clearer, more specific set of rules for the commission's current, more general rules. Applicants and counties have asked for clearer, more specific rules to speed the development review process.

The amendment is not needed as a result of federal law or a court decision.

Statutory Authority: Authority to amend the rules as proposed derives from section 10(c) of the Scenic Area Act (16 USC 544h(c)) and the Columbia River Compact, Article I, Section a (4)(g), at ORS 196.150 and RCW 43.97.015.

Documents Relied Upon: The proposed amendments are based upon inventories of natural, cultural, scenic, recreational and economic resources conducted by the commission and the United States Forest Service and upon standards in section 6 of the Scenic Area Act (16 USC 544d).

Fiscal Impact Statement: The proposed amendments will have a positive fiscal impact upon the commission by reducing the time for processing and decision making in its development review responsibility. The amendments will also have a positive fiscal impact upon the six gorge counties by reducing the time they now devote to commission development reviews.

Statement of Anticipated Effects: The proposed amendments will make the commission's interim development review process faster and more efficient. The management plan contains clearer and more specific standards for development reviews. The greater clarity and specificity will provide greater certainty to applicants and all other users of the commission's development review process.

Public Comment: Interested persons may comment orally or in writing at the hearing. Written comment received at the commission's office by November 1, 1991, will also be considered. Comment may be made to or copies of the proposed rule received from: Jan Brending, Rules Coordinator, Columbia River Gorge Commission,

288 East Jewett Boulevard, P.O. Box 730, White Salmon, WA 98672, (509) 493-3323.

COLUMBIA RIVER GORGE COMMISSION
PROPOSED RULE AMENDMENTS

350-20

350-20-003. Review and Approval Required.

Prior to the effective date of a county's land use ordinance adopted and approved pursuant to sections 7 and 8 of P.L. 99-663, the Commission shall review all proposals for major development actions and new residential development within Special and General Management Areas in that county. Only major development actions and new residential development found by the Commission to be consistent with the standards of section 6 and the purposes of P.L. 99-663 and [the Final Interim Guidelines] the Columbia River Gorge National Scenic Area Management Plan referred to in section 350-20-004 shall be allowed. No major development action or new residential development shall be undertaken or initiated without prior Commission approval.

350-20-004. Review Standards and Guidelines.

(1) The Columbia River Gorge National Scenic Area [Final Interim Guidelines, published by the Forest Service and dated June 30, 1987,] Management Plan, as adopted by the Columbia River Gorge Commission on October 15, 1991, are adopted by reference [as amended in paragraph (2) below] and declared to be part of this rule. In reviewing major development actions and new residential development for consistency with the standards of section 6 and the purposes of P.L. 99-663, [Chapter 3 of the Final Interim Guidelines, as amended in paragraph (2) below,] the Columbia River Gorge National Scenic Area Management Plan shall be utilized.

[(2) The Final Interim Guidelines identified in paragraph (1) above are amended as follows:]

[(a) The definition of agricultural lands shall be revised to read as follows: "Agricultural lands are those lands which are primarily used or are suitable for the production of farm commodities including the growing of crops, fruits or Christmas trees or the pasturing, grazing or feeding of livestock. Lands designated as open space by the Commission shall not be considered agricultural lands."]

[(b) The definition of forest lands shall be revised to read as follows: "Forest lands are those lands which are used for growing forest products or are capable of producing in excess of twenty (20) cubic feet per acre per year of Douglas fir, Ponderosa pine or other merchantable tree species. Lands designated as open space by the Commission shall not be considered forest lands."]

[(c) The guidelines for existing uses shall be revised as follows: "When a structure is destroyed or partially destroyed, it will be considered an existing use when replaced in kind and in the same location within one year. The exterior color and reflectivity of replacement structures must be consistent with the scenic guidelines in Chapter III. Replacement of a structure or use that differs in size or location from the original shall be subject to a consistency determination. Replacement of a mobile

home in a special management area with a modular or site-built home, to be used in the same manner and for the same purposes, shall be considered the continuation of an existing use except that it shall be subject to review for consistency with the guidelines on scenic resources in section B(1).]

350-20-010. Decision of the Director.

(1) In making a decision on a proposed development action the Director shall:

(a) Consult with the applicant and such agencies as the Director deems appropriate;

(b) Consider information submitted by the applicant and all other relevant information available;

(c) Consider all comments submitted pursuant to 350-20-009(7); and

(d) Solicit and consider the comments of the Forest Service.

(2) The Director shall approve a major development action and new residential development only if it is consistent with the standards of section 6 and the purposes of P.L. 99-663 and [the Final Interim Guidelines] the Columbia River Gorge National Scenic Area Management Plan referred to in section 350-20-004. In approving a proposed development action, the Director may impose conditions as necessary to ensure consistency with the standards and guidelines of 350-20-004.

(3) The Director shall issue a decision on a proposed development action including findings of fact and conclusions of law and any conditions to ensure consistency with the standards of section 6 and the purposes of P.L. 99-663 and [the Final Interim Guidelines] the Columbia River Gorge National Scenic Area Management Plan referred to in Section 350-20-004 within thirty (30) working days after acceptance of the application unless the applicant consents to an extension of time.

(4) The Director shall mail a copy of the decision to the applicant, the Commission, the Forest Service, the States of Oregon and Washington, the Indian Tribes, the planning director of the applicable county or city and each person who submitted comments under 350-20-009(7). The decision shall set forth the rights of appeal under 350-20-011.

(5) The decision of the Director shall be final unless a Notice of Appeal is filed in accordance with 350-20-011 or a Notice of Commission Initiated Review is filed in accordance with 350-20-013.

(6) The decision of the Director approving a proposed development action shall become void

(a) in two years if the development action is not undertaken within that period, or

(b) when the development action is discontinued for any reason for one continuous year or more.

(7) An applicant may request an extension of the validity of a development approval. Such request shall be considered an Administrative Action and shall be submitted to the Executive Director prior to the expiration of such approval, in writing, stating the reason why an extension should be granted. The Executive Director

may grant an extension of up to twelve (12) months in the validity of a development approval if it is determined that conditions, for which the applicant was not responsible, would prevent the applicant from commencing his operation within the original time limitation.

WSR 91-19-068

PERMANENT RULES

**PARKS AND RECREATION
COMMISSION**

[Filed September 16, 1991, 1:22 p.m.]

Date of Adoption: September 13, 1991.

Purpose: To bring state parks administrative codes into compliance with 1991 legislation on ski lift signing.

Citation of Existing Rules Affected by this Order: Amending SSB 5835, chapter 75, Laws of 1991.

Statutory Authority for Adoption: RCW 43.51.040.

Pursuant to notice filed as WSR 91-16-096 on August 7, 1991.

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

September 13, 1991

Jack Shreve

Commission Chairman

AMENDATORY SECTION (Amending Order 20, filed 7/31/74)

WAC 352-44-010 RECREATIONAL CONVEYANCES—DEFINITIONS. Whenever used in this chapter, the following terms shall have the meanings herein defined unless the context clearly indicates otherwise:

(1) "Commission" shall mean the Washington state parks and recreation commission.

(2) "Director" shall mean the director of the Washington state parks and recreation commission or his designee.

(3) "Certificate" shall mean either the certificate to operate or the conditional certificate to operate.

(4) "Qualified engineer" shall mean an engineer meeting the requirements of the state of Washington Professional Engineers Registration Act (chapter 18.43 RCW).

(5) "Lift signing" shall mean all signs required to meet applicable codes as determined in WAC 352-44-060.

AMENDATORY SECTION (Amending Order 20, filed 7/31/74)

WAC 352-44-060 RECREATIONAL CONVEYANCES—STANDARDS. The current American National Standards Safety Requirements for Aerial Passenger Tramways shall apply to the design ((and))₂ inspection, signing, and operation of all conveyances as interpreted by the director unless a request for waiver is submitted by the operator and a waiver is granted by the director.

AMENDATORY SECTION (Amending Order 20, filed 7/31/74)

WAC 352-44-070 RECREATIONAL CONVEYANCES—CONSTRUCTION OF NEW CONVEYANCES. All new conveyances which are to be constructed after the effective date of these regulations shall:

- (1) Require approval of the director prior to commencement of construction.
- (2) Be designed by ~~((an))~~ a qualified engineer ~~((meeting the requirements of the state of Washington Professional Engineers Registration Act (chapter 18.43 RCW)))~~.
- (3) Be certified by ~~((the design))~~ a qualified engineer that the conveyance has been installed in accordance with the plans and specifications.
- (4) Be subjected to an acceptance test and inspection as specified in the current American National Standards Safety Requirements for Aerial Passenger Tramways before certification by the director. The director shall be given a minimum of seven days notice of the schedule for the final load test.

AMENDATORY SECTION (Amending Order 20, filed 7/31/74)

WAC 352-44-080 RECREATIONAL CONVEYANCES—SIMULATED LOAD TEST. All aerial conveyances (those which carry passengers above ground) shall be subject to an annual simulated load test to specifically demonstrate the braking capabilities of each braking system on the lift. Additional load testing may be required when requested by the director.

- (1) Simulated loads shall be in the amount recommended by ~~((the design))~~ a qualified engineer and approved by the director.
- (2) The simulated load may be a static load and shall be imposed in any manner recommended by the design engineer or be acceptable to a qualified engineer and/or the director.
- (3) All brakes recommended by the design engineer and/or designated by the director shall be required to hold the test load independent of all other brakes.
- (4) The load test(s) shall be performed in the presence of an individual designated by the director.
- (5) All aerial conveyances shall be in full compliance with this section by December 31, 1975.

AMENDATORY SECTION (Amending Order 20, filed 7/31/74)

WAC 352-44-090 RECREATIONAL CONVEYANCES—OPERATORS AND OPERATOR QUALIFICATIONS. The director may require minimum ~~((operation))~~ operator qualifications, ski lift signing standards, and operational procedures to assure a reasonable degree of safety to the using public. ~~((The director shall appoint a committee representative of skiing interest to consider and recommend a set of guidelines and minimum standards for the operators and the safe operation of conveyances:))~~ The director shall adopt standards ~~((on or before December 31, 1974))~~ and the operation of

all conveyances shall be in full compliance with ~~((the))~~ said approved standards ~~((by December 31, 1975))~~.

WSR 91-19-069**NOTICE OF PUBLIC MEETINGS
LIQUOR CONTROL BOARD**

[Memorandum—September 16, 1991]

The Washington State Liquor Control Board will meet in public session on Wednesday, October 9, in Aberdeen at the City Hall beginning at 10:00 a.m. The board will meet in Bellingham on Wednesday, October 30, at the Best Western Lakeway Inn. That meeting will begin at 10:00 a.m.

Both meetings are open to the public and routine board business will be conducted, followed by time for general discussion of issues pertinent to the particular area the board is visiting. The meetings are part of a series of meetings being held throughout the state to bring the board closer to the public it serves.

WSR 91-19-070**PERMANENT RULES
LIQUOR CONTROL BOARD**

[Filed September 16, 1991, 4:45 p.m.]

Date of Adoption: September 11, 1991.

Purpose: WAC 314-64-030, the purpose is to repeal this requirement and bring the rules into conformity with previous board action repealing chemical analysis requirement on January 28, 1989; WAC 314-64-050(1), the purpose is to repeal/delete (1) of the existing rule to bring the language into compliance with board action repealing chemical analysis effective January 28, 1989; WAC 314-16-250, the purpose is to eliminate the requirement for a keg registration form to be completed when malt liquor is sold by the keg for consumption upon the premises where it is sold; WAC 314-26-010, the purpose is to eliminate the requirement for board notification for small lot destruction of unsalable products; and WAC 314-12-035, held over, the purpose is to amend the existing language to permit the board employees to have discretion in requiring documents and affidavits as a prerequisite for licensing approval.

Citation of Existing Rules Affected by this Order: Repealing WAC 314-64-030 and 314-64-050(1); and amending WAC 314-16-250 and 314-26-010.

Statutory Authority for Adoption: RCW 66.08.030.

Pursuant to notice filed as WSR 91-16-081 on August 6, 1991.

Effective Date of Rule: Thirty days after filing.

September 12, 1991

Paula O'Connor
Chairman**REPEALER**

The following section of Washington Administrative Code is repealed:

WAC 314-64-030 Procedures for chemical analysis.

AMENDATORY SECTION (Amending Order 252, Resolution No. 261, filed 6/23/88, effective 7/24/88)

WAC 314-64-050 ACCOUNTING FOR BOARD SAMPLES. Samples shall be accounted for as follows:

~~((1) Beer and wine submitted to the board for chemical analysis:~~

~~(a) Upon receipt of the samples at the Washington state dairy and food laboratory, the liquor board chemist shall prepare a multiple-copy receiving report for said samples, clearly identifying them as "samples for chemical analysis." If they are hand-delivered by the supplier, the supplier will be given a receipt.~~

~~(b) The liquor board chemist shall sign the multiple-copy receiving report in the applicable section indicating receipt of samples.~~

~~(c) If more than the amount authorized in WAC 314-64-030 is received, the liquor board chemist shall prepare a separate receiving report for the excess samples.~~

~~(d) Samples received in excess of the quantity authorized in WAC 314-64-030 for chemical analysis will be destroyed by the liquor board chemist at the laboratory and such destruction shall be witnessed by another employee of either the liquor control board or the department of agriculture. The destruction will be certified on the receiving report by the liquor board chemist and the authorized employee who witnessed the destruction.~~

~~(e) The liquor board chemist shall distribute the signed multiple-copy receiving report as follows: The original to the liquor board controller in Olympia, one copy to the manufacturers, importers, and wholesalers division in Olympia, and one copy to be retained by the liquor board chemist at the Washington state dairy and food laboratory.~~

~~(f) The liquor control board controller in Olympia shall maintain the official copies of the receiving reports and the chemical analysis reports:))~~

~~((2)) (1) Malt liquor, wine or spirits submitted to the board for the purpose of negotiating the sale of liquor to the board.~~

~~(a) Upon receipt of the samples by the liquor purchasing agent in Olympia, the liquor purchasing agent, or his designee, shall prepare a multiple-copy receiving and disposition report for said samples, clearly identifying them as "samples for the purpose of negotiating the sale of liquor to the board."~~

~~(b) If more than the amount authorized in WAC 314-64-040 is received, the liquor purchasing agent, or his designee, shall prepare a separate receiving report for the excess samples and dispose of them as provided in WAC 314-64-040(7).~~

~~(c) The liquor purchasing agent, or his designee, shall sign the multiple-copy receiving and disposition report in the applicable section, indicating his receipt of the samples.~~

~~(d) The liquor purchasing agent, or his designee, shall distribute the signed multiple-copies of the receiving and disposition reports as follows: The original to be retained~~

by the liquor purchasing agent, one copy to each member of the board, and one copy to the liquor control board controller.

~~(e) The purchasing agent, or his designee, shall provide an analysis report form, as required in WAC 314-64-040(6) for each sample. The receiving and disposition reports and analysis report forms shall be numbered consecutively, and shall correspond one with the other.~~

~~(f) The liquor purchasing agent shall deliver a copy of the receiving and disposition report and the analysis report forms with the samples, to members of the board, or their designees, and/or to the liquor purchasing agent, or his designee, for examination, testing and reporting as provided in WAC 314-64-040 (4), (5) and (6).~~

~~(g) Members of the board, or their designees, and/or the liquor purchasing agent, or his designee, shall sign the receiving and disposition report in the applicable section, indicating receipt of the samples.~~

~~(h) The purchasing agent shall distribute the signed receiving and disposition report as follows: The original to the member of the board, or his designee, or the liquor purchasing agent, or his designee, to whom the sample was delivered; one copy to the liquor control board controller, and one copy to be retained by the liquor purchasing agent.~~

~~(i) Members of the board, or their designees, and/or the liquor purchasing agent, or his designee, shall examine, test and report on the sample, as provided in WAC 314-64-040 (4), (5), and (6), complete the analysis report form, and distribute the form as follows: The original to the liquor purchasing agent, one copy to the liquor control board controller, and one copy to be retained by the member of the board, or his designee, and/or the liquor purchasing agent, or his designee who examined and tested the sample.~~

~~(j) The liquor control board controller shall maintain the official copies of the receiving and disposition reports, together with the matching analysis report forms, and, where applicable, the destruction notices.~~

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

AMENDATORY SECTION (Amending Order 283, Resolution No. 292, filed 8/9/89, effective 9/9/89)

WAC 314-16-250 RETAIL SALE OF MALT LIQUOR IN KEGS. (1) Any licensee who sells or offers for sale kegs or other containers holding four gallons or more of malt liquor to consumers for off-premises consumption who are not licensed under chapter 66.24 RCW shall require the purchaser to:

(a) Provide one piece of identification pursuant to RCW 66.16.040.

(b) Sign a sworn statement, contained on the keg registration declaration and receipt form, under penalty of perjury that:

(i) The purchaser is of legal age to purchase, possess or use malt liquor;

(ii) The purchaser will not allow any person under the age of twenty-one years to consume the beverage except as provided by RCW 66.44.270;

(iii) The purchaser will not remove, obliterate, or allow to be removed or obliterated, the keg registration declaration and receipt form affixed to the container.

(c) State the particular address where the malt liquor will be consumed, or the particular address where the keg or other container will be physically located.

(2) The keg registration declaration and receipt form provided by the board must be properly completed for sales of kegs for off-premises consumption.

(a) The form shall contain:

(i) The name and address of the purchaser.

(ii) The type and number of the identification presented by the purchaser pursuant to RCW 66.16.040.

(iii) A sworn statement, signed by the purchaser under penalty of perjury, that the purchaser is twenty-one years of age or older; will not allow persons under twenty-one years of age to consume the malt liquor purchased; and that purchaser will not remove or obliterate the keg registration tag affixed to the keg or allow its removal or obliteration.

(iv) The particular address where the malt liquor will be consumed, and the date on which it will be consumed.

(b) Where the purchaser obtains more than one keg for off-premises consumption at the same location and on the same date, only one keg registration declaration and receipt form must contain all required information. All other keg registration declaration and receipt forms for that particular transaction must contain the registration number from the fully completed form as a reference and be signed by the purchaser. Such keg registration declaration and receipt forms which contain the reference number of a fully completed form and have been signed by the purchaser constitute a valid and properly completed keg registration and declaration receipt.

(3) The seller shall comply with all provisions of the keg registration law as adopted in chapter 271, Laws of 1989, sections 229 through 234.

(4) For the purpose of tracing the kegs and purchaser responsibility it shall be the responsibility of the seller to affix the properly completed and signed keg registration declaration and receipt form to all containers of four gallons or more of malt liquor prior to the container leaving the premises (control) of the seller.

(5) The licensee must retain a copy of the keg registration declaration and receipt, which shall be retained on the licensed premises for a period of one year unless otherwise authorized in writing by the Board. The records shall be available for inspection and copying by any liquor enforcement officer or other law enforcement officer.

(6) The keg registration declaration and receipt affixed to the keg may serve as the purchaser's receipt.

(7) Kegs or other containers holding four gallons or more of malt liquor shall be purchased for off-premises consumption only from an authorized retail source and shall, at all times, have a properly completed keg registration declaration and receipt form affixed thereon when sold for off-premises consumption. Possession of a keg or other container which holds four gallons or more

of malt liquor, other than on the seller's premises, without a properly completed keg registration and declaration form either affixed thereon or in possession of the person with the keg(s) shall be a violation of this title.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

AMENDATORY SECTION (Amending Order 253, Resolution No. 262, filed 6/22/88, effective 7/23/88)

WAC 314-26-010 PROCEDURES FOR TAX REFUNDS. The Board may refund the tax on beer imposed by RCW 66.24.290, and the tax on wine imposed by RCW 66.24.210, when such taxpaid products have been deemed to be unsalable due to freight damage or other causes prior to sale to consumers, and are destroyed within the state. Such tax refunds are subject to the following conditions:

(1) notify local liquor enforcement officer in advance for destruction of more than fifty cases of wine or two hundred cases of beer ((An applicant for such refund shall notify the board of the intention to destroy any such product, and furnish specific information concerning the proposed destruction of such stock. The notification shall include: (a) The reason for the destruction (damaged product, overage product, etc.), and (b) A complete inventory of all products to be destroyed on a form authorized by the board:))

(2) record shall be kept for the liquor auditor showing (a) the reason for the destruction, (b) an inventory of products destroyed and (c) a completed copy of "REFUND BEER TAX" (LIQ 710) or "WINE WHOLESALERS...SALES TO MILITARY, out of state &/OR CLAIMS" (LIQ 700) which was mailed to the Board within 30 days of the destruction. ((No tax refund will be authorized for unsalable beer or wine unless the board has verified before destruction that such product because of its condition is unfit for sale, and that such taxes have been paid to the state:))

(3) It shall be a violation of this title for any licensee to: (a) destroy amounts of beer or wine over those stated in section (1) without having first notified the local liquor enforcement officer, or (b) fail to mail a destruction form to the board within 30 days of the destruction and (c) fail to keep a copy of the destruction at the licensed premises and available for inspection by board employees for a period of two years.

((The quantity of beer or wine involved in such a request for tax refund, the amount to such refund, and observation or certification by affidavit of the actual destruction of such stock must be confirmed by an authorized employee of the board before any such tax refund is granted:

(4) The certification required by this section shall be in the following form:

"Affidavit of non-retail licensees concerning compliance with RCW 66.24.305:

I, _____, having been duly sworn upon oath depose and say:

That I am aware that RCW 66.24.305 allows for refunds of taxes on unsalable wine and beer. The board may refund tax on wine imposed by RCW 66.24.210 and the tax on beer imposed by RCW 66.24.290, when such tax-paid products have been deemed to be unsalable and are destroyed within the state in accordance with procedures established by the board.

I have destroyed the products listed on the inventory attached and am requesting a tax refund therefore. I am aware that RCW 9A.72.030 provides that it is a crime (class C felony) for a person, with intent to mislead a public servant in the performance of their duty, to make under an oath required or authorized by law a materially false statement, knowing it to be false.

Name: _____

Licensed Trade Name: _____

License or Certificate of Approval No.: _____

Date: _____

SUBSCRIBED AND SWORN TO Before me this ____ day of _____, 19__.

Notary Public in and for the State of Washington, residing at _____ My appointment expires: _____))

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 91-19-071
PERMANENT RULES
LIQUOR CONTROL BOARD
[Filed September 16, 1991, 4:47 p.m.]

Date of Adoption: September 11, 1991.

Purpose: To allow breweries, wineries and wholesalers to conduct courses of education on beer and wine to have people in attendance who are not necessarily licensees of the board or employees of licensees and to allow those people to consume beer and wine as a part of the education.

Statutory Authority for Adoption: RCW 66.08.030.

Pursuant to notice filed as WSR 91-16-082 on August 6, 1991.

Effective Date of Rule: Thirty days after filing.

September 12, 1991
Paula O'Connor
Chairman

NEW SECTION

WAC 314-12-141 COURSES OF INSTRUCTION. Breweries, wineries and wholesalers conducting courses of instruction as authorized by RCW 66.28.150

may provide alcohol at no charge to licensees of the board, their employees, and invited guests who have a legitimate business interest in the manufacturing, importing, wholesaling and retailing of liquor.

WSR 91-19-072
EMERGENCY RULES
DEPARTMENT OF FISHERIES

[Order 91-90—Filed September 16, 1991, 4:52 p.m., effective September 17, 1991, 7:00 a.m.]

Date of Adoption: September 16, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-33-01000Y.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: Harvestable numbers of coho salmon are available in the Columbia River. This rule is consistent with the actions of the September 16, 1991, meeting of the Columbia River Compact.

Effective Date of Rule: 7:00 a.m., September 17, 1991.

September 16, 1991
Sally J. Hicks
for Joseph R. Blum
Director

NEW SECTION

WAC 220-33-01000Z COLUMBIA RIVER SALMON SEASONS BELOW BONNEVILLE. Notwithstanding the provisions of WAC 220-33-005, 220-33-010, 220-33-020, and 220-33-030, it is unlawful for a person to take or possess salmon, shad or sturgeon taken for commercial purposes from Columbia River SMCRA 1A, 1B, 1C, 1D or 1E, except under the following provisions:

(1) ALLOWABLE SPECIES:

Open to the taking of salmon, sturgeon and shad.

(2) OPEN TIME PERIODS:

7 AM to 7 PM September 17, 1991.

(3) OPEN AREA:

SMCRA 1A, 1B, that portion of 1C downstream of the Lord Island Power Lines, and that portion of 1D downstream of the Interstate 5 bridge, except that the following sanctuaries remain closed: Gnat Creek, Abernathy Creek, Grays River, Elokomin-B, Lewis River-B, and Big Creek.

(4) ALLOWABLE GEAR:

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

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

- (c) Nets that are hung even with no strings, slackers, trammels, or rip lines that are used to slacken net.
 (d) Gill net gear that has 6 inch maximum mesh.
 (e) Lead or weight on the leadline not exceeding two pounds in any one fathom, measurement to be taken along the corkline of the net.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-33-01000Y COLUMBIA RIVER SALMON SEASONS BELOW BONNEVILLE. (91-84)

WSR 91-19-073
PERMANENT RULES
MARITIME COMMISSION
 [Filed September 17, 1991, 8:51 a.m.]

Date of Adoption: September 12, 1991.

Purpose: To raise assessment revenues to provide sufficient funds to pay cleanup contractor retainer charges, around the clock communications, routine communication expenditures, including emergency oil spill drill response and 24-hour emergency containment and cleanup in the waters of the state of Washington pursuant to RCW 88.44.100.

Citation of Existing Rules Affected by this Order: Amending WAC 318-04-020 and 318-04-030.

Statutory Authority for Adoption: RCW 88.44.100.

Pursuant to notice filed as WSR 91-16-086 on August 21 [7], 1991.

Changes Other than Editing from Proposed to Adopted Version: In response to oral comments, the definition of "small tanker vessel" was amended to include both self-propelled and nonself-propelled vessels. This amendment was made in order to address the concerns that there was no provision which included small tanker barges less than 300 gross tons which carried oil as cargo and wished to voluntarily pay assessments in order to be covered by the W.S.M.C.'s contingency plan. Adoption of proposed rules, WAC 318-05-010 through 318-05-050, related to requirements for approval of cleanup contractors, was postponed until the regularly scheduled commission meeting on October 3, 1991.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: Revenues collected under WAC 318-04-030 have proven inadequate to meet Washington State Maritime Commission expenditures necessary to provide those services required by RCW 88.44.100. Due to the emergent nature of the commission's continued financial viability, it was determined that the revised rate assessment schedule be adopted immediately, in order to preserve the public health, safety and welfare of the state of Washington in the protection of the state's unique marine environment. Therefore, it was found that the above amendments should become effective September 12,

1991, or pursuant to HB 1027, section 906, upon approval by the Office of Marine Safety, whichever comes later.

Effective Date of Rule: September 12, 1991, or upon approval by the Office of Marine Safety pursuant to HB 1027, section 906, whichever comes later.

September 11, 1991
 Richard W. Buchanan
 Rules Coordinator

AMENDATORY SECTION (Amending WSR 91-02-005, filed 12/21/90)

WAC 318-04-020 DEFINITIONS Unless the context clearly requires otherwise, the definitions in this section apply throughout these rules.

"Tanker Barge" is a vessel as defined by R.C.W. 88.44.010(15) which is not self-propelled and is designed, constructed or adapted primarily to carry, or carries oil, as defined by R.C.W. 88.44.010(6), in bulk as cargo or cargo residue.

"Tanker Vessel" - is a vessel as defined by R.C.W. 88.44.010(15) which is self-propelled and designed, constructed or adapted primarily to carry or carries oil, as defined by R.C.W. 88.44.010(6), in bulk as cargo or cargo residue.

"Small Tanker Vessel" - is a vessel as defined by R.C.W. 88.44.010(15), of 300 gross registered tons or less, whether self-propelled or not, and designed, constructed or adapted primarily to carry or carries oil, as defined by R.C.W. 88.44.010(6), in bulk as cargo or cargo residue, which voluntarily pays assessments under WAC 318-04-030 and submits to the provisions of R.C.W. Chapter 88.44.

"Dry Cargo Barge" is a vessel as defined by R.C.W. 88.44.010(15) which is not self-propelled, but because it is not designed, constructed or adapted primarily to carry oil, is not a tanker barge. To be subject to assessment, the dry cargo barge must be carrying oil solely to fuel barge machinery or mobile equipment carried as cargo.

"Non-tanker Vessel" is a vessel as defined by R.C.W. 88.44.010(15) which is neither a tanker barge, a tanker vessel, nor a dry cargo barge.

"Maximum Capacity" is the volume of oil, as defined by R.C.W. 88.44.010(6) that a tanker barge or tanker vessel is capable of carrying when fully loaded as designed, constructed or adapted.

AMENDATORY SECTION (Amending WSR 91-02-005, filed 12/21/90)

WAC 318-04-030 ASSESSMENTS Effective ~~January 1, 1991~~, September 12, 1991 or upon approval by the Office of Marine Safety, whichever is later (except as provided below in this subsection), there is hereby levied by the Washington State Maritime Commission upon all non-exempt vessels, as defined by R.C.W. 88.44.010(15) and WAC 318-04-020, which transit upon the waters of this state and upon small tanker vessels, or the owners or operators thereof, an assessment in the following amounts:

(A) On Tanker Barges whose maximum capacity is:

	<u>Rate</u>
(1) 0 to 28,999 bbls	\$ 38.00 \$ 68.00
(2) 29,000 to 44,999 bbls	\$ 48.00 \$ 78.00
(3) 45,000 to 59,999 bbls	\$ 60.00 \$ 97.00
(4) 60,000 to 79,999 bbls	\$ 75.00 \$ 122.00
(5) 80,000 and over	\$ 94.00 \$ 152.00

(B) On Tanker Vessels Carrying Oil as Cargo

	<u>Rate</u>
(1) 0 to 300 Gross Registered Tons - On Small Tanker Vessels	\$25.00
(+) (2) 301 to 9,999 Gross Reg. Tons	\$1,000 \$1,620
(-) (3) 10,000 Gross Reg. Tons and Over	\$2,000 \$3,240

(C) On Tanker Vessels When Not Carrying Oil as Cargo, but While Carrying Other Liquid or Semi-Liquid Cargoes

	<u>Rate</u>
(1) 300 301 - 500 Gross Reg. Tons	\$ 45.00 \$ 73.00
(2) 501 - 1,000 Gross Reg. Tons	\$ 60.00 \$ 97.00
(3) 1,001 - 4,999 Gross Reg. Tons	\$ 75.00 \$ 122.00
(4) 5,000 Gross Reg. Tons and over	\$ 100.00 \$ 162.00

(D) On Dry Cargo Barges (not Tanker Barges)

<u>Rate</u>
\$ 45.00
\$ 73.00

(E) On Non-tanker Vessels Carrying Oil as Fuel for Propulsion Machinery

	<u>Rate</u>
(1) 300 301 - 500 Gross Reg. Tons	\$ 45.00 \$ 73.00
(2) 501 - 1,000 Gross Reg. Tons	\$ 60.00 \$ 97.00
(3) 1,001 - 4,999 Gross Reg. Tons	\$ 75.00 \$ 122.00
(4) 5,000 Gross Reg. Tons and over	\$ 100.00 \$ 162.00

The assessment levied on all vessels, or the owners or operators thereof, which transit upon the portion of the Columbia River that runs between the states of Washington and Oregon, shall be effective on and after January 1, 1992.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

WSR 91-19-074

NOTICE OF PUBLIC MEETINGS
EDMONDS COMMUNITY COLLEGE
[Memorandum—September 17, 1991]

Friday, September 20, 1991
Lynnwood Hall, Room 424
2:00 - 4:20

The facilities for this meeting are free of mobility barriers and interpreters for deaf individuals and brailled or taped information for blind individuals will be provided upon request when adequate notice is given.

WSR 91-19-075

PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed September 17, 1991, 10:41 a.m.]

Original Notice.

Title of Rule: Allowable uses of transportation vehicle fund.

Purpose: To provide districts authority to transfer proceeds from the transportation vehicle fund to the debt service fund for payment of proceeds under RCW 28A.160.130.

Statutory Authority for Adoption: Chapter 28A.530 RCW.

Statute Being Implemented: HB 1224.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Rick Wilson, Olympia, (206) 753-2298; Implementation: Ron Stead, Olympia, (206) 753-3584; and Enforcement: David Moberly, Olympia, (206) 753-6742.

Name of Proponent: Superintendent of Public Instruction, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal does not change existing rules.

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

Hearing Location: Brouillet Conference Room, 4th Floor, Old Capitol Building, Olympia, Washington 98504, on November 1, 1991, at 9:00 a.m.

Submit Written Comments to: Richard M. Wilson, Superintendent of Public Instruction, Old Capitol Building, Olympia, Washington 98504, by October 22, 1991.

Date of Intended Adoption: November 8, 1991.

September 17, 1991

Judith A. Billings
Superintendent of
Public Instruction

AMENDATORY SECTION (Amending Order 21, filed 1/2/90, effective 2/2/90)

WAC 392-142-260 ALLOWABLE USES OF TRANSPORTATION VEHICLE FUND. School districts shall use moneys in the transportation vehicle fund for the following purposes:

- (1) The purchase of approved transportation vehicles;
- (2) Performing major repairs receiving prior approval by the superintendent of public instruction.
- (3) The transfer of moneys from the transportation vehicle fund to the debt service fund exclusively for the payment of debt and interest incurred by the transportation vehicle fund shall not be considered to be a transfer of moneys from the transportation vehicle fund to any other fund within the meaning of RCW 28A.160.130.

WSR 91-19-076
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Filed September 17, 1991, 10:42 a.m.]

Original Notice.

Title of Rule: Bond proceeds.

Purpose: To provide authority to school districts to deposit contract indebtedness without a vote of the qualified district electors, into the capital projects fund, transportation vehicle fund and the general fund.

Statutory Authority for Adoption: Chapter 28A.530 RCW.

Statute Being Implemented: HB 1224.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Rick Wilson, Olympia, (206) 753-2298; Implementation: Ron Stead, Olympia, (206) 753-3584; and Enforcement: David Moberly, Olympia, (206) 753-6742.

Name of Proponent: Superintendent of Public Instruction, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal does not change existing rules.

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

Hearing Location: Brouillet Conference Room, 4th Floor, Superintendent of Public Instruction, Old Capitol Building, Olympia, Washington 98504, on November 1, 1991, at 9:00 a.m.

Submit Written Comments to: Richard M. Wilson, Superintendent of Public Instruction, Old Capitol Building, Olympia, Washington 98504, by October 22, 1991.

Date of Intended Adoption: November 8, 1991.

September 17, 1991
 Judith A. Billings
 Superintendent of
 Public Instruction

AMENDATORY SECTION (Amending Order 18, filed 7/19/90, effective 8/19/90)

WAC 392-123-180 BOND PROCEEDS. Money derived from the sale of bonds, including interest earnings thereof, shall be deposited in the capital projects fund, the transportation vehicle fund, or the general fund, as applicable, and may only be used for the ~~((following))~~ purposes as enumerated in RCW 28A.530.010.

~~((1) Funding outstanding indebtedness or bonds theretofore issued;~~

~~or~~
~~(2) Purchase of sites for all buildings, playgrounds, physical education and athletic facilities and structures authorized by law or necessary or proper to carry out the functions of a school district; or~~

~~(3) Erecting all buildings authorized by law, including but not limited to those listed immediately above or necessary or proper to carry out the functions of a school district, and providing necessary furniture, apparatus, or equipment; or~~

~~(4) Improving the energy efficiency of school district buildings and/or installing systems and components to utilize renewable and/or inexhaustible energy resources; or~~

~~(5) Major and minor structural changes and structural additions to buildings, structures, facilities and sites necessary or proper to carrying out the functions of the school district;))~~

Accrued interest paid for bonds sold shall be deposited in the debt service fund.

WSR 91-19-077
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Filed September 17, 1991, 10:43 a.m.]

Original Notice.

Title of Rule: Chapter 392-142 WAC, Transportation—Replacement and depreciation allocation.

Purpose: To update the categories for school bus replacement as required in RCW 28A.41.540 and correct references to other WACs. Also replaces language incorrectly deleted in a previous revision to this chapter.

Statutory Authority for Adoption: RCW 28A.41.170 and [28A.41.]540.

Statute Being Implemented: RCW 28A.41.540.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Richard M. Wilson, Superintendent of Public Instruction, Old Capitol Building, (206) 753-2298; Implementation: Dr. David Moberly, Superintendent of Public Instruction, Old Capitol Building, (206) 753-6742; and Enforcement: Don M. Carnahan, Superintendent of Public Instruction, Old Capitol Building, (206) 753-0235.

Name of Proponent: Superintendent of Public Instruction, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal Changes the Following Existing Rules: Deletes two sections which have been moved to another chapter, and adds bus categories and replaces previously deleted language to WAC 392-142-260.

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

Hearing Location: Brouillet Conference Room, 4th Floor, Superintendent of Public Instruction, Old Capitol Building, Olympia, Washington 98504, on November 1, 1991, at 9:00 a.m.

Submit Written Comments to: Richard M. Wilson, Superintendent of Public Instruction, Legal Services, Olympia, Washington 98504, by October 22, 1991.

Date of Intended Adoption: November 8, 1991.

September 17, 1991
 Judith A. Billings
 Superintendent of
 Public Instruction

AMENDATORY SECTION (Amending Order 21, filed 1/2/90, effective 2/2/90)

WAC 392-142-155 DEFINITION—SCHOOL BUS CATEGORIES FOR THOSE BUSES PURCHASED AFTER SEPTEMBER 1, 1982. As used in this chapter, "school bus categories for those buses purchased after September 1, 1982," means the following:

	Student Capacity	Fuel Type	Transmission Type	Useful Life
(1)	10 to 22	Gas	Manual	8
(2)	10 to 22	Gas	Automatic	8
(3)	10 to 22	Diesel	Manual	8
(4)	10 to 22	Diesel	Automatic	8
(5)	23 to 34	Gas	Manual	8
(6)	23 to 34	Gas	Automatic	8
(7)	23 to 34	Diesel	Manual	8
(8)	23 to 34	Diesel	Automatic	8
(9)	35 to 48	Gas	Manual	10
(10)	35 to 48	Gas	Automatic	10
(11)	35 to 48	Diesel	Manual	15
(12)	35 to 48	Diesel	Automatic	15
(13)	((48)) 49 to 60	Gas	Manual	10
(14)	((48)) 49 to 60	Gas	Automatic	10
(15)	((48)) 49 to 60	Diesel	Manual	15
(16)	((48)) 49 to 60	Diesel	Automatic	15
(17)	61 to ((72)) 84	Gas	Manual	10
(18)	61 to ((72)) 84	Gas	Automatic	10
(19)	61 to ((72)) 84	Diesel	Manual	15
(20)	61 to ((72)) 84	Diesel	Automatic	15
(21)	((78)) Heavy to 84	Diesel	Manual	20
(22)	((78)) Heavy to 84	Diesel	Automatic	20
(23)	85 to 90	Diesel	Manual	20
(24)	85 to 90	Diesel	Automatic	20

AMENDATORY SECTION (Amending Order 21, filed 1/2/90, effective 2/2/90)

WAC 392-142-165 DEFINITION—STATE-DETERMINED PURCHASE PRICE. As used in this chapter, "state-determined purchase price" means the arithmetic average of the actual bid prices for the preceding twelve months improved by the inflation rate, documented in vendor bid proposals for that portion of the actual bid price associated with meeting state-supported specifications for a school bus category for those buses purchased after September 1, 1982. Included in the actual bid prices for the purposes of this calculation are:

- (1) Sales taxes;
- (2) Freight to the school district;
- (3) Cost associated with full payment within thirty days of delivery.

Not included in the actual base bid prices are any costs associated with district specified requirements in excess of ~~((those))~~ state supported specifications (~~((provided in WAC 392-143-015))~~).

AMENDATORY SECTION (Amending Order 21, filed 1/2/90, effective 2/2/90)

WAC 392-142-260 ALLOWABLE USES OF TRANSPORTATION VEHICLE FUND. School districts shall use moneys in the transportation vehicle fund for the following purposes:

- (1) The purchase of approved transportation vehicles;
- (2) Performing major repairs receiving prior approval by the superintendent of public instruction. Repairs costing less than twenty-five percent of the current state determined purchase price for that type and category of vehicle shall not be considered a major repair.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 392-142-215 SCHOOL BUS INSPECTION.
- WAC 392-142-220 SCHOOL BUS OPERATION PERMIT.

WSR 91-19-078
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed September 17, 1991, 10:44 a.m.]

Original Notice.

Title of Rule: Chapter 392-143 WAC, Transportation—Specifications for school buses.

Purpose: To amend chapter 392-143 WAC to not allow school districts to acquire school buses manufactured prior to April 1, 1977, and to more clearly state what markings are allowed on school buses.

Statutory Authority for Adoption: RCW 46.61.380.

Statute Being Implemented: RCW 46.61.380.

Summary: See Purpose above.

Reasons Supporting Proposal: Pre-77 school buses do not meet a significant number of federal safety standards and therefore pose a safety hazard.

Name of Agency Personnel Responsible for Drafting: Rick M. Wilson, Superintendent of Public Instruction, Old Capitol Building, (206) 753-2298; Implementation: Dr. David L. Moberly, Superintendent of Public Instruction, Old Capitol Building, (206) 753-6742; and Enforcement: Don M. Carnahan, Superintendent of Public Instruction, Old Capitol Building, (206) 753-0235.

Name of Proponent: Superintendent of Public Instruction, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal Changes the Following Existing Rules: Corrects reference to other WAC and moves two new sections into this chapter from chapter 392-142 WAC.

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

Hearing Location: Brouillet Conference Room, 4th Floor, Superintendent of Public Instruction, Old Capitol Building, Olympia, Washington 98504, on November 1, 1991, at 9:00 a.m.

Submit Written Comments to: Richard M. Wilson, Superintendent of Public Instruction, Legal Services, Olympia, Washington 98504, by October 22, 1991.

Date of Intended Adoption: November 8, 1991.

September 17, 1991
Judith A. Billings
Superintendent of
Public Instruction

AMENDATORY SECTION (Amending Order 84-39, filed 10/2/84)

WAC 392-143-030 (~~((INITIAL INSPECTION OF))~~) SCHOOL BUSES—PERMIT AND LICENSE. All school buses, as a condition for use to transport students, shall have a school bus operation permit issued in accordance with WAC (~~((392-142-065))~~) 392-143-032. If the school bus is approved in compliance with WAC (~~((392-142-060))~~) 392-143-031 and the school district has met requirements of WAC 392-143-032, the superintendent shall send three copies of the school bus operation permit to the appropriate school district. The original shall be retained by the school district; one copy shall be placed in the permit holder in the school bus; and one copy shall be presented to the county auditor, along with the operator's application for an exempt state license for the bus if applicable. County auditors shall not issue

an exempt license for the bus unless a school bus operation permit accompanies the application for a license. (~~All inspections of new school buses shall be made prior to the delivery to the purchaser.~~)

NEW SECTION

WAC 392-143-031 SCHOOL BUS INSPECTION—SCHOOL BUS OPERATION PERMIT. All school buses must be inspected and approved by a Washington state patrol inspection officer prior to initial issue or reissue of a school bus operation permit. This inspection must be recorded by the inspecting officer on SPI Form 1029, Initial School Bus Inspection, for new buses, used buses not previously inspected by the Washington state patrol, and buses which have been repowered or which have undergone rehabilitation or modification repair, or recorded by the inspecting officer on SPI Form 1028, Routine School Bus Inspection, for used buses previously inspected by the Washington state patrol.

NEW SECTION

WAC 392-143-032 SCHOOL BUS OPERATION PERMIT. The superintendent of public instruction shall issue school bus operation permits as follows:

(1) A school bus operation permit shall be issued on receipt of the following properly executed documents for each new school bus or used school bus not previously licensed in Washington state:

(a) Original SPI Form 1020, School Bus Acquisition/Disposition Report;

(b) Copy of the seller's invoice or bill of sale;

(c) Copy of complete set of the successful vendor's bid specifications;

(d) Copy of each warrant issued in full payment of the bus or each warrant issued in part payment of the bus, if any, and, copy of the conditional sales contract, lease purchase agreement, or other evidence of contractual liability;

(e) Original weight slip for the vehicle; and

(f) Original SPI Form 1029, Initial School Bus Inspection.

(2) A school bus operation permit shall be reissued on receipt of the following properly executed documents for school buses previously licensed in Washington state: PROVIDED, That no school bus operation permit shall be reissued to any school bus which does not meet Federal Motor Vehicle Safety Standards adopted April 1, 1977:

(a) Original SPI Form 1020, School Bus Acquisition/Disposition Report, from the school district acquiring the school bus;

(b) Original SPI Form 1020, School Bus Acquisition/Disposition Report, from the school district disposing of the school bus, with existing school bus operating permit attached;

(c) Copy of SPI Form 1028, Routine School Bus Inspection, properly authenticated as the inspection report from the most recent annual one hundred percent fleet inspection, which inspection was made within twelve months prior to the date of acquisition;

(d) Seller invoice or bill of sale; and

(e) Copy of warrant issued in payment of the purchase of the bus.

NEW SECTION

WAC 392-143-080 SIGNS AND MARKINGS FOR SCHOOL BUSES—EXTERIOR—INTERIOR. Signs and markings on the exterior of any school bus shall be limited to the requirements of RCW 46.61.380, the Washington state minimum specifications manual for school buses addressing "identification" and "color," the minimum requirements of "Highway Safety Program Standard No. 17," and any applicable Federal Motor Vehicle Safety Standard (FMVSS). In addition, the district name may be placed on the front and/or back of the bus below the window line in letters no larger than three inches in height and equipment identification numbers may be placed on the front and/or rear of school bus and/or on or near one or more of the four corners of the bus.

Signs and markings on the interior of any bus shall be limited to necessary and/or required manufacturers' equipment and/or component identification and instruction, the requirements of the Washington state minimum specification manual for school buses addressing "emergency equipment cabinet" and "permit holder" and FMVSS 217 addressing "emergency exit identification." In addition, WAC rules and/or district policy addressing student conduct and safety related issues may be displayed in the driver's compartment in an area which will not obstruct the driver's view. Also a sign for route identification may be displayed in the first right-side passenger window. The sign shall be no larger than seventy-five square inches in total area, and

numbers, letters or characters shall be mounted on transparent material.

WSR 91-19-079

PROPOSED RULES SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed September 17, 1991, 10:45 a.m.]

Original Notice.

Title of Rule: Chapter 392-145 WAC, Transportation—Operation rules.

Purpose: To amend WAC 392-145-020 to more clearly state the requirements for securing a school bus when a driver leaves the driver's seat and keeping emergency exits on school buses clear.

Statutory Authority for Adoption: RCW 46.61.380.

Statute Being Implemented: RCW 46.61.380.

Summary: Clearly states that emergency exists on school buses cannot be blocked in any way which could interfere with emergency egress. Also, cleans up language related to securing a school bus.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Richard M. Wilson, Superintendent of Public Instruction, Old Capitol Building, (206) 753-2298; Implementation: Dr. David Moberly, Superintendent of Public Instruction, Old Capitol Building, (206) 753-6742; and Enforcement: Don M. Carnahan, Superintendent of Public Instruction, Old Capitol Building, (206) 753-0235.

Name of Proponent: Superintendent of Public Instruction, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal Changes the Following Existing Rules: Makes two short sentences of one long sentence in subsection (3). Changes two words in the same section. The word "motor" is changed to "engine" and the word "lock" is changed to "switch."

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

Hearing Location: Brouillet Conference Room, 4th Floor, Superintendent of Public Instruction, Old Capitol Building, Olympia, Washington 98504, on November 1, 1991, at 9:00 a.m.

Submit Written Comments to: Richard M. Wilson, Superintendent of Public Instruction, Legal Services, Olympia, Washington 98504, by October 22, 1991.

Date of Intended Adoption: November 8, 1991.

September 17, 1991

Judith A. Billings
Superintendent of
Public Instruction

AMENDATORY SECTION (Amending Order 84-40, filed 10/2/84)

WAC 392-145-020 RULES FOR SCHOOL BUS DRIVERS.
(1) Every school bus driver shall be provided a copy of and shall be

thoroughly familiar with all state and local rules and regulations pertaining to the operation of the school bus in his/her charge.

(2) No school bus driver shall allow a passenger or other unauthorized person to operate the school bus at any time. No person except the driver shall be allowed to sit in the driver's seat.

(3) No school bus driver shall leave the driver's seat without first setting the brakes, shutting off the ((motor)) engine, placing the bus in gear, and removing the ignition key from the ((lock)) switch. The keys shall be kept in the driver's or other authorized school official's possession.

(4) School bus drivers shall have the primary responsibility for the safety of passengers while they are boarding the bus, while they are on the bus, and while they are disembarking the bus and crossing the roadway. If passengers must cross the road, the driver shall take reasonable action to assure that they cross safely. The driver shall take reasonable action to assure that passengers boarding or disembarking from the bus are within his/her view at all times and that they pass in front of the bus and never behind the bus.

(5) No school bus driver except in accordance with emergency procedures adopted by the district shall leave the immediate vicinity of his/her bus while there are passengers aboard. In the event of a bus breakdown, assistance shall be sought in accordance with local district policy.

(6) School bus drivers shall pick up only the students and persons designated by an authorized school district administrator.

(7) A student may be permitted to leave the bus at other than his or her regular stop if permission is first obtained pursuant to district policy.

(8) School bus drivers, prior to commencement of any trip, shall assure that the windshield and rear window of the bus are clean.

(9) Prior to commencement of and during any trip, with students aboard, every school bus driver shall ensure there are no articles in the following areas that could impede normal movement, visibility, or emergency egress:

- (a) The service entrance step well;
- (b) The entire main aisle from front to rear;
- (c) Aisles or passage ways to any emergency door;
- (d) The entire shelf area between the rearmost passenger seats and the rear emergency window.

(10) Tools and other miscellaneous articles shall be carried in appropriate compartments. They shall not be carried loose upon the floor or dashboard area of the bus.

~~((+0))~~ (11) School bus drivers shall be certain that all brakes, lights, stop signs, warning signal lamps, and other safety devices are working properly before starting on any trip and shall assure that the bus is equipped with a first aid kit and a fire extinguisher.

WSR 91-19-080
WITHDRAWAL OF PROPOSED RULES
UNIVERSITY OF WASHINGTON
(By the Code Reviser's Office)
 [Filed September 17, 1991, 11:13 a.m.]

WAC 478-116-455, 478-116-463, 478-116-470 and 478-116-540, proposed by the University of Washington in WSR 91-06-092, appearing in issue 91-06 of the State Register, which was distributed on March 20, 1991, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor
 Washington State Register

WSR 91-19-081
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF LICENSING
(By the Code Reviser's Office)
 [Filed September 17, 1991, 11:14 a.m.]

WAC 308-12-115, proposed by the Department of Licensing in WSR 91-06-012, appearing in issue 91-06 of the State Register, which was distributed on March 20, 1991, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor
 Washington State Register

WSR 91-19-082
NOTICE OF PUBLIC MEETINGS
SEATTLE COMMUNITY COLLEGES
 [Memorandum—September 12, 1991]

The board of trustees of the Seattle Community College District will meet on September 18, 1991, to tour the SCCD Maritime Facility, 4455 Shilshole Avenue Northwest, and the Seattle Masonic Temple, the corner of Harvard and Pine.

The board will also hold a special meeting on October 22, 1991, at 4:00 p.m., in the District Office, 1500 Harvard, Seattle, WA 98122.

WSR 91-19-083
PROPOSED RULES
DEPARTMENT OF ECOLOGY
 [Order 91-45—Filed September 17, 1991, 1:52 p.m.]

Original Notice.

Title of Rule: Chapter 173-224 WAC, Wastewater discharge permit fees.

Purpose: Establish a fee system for state waste discharge and NPDES permits issued by the Department of Ecology.

Statutory Authority for Adoption: Chapter 90.48 RCW.

Statute Being Implemented: Chapter 90.48 RCW.

Summary: Amend existing chapter to fully recover program costs of the water quality wastewater discharge permit program.

Reasons Supporting Proposal: To bring the department into compliance with RCW 90.48.465.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bev Poston, Prudential Building, Lacey, Washington, (206) 438-7039.

Name of Proponent: Department of Ecology, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Amendment of the existing WAC will enable

ecology to raise permit fees for all wastewater dischargers to recover all eligible program costs to operate the water quality wastewater discharge permit program. This action is necessary to bring the department into compliance with RCW 90.48.465.

Proposal Changes the Following Existing Rules: This proposal will change chapter 173-224 WAC by raising permit fees for all wastewater dischargers.

SMALL BUSINESS ECONOMIC IMPACT STATEMENT

INTRODUCTION

The Regulatory Fairness Act, chapter 19.85 RCW, requires that rules which have an economic impact on more than twenty percent of all industry or more than ten percent of any one industry, be reviewed and altered to minimize their impact on small business. This review is reported in this small business economic impact statement.

The Regulatory Fairness Act requires that a small business economic impact statement (SBEIS) "include a brief description of the reporting, record keeping, and other compliance requirements of the rule, and the kinds of professional services" need to comply with those requirements. It also must "analyze, based on existing data, the costs of compliance for businesses required to comply with the provisions of (the) rule...including costs of equipment, supplies, labor, and increased administrative costs." The cost of compliance for small and large businesses are to be compared in order to determine whether the rule disproportionately impacts small business.

A small business is defined as a corporation, partnership, sole proprietorship, or other legal entity which has the purpose of making a profit, which is independently owned and operated from all other businesses, and which has fifty or fewer employees.

The Regulatory Fairness Act's SBEIS requirement, and consequently this analysis, is only concerned with the private sector of the economy. Approximately 400 permits are held by state and local governments. The impact of the permit fee schedule amendments on state and local governments is examined in the economic impact statement (ECONIS) which has been written for this rule amendment, rather than in this SBEIS. The details of this SBEIS's analysis are also included in the ECONIS.

THE CURRENT PERMIT FEE RULE AND ITS AMENDMENTS

Chapter 173-224 WAC, under authority granted by RCW 90.48.465, imposes fees on holders of state and NPDES wastewater discharge permits. The amendments to the permit fee rule increase the permit fees of industrial permit holders, state government owned sewage treatment plants, and privately owned sewage treatment plants which primarily serve nonresidential customers by 64 percent in fiscal year 1992, 127 percent in fiscal year 1993, and 95 percent in fiscal year 1994. The average increase over the three fiscal years is 95 percent.

The amendments impose permit application fees equal to 25 percent of the annual permit fees.

The amendments also impose penalties on delinquent fee payments. The penalties are:

DAYS LATE	LATE PENALTIES PENALTY
1 - 30	10% of fee
31 - 60	15% of fee
61 - 90	25% of fee
more than 90	termination/additional penalties

For businesses, the amendments do not alter any of the other compliance requirements of the fee rule. They do not add to the professional services needed to comply with the rule. They do not impose any costs other than increased annual fees, new application fees, and new late payment penalties.

CONCLUSIONS OF ECONOMIC ANALYSIS

Industrial Facilities

The Regulatory Fairness Act requires that the costs of complying with the rule for small businesses be compared to the costs of compliance for large businesses in order to determine whether the rule disproportionately impacts small business. The following analysis uses the percentage that the fee is of a permit holder's sales as the measure of the fee's impact.

There is little doubt that permit fees have a proportionately higher impact on small business. Sales vary in size more than fees do. The sales of a pulp mill or oil refinery can easily be 250 times the sales of a small food processor or gravel pit, while the permit fee of the larger business might be only 20 to 40 times the fee of the smaller business. The fee-to-sales ratio tends to fall as sales rise. Therefore, as measured by the fee-to-sales ratio, permit fees have a proportionally higher burden on small businesses than they do on large businesses.

The SBEIS for the current fee rule, chapter 173-224 WAC, estimated that under the original fee rule, chapter 173-223 WAC, the fee-to-sales ratio for small businesses had ranged between .01 and 1.00 percent. The fee-to-sales ratio for large businesses was estimated to have ranged between .00 and .12 percent. Thus, the impact of permit fees was greater on small businesses than on large businesses. The chapter 173-224 WAC SBEIS also estimated that under the chapter 173-224 WAC fee schedule, the fee-to-sales ratios for small and large businesses would move somewhat closer together than they had been for the original fee rule. However, the fee-to-sales ratios of small businesses would continue to be higher than the fee-to-sales ratios for large businesses.

The amendments to the fee rule simply increase the fees for nearly all industrial permit categories by an average of 95 percent. The fee structure for a few fee categories is altered—most importantly, crop preparing, food processing, and noncontact cooling water—thus resulting in fee increases for their subcategories that differ from 95 percent. Due to this method of increasing fees, the fee-to-sales ratios of most businesses rise by the same amount.

Therefore, because under the present fee rule the fee-to-sales ratios of small businesses are greater than the fee-to-sales ratios of large businesses, they will also be greater under the amended rule. Both ratios increase by the same percentage. Therefore, the ratio that is larger

prior to the fee increase remains larger after the fee increase.

The fee-to-sales ratio falls as sales rise because permit fees are based on permitting costs and because they are "economies of scale" in permitting. That is, while the costs of permitting do rise as the size of the business rises (whether size is measured by sales or by pollutant discharge), they do not rise as rapidly as the size of the business does. Since fees are set equal to the average costs of permitting, fees also do not rise as rapidly as sales do. Therefore, fee-to-sales ratio falls as sales rise.

In conclusion, under the amendments to chapter 173-224 WAC, the impact of permit fees on small businesses is larger than their impact on large businesses. Under the amended fee rule, the fee-to-sales ratios of small businesses will continue to be higher than the fee-to-sales ratios for large businesses.

Sewage Treatment Plants

There are 15 private companies and homeowners associations that hold permits for sewage treatment plants which primarily serve residential customers. Included among these 15 private organizations are mobile home parks, small housing developments, and nursing homes. These companies and associations are private organizations, not governments. Sometimes these are profit-seeking businesses (the mobile home parks); sometimes they are not (the homeowners' associations). Under the current fee rule, the permit fees for these facilities are limited by the five cents per month per month per residential equivalent (RE) fee ceiling.

The incidence of the permit fees is on the customers, who are overwhelmingly residential, of these companies and associations. Changes in fees are passed on to customers through changes in sewer rates. Under the fee rule amendments, these permit holders' fees will be increased to ten cents per month per RE. The amendments double these permit holders' fees.

There are 8 privately-owned permit holders that hold permits for sewage treatment plants that do not chiefly serve residential customers. These 8 permit holders include four resorts, a truck stop, a church camp, an office building, and a restaurant. Currently these 8 permit holders pay fees of \$500 or \$1,000. Under the amended fee rule, their fees will rise to \$975 and \$1,950, respectively.

MITIGATION OF IMPACT ON SMALL BUSINESS

The Regulatory Fairness Act requires that the economic impact of rules on small businesses be mitigated when "it is legal and feasible in meeting the stated objective of the statutes which are the basis of the proposed rule." Mitigation shall include one or more of the following measures:

1. Use of differing compliance or reporting requirements or timetables for small businesses.
2. Clarify, consolidate, or simplify the rule's compliance and reporting requirements for small businesses.
3. Establish performance rather than design standards.
4. Exempt small businesses from any or all requirements of the rule.

The current permit fee rule (see WAC 173-224-090) contains a provision that allows small businesses to apply for fee reductions. For the purpose of this fee reduction provision, "small business" is defined as an independently-owned, profit seeking business with fifty or fewer employees and less than \$500,000 in annual sales. The fees of such small businesses are reduced to the greater of: Fifty percent of the permit fee; or \$250.

The amended fee rule will retain the fee reduction provision. However, the minimum fee will be increased to \$488, a 95 percent increase. The minimum fee is increased by the same percentage that industrial permit fees are increased by the rule amendments. In this way, the burden of permit fees on small businesses is mitigated while they still share with all other permit holders the increased burden of higher fees.

Hearing Location: Workshops 9:30; public hearings 11:00 a.m.; on October 22, 1991, Tuesday, Eastern Spokane Center, West 705 First at Wall, Eastern Washington University, Room 223, Spokane, WA; on October 23, 1991, Wednesday, Yakima Valley Regional Library, Basement Meeting Room, 102 North 3rd Street, Yakima, WA; and on October 24, 1991, Thursday, Attorney General Conference Center, Building #1, 4224 6th Avenue S.E., Lacey, WA.

Submit Written Comments to: Department of Ecology, Attn: Bev Poston, Mailstop PV-11, Olympia, Washington 98504-8711, by November 7, 1991.

Date of Intended Adoption: January 21, 1992.

September 17, 1991

Fred Olson

Deputy Director

AMENDATORY SECTION (Amending Order 89-8 and 89-8A, filed 5/31/89 and 3/13/90, effective 4/13/90)

WAC 173-224-015 PURPOSE. The purpose of this chapter is to establish a fee system for state waste discharge and NPDES permits issued by the department of ecology pursuant to RCW 90.48.160, 90.48.162, or 90.48.260. ~~((Initiative 97))~~ RCW 90.48.465 authorizes the department to base fees on factors related to the complexity of permit issuance and compliance and to charge fees to fully recover, but not exceed the costs of the permit program based on expenses incurred in the issuance and comprehensive administration of state waste discharge and NPDES permits. ((This regulation is a step towards developing a comprehensive permit program. The department will further document the program needs and costs, and reexamine the fees established within this chapter, and as appropriate, will propose changes to the fee schedule to fully recover the 1992-93 biennium program costs.)) Fee amounts contained in this chapter represent the department's true estimate of fee eligible permit program costs and reflects the department's commitment to fully recover all eligible expenses. The department shall continue to examine the feasibility of adopting, when applicable, alternative permit fee systems. Any alternative fee system, such as variable permit fees, shall ensure continued full recovery of eligible program costs and may be based on pollutant loading and toxicity and be designed to encourage recycling and the reduction of the quantity of pollutants.

AMENDATORY SECTION (Amending Order 89-8 and 89-8A, filed 5/31/89 and 3/13/90, effective 4/13/90)

WAC 173-224-020 APPLICABILITY. This chapter applies to all persons holding or applying for a state waste discharge or NPDES permit issued by the department pursuant to RCW 90.48.160, 90.48.162 or 90.48.260, including persons holding permits that remain in effect under WAC 173-216-040, 173-220-180(5), or RCW 90.48.200.

AMENDATORY SECTION (Amending Order 89-8 and 89-8A, filed 5/31/89 and 3/13/90, effective 4/13/90)

WAC 173-224-030 DEFINITIONS. (1) "Administrative expenses" means those costs associated with issuing and administering permits under RCW 90.48.160, 90.48.162, and 90.48.260. (~~Fees for hazardous waste clean up sites may be adjusted retrospectively based on cost accounting for such sites as provided for under the provisions of Initiative 97.~~)

(2) "Aggregate production" means the mining of sand, gravel, or rock and/or the production of concrete and/or asphalt.

(3) "Aluminum and magnesium reduction mills" means the electrolytic reduction of alumina or magnesium salts to produce aluminum or magnesium metal.

(4) "Animal unit" means one slaughter or feeder steer, 0.7 mature dairy cow, 25 swine or as more fully defined in Appendix B of 40 CFR 122.

(5) "Annual permit fee" means the fee charged by the department of ecology for annual expenses associated with activities specified in (~~Initiative 97~~) RCW 90.48.465. This annual fee is based on the state's fiscal year (July 1 - June 30).

(6) "bbls/d" means barrels per day of feedstock for petroleum refineries.

(7) "bins/yr" means total standard bins used during the last complete calendar year by a facility in the crop preparing industry. The bins measure approximately 47.5 inches x 47.4 inches x 29.5 inches and hold approximately 870 pounds of fruit.

(8) "Combined food processing waste treatment facility" means a facility which treats wastewater from more than one separately permitted food processor and receives no waste from industrial sources other than food processing and no domestic wastewater.

(9) "Combined industrial waste treatment" means a facility which treats wastewater from more than one industry in any of the following categories: Inorganic chemicals, metal finishing, ore concentration, organic chemicals, or photofinishers.

(10) "Combined sewer overflow (CSO)" means the event during which excess combined sewage flow caused by inflow is discharged from a combined sewer, rather than conveyed to the sewage treatment plant because either the capacity of the treatment plant or the combined sewer is exceeded.

(11) "Concentrated animal feeding operation" means an "animal feed operation" which meets the criteria in Appendix B of 40 CFR 122.23 (b)(3) as presently enacted and any subsequent modifications thereto.

(12) "Crop preparing" means the preparation of fruit for wholesale or retail sale by washing and/or other processes in which the skin of the fruit is not broken and in which the interior part of the fruit does not come in director contact with the wastewater.

(13) "cu. yds/yr" means the total production from an aggregate production facility in cubic yards during the most recent completed calendar year.

(14) "Department" means the department of ecology.

(15) "Director" means the director of the department of ecology.

(16) "Domestic wastewater" means water carrying human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments or other places, together with such groundwater infiltration or surface waters as may be present.

(17) "Domestic wastewater facility" means all structures, equipment, or processes required to collect, carry away, treat, reclaim or dispose of domestic wastewater together with such industrial waste as may be present.

(18) "EPA" means the United States Environmental Protection Agency.

(19) "Fin fish rearing and hatching" means the raising of fin fish for fisheries enhancement or sale, by means of hatcheries, net pens, or other confined fish facilities.

(20) "Flavor extraction" means the recovery of flavors or essential oils from vegetable products.

(21) "Food processing" means the preparation of food for human or animal consumption or the preparation of animal byproducts, but exclusive of crop preparing. This category includes but is not limited to fruit and vegetable processing, meat and poultry products processing, dairy products processing, seafood processing, beer and wine production, rendering and animal feed production. Food processing wastewater treatment plants which treat wastes from only one separately permitted food processor shall be treated as one facility for billing purposes.

(22) "GPD" means maximum daily flow or maximum monthly average permitted flow in gallons per day as specified in the waste discharge permit.

(23) "Gross revenue" means gross receipts from monthly, bimonthly, and/or quarterly user charges for sewer services received from all classes of customers;

Included in these user charges are user charges and fees based on wastewater constituents' strengths and characteristics including high-strength surcharges and charges based on biochemical oxygen demand, suspended solids, oil and grease, toxicants, heavy metals, and flow, etc.

Gross revenue includes charges for receipt and treatment of septic tank wastes, holding tank wastes, chemical toilet wastes, etc.

Gross revenue includes all amounts received from other municipalities for sewage interception, treatment, collection, or disposal.

Gross revenue excludes:

(a) Amounts derived by municipalities directly from taxes levied for the support or maintenance of sewer services.

(b) Late charges, penalties for nontimely payment by customers, interest on late payments, and all other penalties and fines.

(c) Permit fees and compliance monitoring fees for wastewater discharge permits issued by municipalities with local pretreatment programs. Permit fees which are charged to cover the cost of providing sewer service are not excluded from gross revenue.

(d) Receipts by a municipality of special assessments or installments thereof and interests and penalties thereon, and charges in lieu of assessments.

(e) Connection charges.

(f) Revenues from sales of by-products such as sludge, processed wastewater, etc.

(24) "Hazardous waste clean up sites" means hazardous waste sites which have a waste discharge permit but at which the department has not commenced cost recovery under (~~section 4 of Initiative 97~~) RCW 70.105D.050(3).

(25) "Industrial facility" means any facility not included in definition of municipal/domestic facility.

(26) "MGD" means permitted flow expressed in million gallons per day.

(27) "Metal finishing" means the preparation of metal surfaces by means of electroplating, electroless plating, anodizing, coating (chromating, phosphating and coloring), chemical etching and milling, and printed circuit board manufacture.

(28) "Municipal/domestic facility" means a publicly-owned facility treating domestic wastewater together with such industrial wastes as may be present, or a privately-owned facility treating solely domestic wastewater.

(29) "Municipality" means a city, town, county, district, association, or other public body created by or pursuant to state law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under 33 U.S.C. Sec. 1288. State government agencies are not included in this definition.

(30) "Noncontact cooling water" means water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product or finished product, and which does not contain chemicals added by the permittee. The noncontact cooling water fee category applies to those facilities which discharge only noncontact cooling water and which have no other wastewater discharges required to be permitted under RCW 90.48.160, 90.48.162, and 90.48.260.

(31) "Nonferrous metals forming" means the manufacturing of semifinished products from pure metal or metal alloys other than iron or steel or of metals not otherwise classified in WAC 173-224-040(1).

(32) "NPDES permit" means a National Pollutant Discharge Elimination System permit issued by the department pursuant to Section 402 of the federal Clean Water Act and RCW 90.48.260.

(33) "Person" means any political subdivision, government agency, municipality, industry, public or private corporation, partnership, association, firm, individual, or any other entity whatever.

(34) "Permitted flow" means:

(a) For municipal/domestic facilities, the monthly average flow limitation contained in the permit;

(b) For industrial facilities, the daily maximum flow limitation contained in the permit;

(c) For permits in which a flow limit is not specified, the department shall use the design flow corresponding to (a) or (b) of this subsection.

(35) "Post FY 93 annual permit fee" means the annual permit fee assessed for FY 94 and beyond providing the legislature does not

amend the FY 92/93 biennium water quality program budget allocation.

~~((36))~~ (36) "Residential equivalent" means a single-family residence or a unit of sewer service that yields an amount of gross revenue equal to the annual user charge for a single-family residence. In cases where the permit holder does not maintain data on gross revenue, user charges, and/or the number of single-family residences that it serves, "residential equivalent" means an influent flow of two hundred fifty gallons per day.

~~((37))~~ (37) "Sewer service" means the activity of receiving sewage deposited into and carried off by a system of sewers, drains, and pipes to a common point, or points, for disposal or for transfer to treatment for disposal, and activities involving the interception, transfer, storage, treatment, and/or disposal of sewage, or any of these activities.

~~((37))~~ (38) "State waste discharge permit" means a permit required under chapter 173-216 WAC.

AMENDATORY SECTION (Amending Order 89-8 and 89-8A, filed 5/31/89 and 3/13/90, effective 4/13/90)

WAC 173-224-040 PERMIT FEE SCHEDULE. (1) Application fee. In addition to the annual fee, first time applicants (except those applying for coverage under a general permit) will pay a one time application fee of twenty-five percent of the annual permit fee, or \$250.00, whichever is greater.

(2) Industrial facility categories.
~~((2))~~ Municipal/domestic categories.)

INDUSTRIAL FACILITY CATEGORIES	FY 92 ANNUAL PERMIT FEE	FY 93 ANNUAL PERMIT FEE	Post FY 93 ANNUAL PERMIT FEE
Aluminum Alloys	((5,000.00)) \$8,250.00	\$11,350.00	\$9,750.00
Aluminum and Magnesium Reduction Mills	((30,000.00)) 49,500.00	68,100.00	57,500.00
Aluminum Forming	((15,000.00)) 24,750.00	34,050.00	29,250.00
Aggregate Production			
a. Mineral Mining (Sand, Gravel and Rock)			
1. Mining only	((500.00)) 825.00	1,135.00	975.00
2. Mining with classification (screening and/or crushing)	((1,000.00)) 1,650.00	2,270.00	1,950.00
3. Mining with classification and washing	((1,500.00)) 2,475.00	3,405.00	2,925.00
b. Concrete and/or Asphalt Production			
1. < 20,000 cu. yds/yr.	((300.00)) 459.00	681.00	585.00
2. 20,000 - < 60,000 cu. yds/yr.	((500.00)) 825.00	1,135.00	975.00
3. 60,000 - < 100,000 cu. yds/yr.	((750.00)) 1,237.50	1,702.50	1,462.50
4. 100,000 - < 150,000 cu. yds/yr.	((1,000.00)) 1,650.00	2,270.00	1,950.00
5. 150,000 - < 200,000 cu. yds/yr.	((1,500.00)) 2,475.00	3,405.00	2,925.00
6. 200,000 - < 250,000 cu. yds/yr.	((2,000.00)) 3,300.00	4,540.00	3,900.00
7. 250,000 cu. yds/yr. and greater	((2,500.00)) 4,125.00	5,675.00	4,875.00
The fee for a facility in the aggregate production category is the sum of the applicable fees in the mineral mining and the concrete and/or asphalt production subcategories.			
Aquaculture			
a. Finfish hatching and rearing	2,475.00	3,405.00	2,925.00
b. Shellfish hatching and oyster shucking operations	100.00	100.00	100.00
Boat Yards			
a. With stormwater only discharge	250.00	250.00	250.00
b. All others	500.00	500.00	500.00
Coal Mining and Preparation			
a. < 200,000 tons per year	((2,000.00)) 3,300.00	4,540.00	3,900.00
b. 200,000 - < 500,000 tons per year	((4,500.00)) 7,425.00	10,215.00	8,775.00
c. 500,000 - < 1,000,000 tons per year	((8,000.00)) 13,200.00	18,160.00	15,600.00
d. 1,000,000 tons per year and greater	((15,000.00)) 24,750.00	34,050.00	29,250.00
Combined Industrial Waste Treatment			
a. < 10,000 gpd	((1,000.00)) 1,650.00	2,270.00	1,950.00
b. 10,000 - < 50,000 gpd	((2,500.00)) 4,125.00	5,675.00	4,875.00
c. 50,000 - < 100,000 gpd	((5,000.00)) 8,250.00	11,350.00	9,750.00
d. 100,000 - < 500,000 gpd	((10,000.00)) 16,500.00	22,700.00	19,500.00
e. 500,000 gpd and greater	((15,000.00)) 24,750.00	34,050.00	29,250.00

INDUSTRIAL FACILITY CATEGORIES	FY 92 ANNUAL PERMIT FEE	FY 93 ANNUAL PERMIT FEE	Post FY 93 ANNUAL PERMIT FEE
Combined Food Processing Waste Treatment Facilities	((5,000.00)) 8,250.00	11,350.00	9,750.00
Combined Sewer Overflow System			
a. < 50 acres	((1,000.00)) 1,650.00	2,270.00	1,950.00
b. 50 - < 100 acres	((2,000.00)) 4,125.00	5,675.00	4,875.00
c. 100 - < 500 acres	((3,000.00)) 4,950.00	6,810.00	5,850.00
d. 500 acres and greater	((4,000.00)) 6,600.00	9,080.00	7,800.00
Commercial Laundry	250.00	250.00	250.00
Concentrated Animal Feeding Operation			
a. < ((100)) 200 Animal Units	((100.00)) 100.00	100.00	100.00
b. ((100 - < 500)) 200 - < 400 Animal Units	((200.00)) 250.00	250.00	250.00
c. ((500 - < 1,000)) 400 - < 600 Animal Units	((500.00)) 500.00	500.00	500.00
d. ((1,000)) 600 - < 800 Animal Units ((and greater))	((1,000.00)) 750.00	750.00	750.00
e. 800 Animal Units and greater	1,000.00	1,000.00	1,000.00
Crop Preparing			
((a. 1,000 - < 5,000 bins/yr. 200.00	200.00		
b. 5,000 - < 10,000 bins/yr. 400.00	400.00		
c. 10,000 - < 25,000 bins/yr. 800.00	800.00		
d. 25,000 - < 50,000 bins/yr. 1,600.00	1,600.00		
e. 50,000 - < 100,000 bins/yr. 3,000.00	3,000.00		
f. 100,000 - < 150,000 bins/yr. 5,000.00	5,000.00		
g. 150,000 bins/yr. and greater 6,000.00))	6,000.00))		
a. 0 - < 1,000 bins/yr.	165.00	227.00	195.00
b. 1,000 - < 5,000 bins/yr.	330.00	454.00	390.00
c. 5,000 - < 10,000 bins/yr.	660.00	908.00	780.00
d. 10,000 - < 15,000 bins/yr.	1,320.00	1,816.00	1,560.00
e. 15,000 - < 20,000 bins/yr.	2,186.25	3,007.75	2,583.75
f. 20,000 - < 25,000 bins/yr.	3,052.50	4,199.50	3,607.50
g. 25,000 - < 50,000 bins/yr.	3,877.50	5,334.50	4,825.50
h. 50,000 - < 75,000 bins/yr.	4,537.50	6,425.50	5,362.50
i. 75,000 - < 100,000 bins/yr.	5,280.00	7,264.00	6,240.00
j. 100,000 - < 125,000 bins/yr.	6,600.00	9,080.00	7,800.00
k. 125,000 - < 150,000 bins/yr.	8,250.00	11,350.00	9,750.00
l. 150,000 bins/yr. and greater	9,900.00	13,620.00	11,700.00
Facilities Not Otherwise Classified			
a. < 1,000 gpd	((500.00)) 825.00	1,135.00	975.00
b. 1,000 - < 10,000 gpd	((1,000.00)) 1,650.00	2,270.00	1,950.00
c. 10,000 - < 50,000 gpd	((2,000.00)) 4,125.00	5,675.00	4,875.00
d. 50,000 - < 100,000 gpd	((4,000.00)) 6,600.00	9,080.00	7,800.00
e. 100,000 - < 500,000 gpd	((8,000.00)) 13,200.00	18,160.00	15,600.00
f. 500,000 - < 1,000,000 gpd	((10,000.00)) 16,500.00	22,700.00	19,500.00
g. 1,000,000 gpd and greater	((15,000.00)) 24,750.00	34,050.00	29,250.00
((Fin Fish Rearing & Hatching 1,500.00))	1,500.00))		
Flavor Extraction			
a. Steam Distillation	((250.00)) 100.00	100.00	100.00
((b. Solvent Extraction 1,000.00))	1,000.00))		
Food Processing			
((a. < 1,000 gpd 500.00	500.00		
b. 1,000 - < 10,000 gpd 1,000.00	1,000.00		
c. 10,000 - < 50,000 gpd 1,500.00	1,500.00		
d. 50,000 - < 100,000 gpd 2,000.00	2,000.00		
e. 100,000 - < 500,000 gpd 5,000.00	5,000.00		
f. 500,000 - < 1,000,000 gpd 10,000.00	10,000.00		
g. 1,000,000 gpd and greater 15,000.00))	15,000.00))		
a. < 1,000 gpd	825.00	1,135.00	975.00
b. 1,000 - < 10,000 gpd	2,103.75	2,894.25	2,486.25
c. 10,000 - < 50,000 gpd	3,753.75	5,164.25	4,436.25
d. 50,000 - < 100,000 gpd	5,898.75	8,115.25	6,971.25

INDUSTRIAL FACILITY CATEGORIES	FY 92 ANNUAL PERMIT FEE	FY 93 ANNUAL PERMIT FEE	Post FY 93 ANNUAL PERMIT FEE
e. 100,000 - < 250,000 gpd	8,250.00	11,350.00	9,750.00
f. 250,000 - < 500,000 gpd	10,848.75	14,925.25	12,821.25
g. 500,000 - < 750,000 gpd	13,612.50	18,722.50	16,087.50
h. 750,000 - < 1,000,000 gpd	16,500.00	22,700.00	19,500.00
i. 1,000,000 - < 2,500,000 gpd	20,212.50	27,807.50	23,887.50
j. 2,500,000 - < 5,000,000 gpd	22,687.50	31,212.50	26,812.50
k. 5,000,000 gpd and greater	24,750.00	34,050.00	29,250.00
Fuel and Chemical Storage			
a. < 100,000 bbls	((1,000.00)) 1,650.00	2,270.00	1,950.00
b. 100,000 - < 500,000 bbls	((2,500.00)) 4,125.00	5,675.00	4,875.00
c. 500,000 bbls and greater	((5,000.00)) 8,250.00	11,350.00	9,750.00
Hazardous ((Waste)) Substance Clean Up Sites (See definition under WAC 173-224-030(24))	((20,000.00))		
a. Leaking Underground Storage Tanks (LUST)			
1. Those sites covered under a general/model permit	2,500.00	2,500.00	2,500.00
2. Those sites not covered under a general/model permit	5,000.00	5,000.00	5,000.00
b. Non-LUST Sites			
1. < 2 Contaminants of concern	5,000.00	5,000.00	5,000.00
2. > 2 Contaminants of concern	10,000.00	10,000.00	10,000.00
Ink Formulation and Printing			
a. Commercial Print Shops	1,500.00	1,500.00	1,500.00
b. Newspapers	2,500.00	2,500.00	2,500.00
c. Box Plants	4,000.00	4,000.00	4,000.00
d. Ink Formulation	5,000.00	5,000.00	5,000.00
Inorganic Chemicals ((Manufacturing))			
a. Lime Products	((2,500.00)) 4,125.00	5,675.00	4,875.00
b. Fertilizer	4,950.00	6,810.00	5,850.00
c. Peroxide	((4,000.00)) 6,600.00	9,080.00	7,800.00
d. Alkaline Earth Salts	((5,000.00)) 8,250.00	11,350.00	9,750.00
e. Metal Salts	((7,000.00)) 11,550.00	15,890.00	13,650.00
f. Acid Manufacturing	((10,000.00)) 16,500.00	22,700.00	19,500.00
g. Chlor-alkali	((20,000.00)) 33,000.00	45,400.00	39,000.00
Iron and Steel			
a. Foundries	((5,000.00)) 8,250.00	11,350.00	9,750.00
b. Mills	((10,000.00)) 16,500.00	22,700.00	19,500.00
Metal Finishing			
a. < 1,000 gpd	((600.00)) 990.00	1,362.00	1,170.00
b. 1,000 - < 10,000 gpd	((1,000.00)) 1,650.00	2,270.00	1,950.00
c. 10,000 - < 50,000 gpd	((2,500.00)) 4,125.00	5,675.00	4,875.00
d. 50,000 - < 100,000 gpd	((5,000.00)) 8,250.00	11,350.00	9,750.00
e. 100,000 - < 500,000 gpd	((10,000.00)) 16,500.00	22,700.00	19,500.00
f. 500,000 gpd and greater	((15,000.00)) 24,750.00	34,050.00	29,250.00
Noncontact Cooling Water			
a. < 1,000 gpd	((100.00)) 412.50	567.50	487.50
b. 1,000 - < 10,000 gpd	((500.00)) 825.00	1,135.00	975.00
c. 10,000 - < 50,000 gpd	((1,000.00)) 1,237.50	1,702.50	1,462.50
d. 50,000 - < 100,000 gpd	((2,000.00)) 2,887.50	3,972.50	3,412.50
((e. 100,000 - < 1,000,000 gpd	4,000.00		
f. 1,000,000 - < 10,000,000 gpd	6,000.00		
g. 10,000,000 gpd and greater	8,000.00))		
e. 100,000 - < 500,000 gpd	4,950.00	6,810.00	5,850.00
f. 500,000 - < 1,000,000 gpd	7,012.50	9,647.50	8,287.50
g. 1,000,000 - < 2,500,000 gpd	9,075.00	12,485.00	10,725.00
h. 2,500,000 - < 5,000,000 gpd	11,137.50	15,332.50	13,162.50
i. 5,000,000 gpd and greater	13,200.00	18,160.00	15,600.00
Nonferrous Metals Forming	((5,000.00)) 8,250.00	11,350.00	9,750.00

INDUSTRIAL FACILITY CATEGORIES	FY 92 ANNUAL PERMIT FEE	FY 93 ANNUAL PERMIT FEE	Post FY 93 ANNUAL PERMIT FEE
Ore Mining			
a. Ore mining	((1,000.00)) 1,650.00	2,270.00	1,950.00
b. Ore mining with physical concentration processes	((2,000.00)) 3,300.00	4,540.00	3,900.00
c. Ore mining with physical and chemical concentration processes	((8,000.00)) 13,200.00	18,160.00	15,600.00
Organic Chemicals ((Manufacturing))			
a. Fertilizer	((5,000.00)) 8,250.00	11,350.00	9,750.00
b. Aliphatic	((10,000.00)) 16,500.00	22,700.00	19,500.00
c. Aromatic	((15,000.00)) 24,750.00	34,050.00	29,250.00
Petroleum Refining			
a. < 10,000 bbls/d	((10,000.00)) 16,500.00	22,700.00	19,500.00
b. 10,000 - < 50,000 bbls/d	((20,000.00)) 33,000.00	45,400.00	39,000.00
c. 50,000 bbls/d and greater	((40,000.00)) 66,000.00	90,800.00	78,000.00
Photofinishers			
a. < 1,000 gpd	((400.00)) 660.00	908.00	780.00
b. 1,000 gpd and greater	((1,000.00)) 1,650.00	2,270.00	1,950.00
Power and/or Steam Plants			
a. Steam Generation - Nonelectric	((2,000.00)) 3,300.00	4,540.00	3,900.00
b. Hydroelectric	((2,000.00)) 3,300.00	4,540.00	3,900.00
c. Nonfossil Fuel	((3,000.00)) 4,950.00	6,810.00	5,850.00
d. Fossil Fuel	((8,000.00)) 13,200.00	18,160.00	15,600.00
Pulp, Paper and Paper Board			
a. Fiber Recyclers	((5,000.00)) 8,250.00	11,350.00	9,750.00
b. Paper Mills	((10,000.00)) 16,500.00	22,700.00	19,500.00
c. Groundwood Pulp Mills			
1. < 300 tons per day	((15,000.00)) 24,750.00	34,050.00	29,250.00
2. 300 tons per day and greater	((30,000.00)) 49,500.00	68,100.00	58,500.00
d. Chemical Pulp Mills w/o Chlorine Bleaching	((40,000.00)) 66,000.00	90,800.00	78,000.00
e. Chemical Pulp Mills w/Chlorine Bleaching	((45,000.00)) 74,250.00	102,150.00	87,750.00
Radioactive Effluents and Discharges (RED)			
a. < 3 waste streams	18,875.00	18,875.00	18,875.00
b. 3 - < 8 waste streams	32,759.00	32,759.00	32,759.00
c. 8 waste streams and greater	53,956.00	53,956.00	53,956.00
Shipyards			
((91,000)) a. Per crane, travel lift, small boat lift	1,650.00	2,270.00	1,950.00
((1,000)) b. Per drydock under 250 ft in length	1,650.00	2,270.00	1,950.00
((1,000)) c. Per graving dock	1,650.00	2,270.00	1,950.00
((1,500)) d. Per marine way	2,475.00	3,405.00	2,925.00
((1,500)) e. Per ((synchrolift)) scrolift	2,475.00	3,405.00	2,925.00
((2,000)) f. Per drydock over 250 ft in length	3,300.00	4,540.00	3,900.00

The fee for a facility in the shipyard category is the sum of the fees for the applicable units in the facility.

INDUSTRIAL FACILITY CATEGORIES	FY 92 ANNUAL PERMIT FEE	FY 93 ANNUAL PERMIT FEE	Post FY 93 ANNUAL PERMIT FEE
Solid Waste Sites			
a. Nonputrescible	((2,000.00)) 3,300.00	4,540.00	3,900.00
b. < 50 acres	((4,000.00)) 6,600.00	9,080.00	7,800.00
c. 50 - < 100 acres	((8,000.00)) 13,200.00	18,160.00	15,600.00
d. 100 - < 250 acres	((10,000.00)) 16,500.00	22,700.00	19,500.00
e. 250 acres and greater	((15,000.00)) 24,750.00	34,050.00	29,250.00
Storm Water Only (Unless specifically categorized elsewhere.)			
a. < 50 acres	((1,000.00)) 1,650.00	2,270.00	1,950.00
b. 50 - < 100 acres	((2,000.00)) 3,300.00	4,540.00	3,900.00
c. 100 - < 500 acres	((3,000.00)) 4,950.00	6,810.00	5,850.00
d. 500 acres and greater	((4,000.00)) 6,600.00	9,080.00	7,800.00
Textile Mills	((20,000.00)) 33,000.00	45,400.00	39,000.00
Timber Products			
a. Log Storage	((1,000.00)) 1,650.00	2,270.00	1,950.00
b. Veneer	((2,000.00)) 3,300.00	4,540.00	3,900.00
c. Sawmills	((4,000.00)) 6,600.00	9,080.00	7,800.00
d. Hardwood, Plywood	((7,000.00)) 11,550.00	15,890.00	13,650.00
e. Wood Preserving	((10,000.00)) 16,500.00	22,700.00	19,500.00
Vehicle Maintenance, Warehouse and Freight Transfer			
a. < 0.5 acre	((1,000.00)) 1,650.00	2,270.00	1,950.00
b. 0.5 - < 1.0 acre	((2,000.00)) 3,300.00	4,540.00	3,900.00
c. 1.0 acre and greater	((3,000.00)) 4,940.00	6,810.00	5,850.00
Water Plants			
a. Potable water treatment	((1,250.00)) 2,062.50	2,837.50	2,437.50
b. Irrigation water treatment	((750.00)) 1,237.50	1,702.50	1,462.50

(a) Facilities other than those in the aggregate production, crop preparing, or shipyard categories which operate within several fee categories or subcategories will be charged for that category or subcategory ~~((with the highest fee))~~ which represents the most permitting complexity to the department.

(b) Facilities covered by general permits will be charged a permit fee equaling 70% of the fee category in which they would otherwise belong.

~~((c))~~ ((c)) Industries with permitted discharges of 800 gpd or less will pay an annual fee of \$150.00.

~~((d))~~ ((d)) The annual permit fee for a water treatment plant that primarily serves residential customers may not exceed three dollars per residential equivalent. The number of residential equivalents is determined by dividing the facility's annual gross revenue in the previous calendar year by the annual user charge for a single family residence which uses nine hundred cubic feet of water per month.

~~((e))~~ ((e)) (d) To verify information relevant to the determination of fees, the department may require industrial and commercial permittees to submit ~~((a form))~~ information certifying annual production or unit processes. When required, the ~~((form))~~ information must be completed and returned to the department within thirty days after it is mailed to the permittee by the department. Failure to provide this information could result in permit termination.

(i) Information submitted shall bear a certification of correctness and be signed:

- (A) In the case of a corporation, by an authorized corporate officer;
- (B) In the case of a limited partnership, by an authorized general partner;
- (C) In the case of a general partnership, by an authorized partner;
- (D) In the case of a sole proprietorship, by the proprietor.

(ii) The department may verify the information and, if it determines that the permit holder has made false or inaccurate statements, may, in addition to taking other actions provided by law, revise both current and previously granted fee determinations.

~~((f))~~ ((f)) (e) Fees for crop preparers discharging noncontact cooling water only shall pay the lesser of the applicable fee in the crop preparing or noncontact cooling water categories.

(f) Where no clear industrial facility category exists for placement of a permittee, the department may elect to place the permittee in a category with dischargers or permittees that contain or use similar properties or processes and/or a category which contains similar permitting complexities to the department.

(g) Hazardous waste clean up sites for which the department has commenced cost recovery under ~~((section 4 of Initiative 97))~~ chapter 70.105D RCW shall have permit fees deemed to have been charged through the cost recovery action.

~~((g))~~ ((g)) The form shall bear a certification of correctness and be signed:

- (a) In the case of a corporation, by an authorized corporate officer;
- (b) In the case of a limited partnership, by an authorized general partner;
- (c) In the case of a general partnership, by an authorized partner;
- (d) In the case of a sole proprietorship, by the proprietor.

(4) The department may verify the information contained in the form and, if it determines that the permit holder has made false or inaccurate statements, may, in addition to taking other actions provided by law, revise both current and previously granted fee determinations:)

(h) Any permit holder who has not been in operation within a consecutive eighteen-month period can have their permit fee reduced to

twenty-five percent of the fee which they would be otherwise assessed. This nonoperating mode must be verified by the appropriate ecology staff. Once operations resume, the permit fee shall be returned to the full amount.

(3) MUNICIPAL/DOMESTIC FACILITIES

(a) The annual permit fee for a permit held by a municipality for a domestic wastewater facility issued under RCW 90.48.162 or 90.48.260 is determined as follows:

((i) If the number of residential equivalents that contribute to the domestic wastewater facility is less than 40,000, the fee is sixty cents times the number of residential equivalents;

(ii) If the number of residential equivalents that contribute to the domestic wastewater facility is 40,000 or greater but less than 150,000, the fee is fifty cents times the number of residential equivalents;

(iii) If the number of residential equivalents that contribute to the domestic wastewater facility is 150,000 or greater but less than 250,000, the fee is forty cents times the number of residential equivalents;

(iv) If the number of residential equivalents that contribute to the domestic wastewater facility is 250,000 or greater but less than 500,000, the fee is thirty-five cents times the number of residential equivalents;

(v) If the number of residential equivalents that contribute to the domestic wastewater facility is 500,000 or greater, the fee is thirty cents times the number of residential equivalents.))

Residential Equivalents (RE)	FY 92 Annual Permit Fee	FY 93 Annual Permit Fee	Post FY 93 Annual Permit Fee
< 250,000	\$.98 per RE	\$1.42 per RE	\$1.20 per RE
≥ 250,000	\$.59 per RE	\$.85 per RE	\$.72 per RE

(b) The annual permit fee for each permit issued under RCW 90.48.162 or 90.48.260 that is held by a municipality that holds more than one permit for domestic wastewater facilities and which treats each domestic wastewater facility as a separate accounting entity, maintaining separate funds/accounts for each facility, into which revenue received from the users of that facility is deposited and out of which expenditures to pay for the costs of operating, etc., that facility are made, is determined as in (a) of this subsection.

(c) The sum of the annual permit fees for permits held by a municipality that holds more than one permit for domestic wastewater facilities issued under RCW 90.48.162 or 90.48.260 and which does not treat each domestic wastewater facility as a separate accounting entity, maintaining separate funds/accounts for each facility, into which revenue received from the users of that facility is deposited and out of which expenditures to pay for the costs of operating, etc., that facility are made, is determined as follows:

((i) If the number of residential equivalents that contribute to the municipality's domestic wastewater system is less than 40,000, the fee is sixty cents times the number of residential equivalents;

(ii) If the number of residential equivalents that contribute to the municipality's domestic wastewater system is 40,000 or greater but less than 150,000, the fee is fifty cents times the number of residential equivalents;

(iii) If the number of residential equivalents that contribute to the municipality's domestic wastewater system is 150,000 or greater but less than 250,000, the fee is forty cents times the number of residential equivalents;

(iv) If the number of residential equivalents that contribute to the municipality's domestic wastewater system is 250,000 or greater but less than 500,000, the fee is thirty-five cents times the number of residential equivalents;

(v) If the number of residential equivalents that contribute to the municipality's domestic wastewater system is 500,000 or greater, the fee is thirty cents times the number of residential equivalents.))

Residential Equivalents (RE)	FY 92 Annual Permit Fee	FY 93 Annual Permit Fee	Post FY 93 Annual Permit Fee
< 250,000	\$.98 per RE	\$1.42 per RE	\$1.20 per RE
≥ 250,000	\$.59 per RE	\$.85 per RE	\$.72 per RE

(d) The permit fee for a privately-owned domestic wastewater facility that primarily serves residential customers is determined as in (a) of this subsection. Residential customers are those whose lot, parcel or real estate, or building is primarily used for domestic dwelling purposes.

(e) Permit fees for privately-owned domestic wastewater facilities that do not serve primarily residential customers and for state-owned domestic wastewater facilities are the following:

Permitted Flows	FY 92 Annual Permit Fee	FY 93 Annual Permit Fee	Post FY 93 Annual Permit Fee
.1 MGD and Greater	\$(2,500.00) 4,125.00	5,675.00	4,875.50
.05 MGD to < .1 MGD	((1,000.00)) 1,650.00	2,270.00	1,950.00
.0008 MGD to < .05 MGD	((500.00)) 825.00	1,135.00	975.00
< .0008 MGD	((150.00)) 247.50	340.50	292.50

(f) The number of residential equivalents is calculated in the following manner:

(i) If the facility serves only single-family residences, the number of residential equivalents is the number of single-family residences that it served on January 1 of the previous calendar year.

(ii) If the facility serves both single-family residences and other classes of customers, the number of residential equivalents is calculated in the following manner:

(A) Calculation of the number of residential equivalents that the facility serves in its own service area. Subtract from the previous calendar year's gross revenue:

(I) Any amounts received from other municipalities for sewage interception, treatment, collection, or disposal; and

(II) Any user charges received from customers for whom the permit holder pays amounts to other municipalities for sewage treatment or disposal services. Divide the resulting figure by the annual user charge for a single-family residence.

(B) Calculation of the number of residential equivalents that the facility serves in other municipalities which pay amounts to the facility for sewage interception, treatment, collection, or disposal:

(I) Divide any such amounts received from other municipalities during the previous calendar year by the annual user charge for a single-family residence. In this case "annual user charge for a single-family residence" means the annual user charge that the facility charges other municipalities for sewage interception, treatment, collection, or disposal services for a single-family residence. If the facility charges different municipalities differing single-family residential user charges, then the charge used in these calculations must be that which applies to the largest number of single-family residential customers. Alternatively, if the facility charges different municipalities differing single-family residential user charges, the permit holder may divide the amount received from each municipality by the annual user charge that it charges that municipality for a single-family residence and sum the resulting figures.

(II) If the facility does not charge the other municipality on the basis of a charge per single-family residence, the number of residential equivalents in the other municipality is calculated by dividing its previous calendar year's gross revenue by its annual user charge for a single-family residence. If the other municipality does not maintain data on its gross revenue, user charges, and/or the number of single-family residences that it serves, the number of residential equivalents is calculated as in (f)(iv) of this subsection.

(III) If the other municipality serves only single-family residences, the number of residential equivalents may be calculated as in (f)(i) of this subsection.

The sum of the resulting figures is the number of residential equivalents that the facility serves in other municipalities.

(C) The number of residential equivalents is the sum of the number of residential equivalents calculated in (f)(ii)(A) and (B) of this subsection.

(iii) The annual user charge for a single-family residence is calculated by either of the following methods, at the choice of the permit holder:

(A) The annual user charge for a single-family residence using nine hundred cubic feet of water per month. If users are billed monthly, this is calculated by multiplying by twelve the monthly user charge for a single-family residence using nine hundred cubic feet of water per month. If users are billed bimonthly, the annual user charge is calculated by multiplying by six the bimonthly user charge for a single-family residence using one thousand eight hundred cubic feet of water per two-month period. If the user charge for a single-family residence varies, depending on age, income, location, etc., then the charge used

in these calculations must be that which applies to the largest number of single-family residential customers.

(B) The average annual user charge for a single-family residence. This average is calculated by dividing the previous calendar year's gross revenue from provision of sewer services to single-family residences by the number of single-family residences served on January 1 of the previous calendar year. If the user charge for a single-family residence varies, depending on age, income, location, etc., then the gross revenue and number of single-family residences used in making this calculation must be those for all the single-family residential customers.

In either case, (f)(iii)(A) or (B) of this subsection, the permit holder must provide the department with a copy of its complete sewer rate schedule for all classes of customers.

(iv) If a permit holder does not maintain data on its gross revenue, user charges, and/or the number of single-family residences that it serves, and therefore cannot use the methods described in (f)(i) or (ii) of this subsection to calculate the number of residential equivalents that it serves, then the number of residential equivalents that it serves is calculated by dividing the average daily influent flow to its facility for the previous calendar year by two hundred fifty gallons. This average is calculated by summing all the daily flow measurements taken during the previous calendar year and then dividing the resulting sum by the number of days on which flow was measured. Data for this calculation must be taken from the permit holder's discharge monitoring reports. Permit holders using this means of calculating the number of their residential equivalents must submit with their application a complete set of copies of their discharge monitoring reports for the previous calendar year.

(v) If the facility received a permit fee reduction in accordance with WAC 173-223-090(3) for its fiscal year 1989 permit fee, the facility may use the residential equivalent count that was made in determining that fee reduction as the number of residential equivalents for calculating its fiscal year 1990 and 1991 permit fees.

(g) Fee calculation procedures for holders of permits for domestic wastewater facilities.

(i) Municipalities holding permits for domestic wastewater facilities issued under RCW 90.48.162 and 90.48.260, and holders of permits for privately-owned domestic wastewater facilities that primarily serve residential customers must complete a form certifying the number of residential equivalents served by their domestic wastewater system. The form must be completed and returned to the department within thirty days after it is mailed to the permit holder by the department. Failure to return the form could result in permit termination. Fees will be calculated in even-numbered fiscal years.

(ii) The form shall bear a certification of correctness and be signed:

- (A) In the case of a corporation, by an authorized corporate officer;
- (B) In the case of a limited partnership, by an authorized partner;
- (C) In the case of a general partnership, by an authorized partner;
- (D) In the case of a sole proprietorship, by the proprietor;
- (E) In the case of a municipal or other public facility, by either a ranking elected official or a principal executive officer.

(iii) The department may verify the information contained in the form and, if it determines that the permit holder has made false statements, may, in addition to taking other actions provided by law, revise both current and previously granted fee determinations.

~~((iv) Residential equivalent counts calculated for the purpose of determining fees under chapter 173-223 WAC for the March 1 through June 30, 1989, period will be used to determine permit fees for fiscal years 1990 and 1991.))~~

AMENDATORY SECTION (Amending Order 89-8 and 89-8A, filed 5/31/89 and 3/13/90, effective 4/13/90)

WAC 173-224-050 PERMIT FEE PAYMENTS. (1) Permit fee computation. Computation of permit fees shall begin on the first day of each fiscal year, or in the case of facilities or activities not previously covered by permits, on the issuance date of the permit. In the case of applicants for state waste discharge permits who are deemed to have a temporary permit under RCW 90.48.200, computation shall begin on the sixty-first day after the department receives an application. In the case of NPDES permit holders who submit a new, updated permit application containing information which could change their assigned permit fee, computation and permit fee category reassignment begins upon acceptance of the application by the department. Computation of fees shall end on the last day of the state's fiscal year, or in the case of a terminated permit, on the date of termination. Computation shall

end on the expiration date of a permit only if a permit holder has indicated to the department in writing that the permitted activity has been terminated.

(2) The department shall charge permit fees based on the permit fee schedule contained in WAC 173-224-040. The department may charge fees at the beginning of the year to which they apply. The department shall notify permit holders of fee charges by mailing billing statements. Permit fees must be received by the department thirty days after the department mails a billing statement. The department may elect to bill permit holders a prorated portion of the annual fee on a monthly, quarterly, or other periodic basis. In cases where a new permit is only in effect for a portion of the fiscal year upon which the annual fee is based, the department shall prorate the fee accordingly. In addition to other circumstances, this applies where the department terminates a permit upon its determination that an industry which discharges to a municipal sewer system is satisfactorily regulated by a local pretreatment program.

(3) The applicable permit fee shall be paid by check or money order payable to the "Department of Ecology" and mailed to the Wastewater Discharge Permit Fee Program, P. O. Box 5128, Lacey, Washington 98503-((5128)) 0210.

(4) In the event a check is returned due to insufficient funds, the permit fee shall be deemed to be unpaid.

(5) Penalty due on delinquent accounts. The department shall charge permit holders a penalty on fee charges that have not been paid by the due date indicated on the billing statement at the rates of:

- (a) Ten percent of the assessed fee for the first thirty days late;
- (b) Fifteen percent of the assessed fee for between thirty-one days late and sixty days late;
- (c) Twenty-five percent of the assessed fee for between sixty-one days late and ninety days late.

Failure to pay fees and penalties after ninety days may result in termination of the permit or the exercise of such other legal or equitable remedies that ecology is authorized to carry out, including but not limited to the assessment of additional penalties. Civil penalties issued by the department may be sufficiently large to offset the economic benefit gained from nonpayment of fees and to deter continued operation and/or nonpayment. Payment of civil penalties shall not be deemed as payment of fees, nor shall payment of fees after assessment of penalties be deemed as a cause for reducing the penalty. Nothing herein shall be interpreted as restricting the authority of the department to exercise its other enforcement remedies as authorized by law.

AMENDATORY SECTION (Amending Order 89-8 and 89-8A, filed 5/31/89 and 3/13/90, effective 4/13/90)

WAC 173-224-090 SMALL ((DISCHARGER)) BUSINESS FEE REDUCTION. A small business required to pay a permit fee under an industrial facility category may receive a reduction of its permit fee.

- (1) To qualify for the fee reduction, a business must:
 - (a) Be a corporation, partnership, sole proprietorship, or other legal entity formed for the purpose of making a profit;
 - (b) Be independently owned and operated from all other businesses (i.e., not a subsidiary of a parent company);
 - (c) Have fifty or fewer employees; and
 - (d) Have annual sales of five hundred thousand dollars or less of the goods or services produced using the processes regulated by the waste discharge permit.

(2) To receive a fee reduction, the permit holder must submit an application in a manner prescribed by the department demonstrating that the conditions of subsection (1) of this section have been met. The application shall bear a certification of correctness and be signed:

- (a) In the case of a corporation, by an authorized corporate officer;
- (b) In the case of a limited partnership, by an authorized general partner;
- (c) In the case of a general partnership, by an authorized partner;
- (d) In the case of a sole proprietorship, by the proprietor.

(3) The department may verify the information contained in the application and, if it determines that the permit holder has made false statements, may deny the fee reduction request and revoke previously granted fee reductions.

(4) The permit fee for small businesses determined to be eligible under subsection (1) of this section shall be reduced to the greater of: (a) Fifty percent of the permit fee; or (b) two hundred fifty dollars.

(5) If due to special economic circumstances a fee reduction allowed under subsection (4) of this section would nevertheless still impose an extreme economic hardship on a small business, the small business

may so indicate in its application for fee reduction and request a further fee reduction. The small business must provide sufficient evidence to support its claim of extreme hardship. The factors which the department may consider in determining whether the applicant faces special economic circumstances and in setting the applicant's fee include: The applicant's annual sales, the size of its labor force, the conditions of the market which affect the applicant's ability to pass the cost of the permit fee through to its customers, and its average annual profits. In no case will a permit fee be reduced below one percent of the average annual gross sales of the goods or services produced using the process regulated by the waste discharge permit. The average annual gross sales is calculated using the previous three calendar years' gross sales.

AMENDATORY SECTION (Amending Order 89-8 and 89-8A, filed 5/31/89 and 3/13/90, effective 4/13/90)

WAC 173-224-100 ADMINISTRATIVE APPEALS TO THE DEPARTMENT. Any person aggrieved by a determination made under this chapter by the department may file a written appeal to the department no later than ~~((the))~~ each fiscal year's first billing due date for payment of fees. Such appeal shall state the reasons that the aggrieved person believes that the department's determination is contrary to the requirements of ~~((Initiative 97))~~ RCW 90.48.465, and specific actions that he/she is requesting that are consistent with those requirements. The department shall either issue a revised determination or a statement upholding the original determination. A revised determination shall be consistent with the requirements of ~~((Initiative 97))~~ RCW 90.48.465. Any person feeling aggrieved by the administrative appeals decision made by the department regarding their permit fee may obtain review thereof by filing an appeal with the Pollution Control Hearings Board, Mailstop PY-21, Olympia, Washington 98504-8921, within thirty days of receipt of the department's decision. In addition, a copy of the appeal must be served on the Department of Ecology, Mailstop PV-11, Olympia, Washington 98504-8711, within thirty days of receipt. These procedures are consistent with the provisions of chapter 43.21B RCW and the rules and regulations adopted thereunder.

AMENDATORY SECTION (Amending Order 89-8 and 89-8A, filed 5/31/89 and 3/13/90, effective 4/13/90)

WAC 173-224-120 PAST DUE PAYMENTS. Any person who, by the effective date of this section, has not paid the fees and other amounts due under chapter ~~((s 173-222 and))~~ 173-223 WAC shall continue to be obligated to pay such fees and amounts.

WSR 91-19-084
PROPOSED RULES
DEPARTMENT OF LICENSING
 [Filed September 17, 1991, 2:34 p.m.]

Original Notice.

Title of Rule: Private security guard companies and private security guards, chapter 308-18 WAC.

Purpose: Promulgate rules for section 16, chapter 334, Laws of 1991, licensing requirements.

Statutory Authority for Adoption: Section 16, chapter 334, Laws of 1991.

Statute Being Implemented: Chapter 334, Laws of 1991.

Summary: Rules and regulations to implement the laws promulgated under chapter 334, Laws of 1991, pertain to licensing requirements.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jon Clark, Department of Licensing, Bristol Court, 753-7506.

Name of Proponent: Department of Licensing, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Promulgation of rules pertaining to licensing requirements[,] application fees, training requirements and testing of private security guards and private security agencies.

Proposal does not change existing rules.

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

Hearing Location: Sea-Tac Red Lion Inn, Evergreen Room, 18740 Pacific Highway South, on October 24, 1991, at 1:00 p.m.

Submit Written Comments to: Private Security Guards Program, Department of Licensing, P.O. Box 9045, Olympia, WA 98507-9045, by October 21, 1991.

Date of Intended Adoption: October 24, 1991.

September 16, 1991

Donivan R. Irby
 Assistant Attorney General

Chapter 308-18 WAC
PRIVATE SECURITY GUARD COMPANIES AND PRIVATE SECURITY GUARDS

WAC

PART A
GENERAL

- 308-18-010 Promulgation—Authority.
- 308-18-020 Organization.
- 308-18-030 Definitions.

PART B
LICENSING APPLICATION AND FEES

- 308-18-100 Company applications—Conditions.
- 308-18-105 Branch office notification—Conditions.
- 308-18-110 Private security guard applications—Conditions.
- 308-18-120 Armed private security guard applications—Conditions.
- 308-18-130 Application for private security guard and armed private security guard license, licensed in another state—Conditions.
- 308-18-140 Private security guard temporary registration card—Conditions.
- 308-18-145 Comments by chief law enforcement officers and employers.
- 308-18-150 Private security guard company, private security guard, and armed private security guard fees.
- 308-18-160 Expiration and renewal of licenses.
- 308-18-165 Private security guard and armed private security guard—Termination of services.
- 308-18-170 Inactive license.

PART C
OFFICE REQUIREMENTS AND LICENSEE'S RESPONSIBILITIES

- 308-18-200 Office identification.
- 308-18-205 Filing of licenses.
- 308-18-210 Change of office location.
- 308-18-220 Licensee's responsibilities.
- 308-18-230 Complaint notification.
- 308-18-240 Required records.

PART D
PREASSIGNMENT TRAINING AND EXAMINATION REQUIREMENTS

- 308-18-300 Minimum preassignment training and testing requirements.
- 308-18-310 Private security guard company principal examination requirements.
- 308-18-320 Certification of preassignment training trainers.

PART A
GENERAL

NEW SECTION

WAC 308-18-010 PROMULGATION—AUTHORITY. The director of the department of licensing, state of Washington, pursuant to the authority vested in the director by section 18, chapter 334, Laws of 1991, does hereby promulgate the following rules and regulations relating to the licensing of private security guard companies, private security guards, and armed private security guards.

NEW SECTION

WAC 308-18-020 ORGANIZATION. The principal location of the private security guard licensing program is at 2424 Bristol Court S.W., Olympia, Washington 98504. The department of licensing administers the Washington private security guard license law, chapter 334, Laws of 1991. Submissions and requests for information regarding private security guard company licenses, private security guard licenses, and armed private security guard licenses may be sent in writing to the Private Security Guard Program, Department of Licensing, P.O. Box 9045, Olympia, Washington 98507-9045.

NEW SECTION

WAC 308-18-030 DEFINITIONS. (1) Words and terms used in these rules shall have the same meaning as each has under chapter 334, Laws of 1991 unless otherwise clearly provided in these rules, or the context in which they are used in these rules clearly indicates that they be given some other meaning.

(2) "Principal owner" means the sole owner of a private security guard company.

(3) "Principal partner" means the partner who exercises operational control over a private security guard company.

(4) "Certified trainer" means a principal or a licensed private security guard or armed private security guard who has fulfilled the requirements of WAC 308-18-320.

(5) "Other item of equipment" in section 17(7), chapter 334, Laws of 1991, shall include the license card issued by the director to a private security guard or armed private security guard.

PART B
LICENSING APPLICATION AND FEES

NEW SECTION

WAC 308-18-100 COMPANY APPLICATIONS—CONDITIONS. Any person desiring to be licensed as a private security guard company must substantiate the experience requirements in section 6, chapter 334, Laws of 1991, or pass an examination as provided in this chapter. Persons meeting the experience requirements shall make application for a license on a form prescribed by the director. Persons who do not meet the experience requirements shall make application for an examination and for a license on a form prescribed by the director. Concurrently, the applicant shall:

(1) Pay a fee or fees as prescribed by WAC 308-18-150.

(2) If the applicant is the qualifying agent of a corporation, he or she shall furnish a certified copy of its articles of incorporation, and a list of its officers and directors and their addresses. If the applicant is the qualifying agent of a foreign corporation, he or she shall furnish a certified copy of certificate of authority to conduct business in the state of Washington, a list of its officers and directors and their addresses, and evidence of current registration with the secretary of state. If the applicant is a partnership or limited partnership, each partner shall apply and furnish their addresses.

(3) When a license is issued to a principal owner he or she shall act as the principal of the company without the payment of additional license fees. When a license is issued to a corporation the qualifying agent shall act as the principal of the company without the payment of additional fees. When a license is issued to a partnership the principal partner shall act as the principal of the company without the payment of additional fees.

NEW SECTION

WAC 308-18-105 BRANCH OFFICE NOTIFICATION—CONDITIONS. A principal of a private security guard company shall notify the director of the addresses of all branch offices under the same

name as the main office as a part of the company application. The director shall issue a duplicate license for each of the branch offices showing the location of the main office and the particular branch. Each duplicate license shall be prominently displayed in the office for which it is issued. The principal shall notify the director by mail, within thirty days, of any changes to branch office addresses to include additions or deletions of branches.

NEW SECTION

WAC 308-18-110 PRIVATE SECURITY GUARD APPLICATIONS—CONDITIONS. Any person desiring to be a private security guard shall make application for a license on a form prescribed by the director and pay a fee as prescribed by WAC 308-18-150. Applicants who are employed by private security guard companies whose company license was issued prior to January 1, 1992, shall make application during the time period as follows:

(1) Applicants whose last name begins with A through F shall apply during the month of February 1992.

(2) Applicants whose last name begins with G through L shall apply during the month of March 1992.

(3) Applicants whose last name begins with M through R shall apply during the month of April 1992.

(4) Applicants whose last name begins with S through Z shall apply during the month of May 1992.

Applicants need not fulfill the preassignment training requirements specified in WAC 308-18-300 if he or she, prior to June 30, 1992, provides proof to the director that he or she previously has met the training requirements and passed the preassignment training test or has been employed as a private security guard or armed private security guard continuously since January 1, 1991. The company principal or a certified trainer shall attest on the application that the applicant has passed the preassignment training test or has been continuously employed since January 1, 1991.

NEW SECTION

WAC 308-18-120 ARMED PRIVATE SECURITY GUARD APPLICATIONS—CONDITIONS. Any person desiring to be an armed private security guard shall make application on a form prescribed by the director and pay a fee as prescribed by WAC 308-18-150.

NEW SECTION

WAC 308-18-130 APPLICATION FOR PRIVATE SECURITY GUARD AND ARMED PRIVATE SECURITY GUARD LICENSE, LICENSED IN ANOTHER STATE—CONDITIONS. Any person applying for a private security guard or armed private security guard license who holds a valid license, registration, identification, or similar card issued by another state that the director has determined has selection, training, and other requirements at least equal to those required by chapter 334, Laws of 1991 shall make application on a form prescribed by the director, pay a fee as prescribed by WAC 308-18-150, and submit evidence of licensure in another state by a license verification form completed by an administrative officer of the licensure authority of such state.

NEW SECTION

WAC 308-18-140 PRIVATE SECURITY GUARD TEMPORARY REGISTRATION CARD—CONDITIONS. A private security guard temporary registration card issued by a private security guard company, as authorized by section 9, chapter 334, Laws of 1991, shall show, as a minimum, the following information:

(1) A preprinted number issued by the company.

(2) Company name.

(3) Private security guard name.

(4) Date of issue.

(5) Date of expiration.

(6) Name and signature of the certified trainer.

NEW SECTION

WAC 308-18-145 COMMENTS BY CHIEF LAW ENFORCEMENT OFFICERS AND EMPLOYERS. If comments required by section 13(3), chapter 334, Laws of 1991, are not received by the department within ten working days from the forwarding date,

the permanent license for a private security guard shall be issued if he or she is otherwise qualified.

NEW SECTION

WAC 308-18-150 PRIVATE SECURITY GUARD COMPANY, PRIVATE SECURITY GUARD, AND ARMED PRIVATE SECURITY GUARD FEES. The following fees for a one-year period shall be charged by professional licensing services of the department of licensing:

Title of Fee	Fee
Private security guard company:	
Application/examination	\$250.00
Reexamination	25.00
License renewal	250.00
Late renewal with penalty	350.00
Certification	25.00
Private security guard:	
Original license	25.00
Certified trainer examination/reexamination	25.00
License renewal	20.00
Late renewal with penalty	25.00
Certification	25.00
Armed private security guard:	
Original license	15.00
Certified trainer examination/reexamination	25.00
License renewal	20.00
Late renewal with penalty	25.00
Certification	25.00

NEW SECTION

WAC 308-18-160 EXPIRATION AND RENEWAL OF LICENSES. Licenses issued to private security guards and armed private security guards expire one year from the date of issuance which date will be the renewal date. Licenses issued to private security guard companies expire one year from the date of issuance which date will be the renewal date, except that if the corporation registration or certificate of authority filed with the secretary of state expires, the company license issued to the corporation shall expire on that date. Licenses must be renewed each year on or before the date established herein and a renewal license fee as prescribed by the director in WAC 308-18-150 must be paid.

If the application for a renewal license is not received by the director on or before the renewal date, a penalty fee as prescribed by the director in WAC 308-18-150 shall be paid. Acceptance by the director of an application for renewal after the renewal date shall not be a waiver of the delinquency.

The license of any person whose license renewal fee is not received within one year from the date of expiration shall be cancelled. This person may obtain a new license by satisfying the procedures and qualifications for initial licensing, including the successful completion of any applicable training and examination requirements.

NEW SECTION

WAC 308-18-165 PRIVATE SECURITY GUARD AND ARMED PRIVATE SECURITY GUARD—TERMINATION OF SERVICES. A person licensed as a private security guard or armed private security guard may perform duties and activities as licensed only under the direction and supervision of a licensed company principal and as a representative of such principal. This relationship may be terminated unilaterally by either the company principal or private security guard or armed private security guard. Notice of such termination shall be by the company principal to the director without delay and such notice shall be accompanied by, and include the surrender of, the private security guard's or armed private security guard's license held by the company. Notice of termination shall be provided by signature of the company principal, or a person authorized by the principal to sign for such principal, on the surrendered license. The termination date shall be the postmark date or date the license is hand delivered to the department. If the license held by the company cannot be surrendered to the department because the license has been lost, the company principal or authorized representative shall complete and

submit an affidavit of lost license on a form provided by the department.

NEW SECTION

WAC 308-18-170 INACTIVE LICENSE. (1) Any license issued under chapter 334, Laws of 1991 and not otherwise revoked or suspended shall be deemed "inactive" at any time it is delivered to the director. Until reissued, the holder of an inactive license shall be deemed to be unlicensed.

(2) An inactive license may be placed in an active status upon completion of an application as provided by the director and upon compliance with the rules adopted pursuant to chapter 334, Laws of 1991.

(3) An inactive license may not be renewed. The inactive license will be cancelled if not activated by the expiration date. To obtain a new license the person must satisfy the procedures and qualifications for initial licensing, including the successful completion of any applicable training and examination requirements.

(4) The provisions of chapter 334, Laws of 1991 relating to the denial, suspension, and revocation of a license shall be applicable to an inactive license as well as an active license, except that when proceedings to suspend or revoke an inactive license have been initiated, the license shall remain inactive until the proceedings have been completed.

PART C OFFICE REQUIREMENTS AND LICENSEE'S RESPONSIBILITIES

NEW SECTION

WAC 308-18-200 OFFICE IDENTIFICATION. Every private security guard company office shall be identified by displaying the name, visible to the public, of the company name as licensed at the address appearing on the license.

NEW SECTION

WAC 308-18-205 FILING OF LICENSES. Licenses of all private security guards and armed private security guards shall be on file in the office located at the address appearing on the individual license.

NEW SECTION

WAC 308-18-210 CHANGE OF OFFICE LOCATION. The principal of a private security guard company shall notify the department of the change of location and mailing address of the company office by promptly filing a completed change of address application with the department.

NEW SECTION

WAC 308-18-220 LICENSEE'S RESPONSIBILITIES. It is the responsibility of each and every licensee to obtain a copy of and be knowledgeable of and keep current with the rules implementing chapter 334, Laws of 1991.

NEW SECTION

WAC 308-18-230 COMPLAINT NOTIFICATION. Every licensee shall, within twenty days after service or knowledge thereof, notify the private security guard program manager of any criminal complaint, information, indictment, or conviction (including a plea of guilty or nolo contendere) in which the licensee is named as a defendant.

NEW SECTION

WAC 308-18-240 REQUIRED RECORDS. The minimum records the principal of a private security guard company shall be required to keep are:

(1) Preassignment training and testing records for each private security guard.

(2) Prenumbered private security guard temporary registration card ledger showing the number, name, date of issue, date of expiration and date card was forwarded to the director.

These records shall be retained and available for inspection by the director or the director's authorized representative for a minimum of three years.

**PART D
PREASSIGNMENT TRAINING AND EXAMINATION
REQUIREMENTS**

NEW SECTION

WAC 308-18-300 MINIMUM PREASSIGNMENT TRAINING AND TESTING REQUIREMENTS. (1) The preassignment training required by section 10, chapter 334, Laws of 1991, shall include as a minimum:

- (a) Basic security.
 - (i) Role of the security officer.
 - (ii) Typical assignments and tasks.
 - (iii) Observation.
 - (iv) Patrol.
 - (v) Proper actions.
 - (b) Legal powers and limitations.
 - (i) Citizens arrest.
 - (ii) Authority to detain, question, or search a private citizen.
 - (iii) Authority to search or seize private property.
 - (iv) Use of force.
 - (v) Relationship with law enforcement.
 - (c) Emergency response.
 - (i) How to contact police, fire, and medical response services.
 - (ii) How to define what is or is not an emergency situation.
 - (iii) Response to fires.
 - (iv) Response to medical emergencies.
 - (v) Response to criminal acts.
 - (d) Assisting emergency services personnel.
 - (e) Safety and accident prevention.
 - (i) Observation and reporting of unsafe conditions.
 - (ii) Accident hazards.
 - (iii) Fire hazards.
 - (iv) Hazardous materials.
 - (v) Safety rules and regulations.
 - (vi) Accident reporting.
 - (f) Report writing.
 - (i) Why write a report.
 - (ii) Elements of a report.
 - (iii) Proper times, names, and location descriptions.
 - (iv) Giving physical descriptions.
 - (v) Fact versus opinion or assumption.
 - (vi) Penmanship.
 - (vii) Changes to a report.
 - (viii) Reports as legal documents.
 - (g) Public relations.
 - (i) Public relations skills.
 - (ii) Principles of good communication.
 - (iii) Proper telephone procedure.
 - (iv) Listening.
 - (v) Avoiding confrontation.
- (2) The minimum time each private security guard candidate must spend in preassignment training is four hours. The time spent on each required topic may vary providing the time for all required topics totals four hours and the four hours is devoted solely to the topics designated.
- (3) All private security guard applicants, after receiving preassignment training and prior to receiving their license, must successfully complete a test designed to demonstrate their understanding and retention of the information learned in the training course. This test shall consist of a minimum of thirty multiple choice questions based on the training topics outlined above. Test results must be verified and signed by a certified trainer. All applicants must answer all questions correctly on the private security guard preassignment training test. Questions incorrectly answered initially must be reviewed to insure the applicant's understanding and then initialed by both the applicant and the certified trainer verifying knowledge of the correct answer(s).

NEW SECTION

WAC 308-18-310 PRIVATE SECURITY GUARD COMPANY PRINCIPAL EXAMINATION REQUIREMENTS. (1) All principals of a company who do not meet the experience requirements required by section 6, chapter 334, Laws of 1991, must pass an examination demonstrating their knowledge and proficiency in the following areas:

- (a) All topics contained in the private security guard preassignment training course.
 - (b) Washington state law as it applies to private security guard licensing and regulation.
 - (c) Legal liability for employee actions pertaining to the private security guard industry.
- (2) The examination shall consist of a minimum of fifty questions based on information in the above required areas. A score of eighty-five percent must be achieved in order to pass the examination. Applicants who fail to achieve an eighty-five percent score will be required to wait a minimum of seven days before reexamination.

NEW SECTION

WAC 308-18-320 CERTIFICATION OF PREASSIGNMENT TRAINING TRAINERS. An individual must successfully score at least eighty-five percent on the agency principal examination to become a certified trainer. Individuals who fail to obtain an eighty-five percent score will be required to wait a minimum of seven days before reexamination. There is no limit on the number of certified trainers an individual private security guard company may have certified.

**WSR 91-19-085
PROPOSED RULES
DEPARTMENT OF LICENSING
[Filed September 17, 1991, 2:35 p.m.]**

Original Notice.

Title of Rule: Private detectives agencies and private detectives, chapter 308-17 WAC.

Purpose: Promulgate rules for section 17, chapter 328, Laws of 1991, licensing requirements.

Statutory Authority for Adoption: Section 17, chapter 328, Laws of 1991.

Statute Being Implemented: Chapter 328, Laws of 1991.

Summary: Rules and regulations to implement the law promulgated under chapter 328, Laws of 1991, pertains to licensing requirements.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jon Clark, Department of Licensing, Bristol Court, 753-7506.

Name of Proponent: Department of Licensing, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Promulgation of rules pertaining to licensing requirements, application fees, training requirements and testing of private detective agencies and private detectives.

Proposal does not change existing rules.

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

Hearing Location: Sea-Tac Red Lion Inn, Evergreen Room, 18740 Pacific Highway South, on October 24, 1991, at 10:00.

Submit Written Comments to: Private Detectives Program, Department of Licensing, P.O. Box 9045, Olympia, WA 98507-9045, by October 21, 1991.

Date of Intended Adoption: October 24, 1991.

September 16, 1991
Donivan R. Irby
Assistant Attorney General

Chapter 308-17 WAC
PRIVATE DETECTIVE AGENCIES AND PRIVATE DETECTIVES

WAC

PART A
GENERAL

- 308-17-010 Promulgation—Authority.
- 308-17-020 Organization.
- 308-17-030 Definitions.

PART B
LICENSING APPLICATION AND FEES

- 308-17-100 Agency applications—Conditions.
- 308-17-105 Branch office notification—Conditions.
- 308-17-110 Private detective applications—Conditions.
- 308-17-120 Armed private detective applications—Conditions.
- 308-17-130 Application for private detective and armed private detective license, licensed in another state—Conditions.
- 308-17-140 Comments by chief law enforcement officers and employers.
- 308-17-150 Private detective agency, private detective, and armed private detective fees.
- 308-17-160 Expiration and renewal of licenses.
- 308-17-165 Private detective and armed private detective—Termination or services.
- 308-17-170 Inactive license.

PART C
OFFICE REQUIREMENTS AND LICENSEE'S RESPONSIBILITIES

- 308-17-200 Office identification.
- 308-17-205 Filing of licenses.
- 308-17-210 Change of office location.
- 308-17-220 Licensee's responsibilities.
- 308-17-230 Complaint notification.
- 308-17-240 Required records.

PART D
PREASSIGNMENT TRAINING AND EXAMINATION REQUIREMENTS

- 308-17-300 Minimum preassignment training and testing requirements.
- 308-17-310 Private detective agency principal examination requirements.
- 308-17-320 Certification of preassignment training trainers.

PART A
GENERAL

NEW SECTION

WAC 308-17-010 PROMULGATION—AUTHORITY. The director of the department of licensing, state of Washington, pursuant to the authority vested in the director by section 17, chapter 328, Laws of 1991, does hereby promulgate the following rules and regulations relating to the licensing of private detective agencies, private detectives, and armed private detectives.

NEW SECTION

WAC 308-17-020 ORGANIZATION. The principal location of the private detective licensing program is at 2424 Bristol Court SW, Olympia, Washington 98504. The department of licensing administers the Washington private detective license law, chapter 328, Laws of 1991. Submissions and requests for information regarding private detective agency licenses, private detective licenses, and armed private detective licenses may be sent in writing to the Private Detective Program, Department of Licensing, P.O. Box 9045, Olympia, Washington 98507-9045.

NEW SECTION

WAC 308-17-030 DEFINITIONS. (1) Words and terms used in these rules shall have the same meaning as each has under chapter 328, Laws of 1991 unless otherwise clearly provided in these rules, or

the context in which they are used in these rules clearly indicates that they be given some other meaning.

(2) "Principal owner" means the sole owner of a private detective agency.

(3) "Principal partner" means the partner who exercises operational control over a private detective agency.

(4) "Certified trainer" means a principal or a licensed private detective or armed private detective who has fulfilled the requirements of WAC 308-17-320.

(5) "Company identification" in section 16(6), chapter 328, Laws of 1991, shall include the license card issued by the director to a private detective or armed private detective.

PART B
LICENSING APPLICATION AND FEES

NEW SECTION

WAC 308-17-100 AGENCY APPLICATIONS—CONDITIONS. Any person desiring to be licensed as a private detective agency must substantiate the experience requirements in section 5, chapter 328, Laws of 1991, or pass an examination as provided in this chapter. Persons meeting the experience requirements shall make application for a license on a form prescribed by the director. Persons who do not meet the experience requirements shall make application for an examination and for a license on a form prescribed by the director. Concurrently, the applicant shall:

(1) Pay a fee or fees as prescribed by WAC 308-17-150.

(2) If the applicant is the qualifying agent of a corporation, he or she shall furnish a certified copy of its articles of incorporation, and a list of its officers and directors and their addresses. If the applicant is the qualifying agent of a foreign corporation, he or she shall furnish a certified copy of certificate of authority to conduct business in the state of Washington, a list of its officers and directors and their addresses, and evidence of current registration with the secretary of state. If the applicant is a partnership or limited partnership, each partner shall apply and furnish their addresses.

(3) When a license is issued to a principal owner he or she shall act as the principal of the agency without the payment of additional license fees. When a license is issued to a corporation the qualifying agent shall act as the principal of the agency without the payment of additional fees. When a license is issued to a partnership the principal partner shall act as the principal of the agency without the payment of additional fees.

NEW SECTION

WAC 308-17-105 BRANCH OFFICE NOTIFICATION—CONDITIONS. A principal of a private detective agency shall notify the director of the addresses of all branch offices under the same name as the main office as a part of the agency application. The director shall issue a duplicate license for each of the branch offices showing the location of the main office and the particular branch. Each duplicate license shall be prominently displayed in the office for which it is issued. The principal shall notify the director by mail, within thirty days, of any changes to branch office addresses to include additions or deletions of branches.

NEW SECTION

WAC 308-17-110 PRIVATE DETECTIVE APPLICATIONS—CONDITIONS. Any person desiring to be a private detective shall make application for a license on a form prescribed by the director and pay a fee as prescribed by WAC 308-17-150. Applicants who are employed by private detective agencies whose agency license was issued prior to January 1, 1992, shall make application during the time period as follows:

(1) Applicants whose last name begins with A through F shall apply during the month of February 1992.

(2) Applicants whose last name begins with G through L shall apply during the month of March 1992.

(3) Applicants whose last name begins with M through R shall apply during the month of April 1992.

(4) Applicants whose last name begins with S through Z shall apply during the month of May 1992.

Applicants need not fulfill the preassignment training requirements specified in WAC 308-17-300 if he or she, prior to June 30, 1992, provides proof to the director that he or she previously has met the

training requirements and passed the preassignment training test or has been employed as a private detective or armed private detective continuously since January 1, 1991. The agency principal or a certified trainer shall attest on the application that the applicant has passed the preassignment training test or has been continuously employed since January 1, 1991.

NEW SECTION

WAC 308-17-120 ARMED PRIVATE DETECTIVE APPLICATIONS—CONDITIONS. Any person desiring to be an armed private detective shall make application on a form prescribed by the director and pay a fee as prescribed by WAC 308-17-150.

NEW SECTION

WAC 308-17-130 APPLICATION FOR PRIVATE DETECTIVE AND ARMED PRIVATE DETECTIVE LICENSE, LICENSED IN ANOTHER STATE—CONDITIONS. Any person applying for a private detective or armed private detective license who holds a valid license, registration, identification, or similar card issued by another state that the director has determined has selection, training, and other requirements at least equal to those required by chapter 328, Laws of 1991 shall make application on a form prescribed by the director, pay a fee as prescribed by WAC 308-17-150, and submit evidence of licensure in another state by a license verification form completed by an administrative officer of the licensure authority of such state.

NEW SECTION

WAC 308-17-140 COMMENTS BY CHIEF LAW ENFORCEMENT OFFICERS AND EMPLOYERS. If comments required by section 7(3), chapter 328, Laws of 1991, are not received by the department within ten working days from the forwarding date, the permanent license for a private detective shall be issued if he or she is otherwise qualified.

NEW SECTION

WAC 308-17-150 PRIVATE DETECTIVE AGENCY, PRIVATE DETECTIVE, AND ARMED PRIVATE DETECTIVE FEES. The following fees for a one-year period shall be charged by professional licensing services of the department of licensing:

Title of Fee	Fee
Private detective agency:	
Application/examination	\$300.00
Reexamination	25.00
License renewal	200.00
Late renewal with penalty	300.00
Certification	25.00
Private detective:	
Original license	50.00
Certified trainer examination/reexamination	25.00
License renewal	40.00
Late renewal with penalty	50.00
Certification	25.00
Armed private detective:	
Original license	25.00
Certified trainer examination/reexamination	25.00
License renewal	40.00
Late renewal with penalty	50.00
Certification	25.00

NEW SECTION

WAC 308-17-160 EXPIRATION AND RENEWAL OF LICENSES. Licenses issued to private detectives and armed private detectives expire one year from the date of issuance which date will be the renewal date. Licenses issued to private detective agencies expire one year from the date of issuance which date will be the renewal date, except that if the corporation registration or certificate of authority filed with the secretary of state expires, the agency license issued to the corporation shall expire on that date. Licenses must be renewed each

year on or before the date established herein and a renewal license fee as prescribed by the director in WAC 308-17-150 must be paid.

If the application for a renewal license is not received by the director on or before the renewal date, a penalty fee as prescribed by the director in WAC 308-17-150 shall be paid. Acceptance by the director of an application for renewal after the renewal date shall not be a waiver of the delinquency.

The license of any person whose license renewal fee is not received within one year from the date of expiration shall be cancelled. This person may obtain a new license by satisfying the procedures and qualifications for initial licensing, including the successful completion of any applicable training and examination requirements.

NEW SECTION

WAC 308-17-165 PRIVATE DETECTIVE AND ARMED PRIVATE DETECTIVE—TERMINATION OF SERVICES. A person licensed as a private detective or armed private detective may perform duties and activities as licensed only under the direction and supervision of a licensed agency principal and as a representative of such principal. This relationship may be terminated unilaterally by either the company principal or private detective or armed private detective. Notice of such termination shall be by the agency principal to the director without delay and such notice shall be accompanied by, and include the surrender of, the private detective or armed private detective license held by the agency. Notice of termination shall be provided by signature of the agency principal, or a person authorized by the principal to sign for such principal, on the surrendered license. The termination date shall be the postmark date or date the license is hand delivered to the department. If the license held by the agency cannot be surrendered to the department because the license has been lost, the agency principal or authorized representative shall complete and submit an affidavit of lost license on a form provided by the department.

NEW SECTION

WAC 308-17-170 INACTIVE LICENSE. (1) Any license issued under chapter 328, Laws of 1991 and not otherwise revoked or suspended shall be deemed "inactive" at any time it is delivered to the director. Until reissued, the holder of an inactive license shall be deemed to be unlicensed.

(2) An inactive license may be placed in an active status upon completion of an application as provided by the director and upon compliance with the rules adopted pursuant to chapter 328, Laws of 1991.

(3) An inactive license may not be renewed. The inactive license will be cancelled if not activated by the expiration date. To obtain a new license the person must satisfy the procedures and qualifications for initial licensing, including the successful completion of any applicable training and examination requirements.

(4) The provisions of chapter 328, Laws of 1991 relating to the denial, suspension, and revocation of a license shall be applicable to an inactive license as well as an active license, except that when proceedings to suspend or revoke an inactive license have been initiated, the license shall remain inactive until the proceedings have been completed.

**PART C
OFFICE REQUIREMENTS AND LICENSEE'S
RESPONSIBILITIES**

NEW SECTION

WAC 308-17-200 OFFICE IDENTIFICATION. Every private detective agency office shall be identified by displaying the name, visible to the public, of the agency name as licensed at the address appearing on the license.

NEW SECTION

WAC 308-17-205 FILING OF LICENSES. Licenses of all private detectives and armed private detectives shall be on file in the office located at the address appearing on the individual license.

NEW SECTION

WAC 308-17-210 CHANGE OF OFFICE LOCATION. The principal of a private detective agency shall notify the department of the change of location and mailing address of the agency office by

promptly filing a completed change of address application with the department.

NEW SECTION

WAC 308-17-220 LICENSEE'S RESPONSIBILITIES. It is the responsibility of each and every licensee to obtain a copy of and be knowledgeable of and keep current with the rules implementing chapter 328, Laws of 1991.

NEW SECTION

WAC 308-17-230 COMPLAINT NOTIFICATION. Every licensee shall, within twenty days after service or knowledge thereof, notify the private detective program manager of any criminal complaint, information, indictment, or conviction (including a plea of guilty or nolo contendere) in which the licensee is named as a defendant.

NEW SECTION

WAC 308-17-240 REQUIRED RECORDS. The minimum records the principal of a private detective agency shall be required to keep are preassignment training and testing records for each private detective. These records shall be retained and available for inspection by the director or the director's authorized representative for a minimum of three years.

PART D PREASSIGNMENT TRAINING AND EXAMINATION REQUIREMENTS

NEW SECTION

WAC 308-17-300 MINIMUM PREASSIGNMENT TRAINING AND TESTING REQUIREMENTS. (1) The preassignment training required by section 9, chapter 328, Laws of 1991, shall include as a minimum:

- (a) Legal powers and limitations.
 - (i) Representation and misrepresentation.
 - (A) How to properly identify yourself.
 - (B) Misrepresentation defined.
 - (C) Problems/liability arising out of misrepresentation.
 - (ii) Powers of arrest.
 - (A) Laws pertaining to arrest by private citizen.
 - (B) Probable cause.
 - (C) Potential liability resulting from false arrest claim.
 - (b) Evidence.
 - (i) Definition.
 - (A) Written.
 - (B) Recorded.
 - (C) Material.
 - (ii) Marking.
 - (iii) Storage.
 - (iv) Chain of custody documentation.
 - (c) Report writing.
 - (i) Elements of a report.
 - (ii) Fact versus opinion or assumption.
 - (iii) Penmanship.
 - (d) Courtroom testimony.
 - (i) Expert witnesses.
 - (ii) Manufacturing evidence.
 - (iii) Perjury.
 - (iv) Discovery.
 - (e) Confidentiality/privilege.
 - (f) Federal, state, county, and municipal court systems.
 - (g) Common sources of public information.
 - (i) Court docket information.
 - (ii) U.S. Postal Service.
 - (iii) Voter registration.
 - (iv) Credit reporting agencies.
 - (v) Department of licensing.
 - (vi) Private sources.
 - (h) Frequent activities in violation of criminal statutes.
 - (i) Privacy laws: Electronic surveillance.
 - (j) Chapter 9.73 RCW privacy violations.
 - (ii) U.S. Code violations.
 - (iii) Appellate court decisions.

- (A) Explanation of privacy.
- (B) Video/photography.
- (C) Tracking transmissions.
- (j) Fair Credit Reporting Act.
 - (i) Permissible purposes of reports.
 - (ii) Obtaining information under false pretenses.
- (2) The minimum time each private detective candidate must spend in preassignment training is four hours. The time spent on each required topic may vary providing the time for all required topics totals four hours and the four hours is devoted solely to the topics designated.
- (3) All private detective applicants, after receiving preassignment training and prior to receiving their license, must successfully complete a test designed to demonstrate their understanding and retention of the information learned in the training course. This test shall consist of a minimum of thirty multiple questions based on the training topics outlined above. Test results must be verified and signed by a certified trainer. All applicants must answer all questions correctly on the private detective preassignment training test. Questions incorrectly answered initially must be reviewed to insure the applicant's understanding and then initialed by both the applicant and the certified trainer verifying knowledge of the correct answer(s).

NEW SECTION

WAC 308-17-310 PRIVATE DETECTIVE AGENCY PRINCIPAL EXAMINATION REQUIREMENTS. (1) All principals of an agency who do not meet the experience requirements required by section 5, chapter 328, Laws of 1991, must pass an examination demonstrating their knowledge and proficiency in the following areas:

- (a) All topics contained in the private detective preassignment training course.
- (b) Washington state law as it applies to private detective licensing and regulation.
- (c) Legal liability for employee actions pertaining to the private detective industry.
- (d) The Federal Freedom of Information Act (5 U.S.C. 552).
- (e) The Federal Privacy Act (5 U.S.C. 522A).
- (f) The Washington state Public Disclosure Act (chapter 42.17 RCW).
- (g) Communication skills.
- (2) The examination shall consist of a minimum of fifty questions based on information in the above required areas. A score of eighty-five percent must be achieved in order to pass the examination. Applicants who fail to achieve an eighty-five percent score will be required to wait a minimum of seven days before reexamination.

NEW SECTION

WAC 308-17-320 CERTIFICATION OF PREASSIGNMENT TRAINING TRAINERS. An individual must successfully score at least eighty-five percent on the agency principal examination to become a certified trainer. Individuals who fail to obtain an eighty-five percent score will be required to wait a minimum of seven days before reexamination. There is no limit on the number of certified trainers an individual private detective agency may have certified.

WSR 91-19-086

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 91-92—Filed September 17, 1991, 3:02 p.m., effective September 18, 1991, 12:00 noon]

Date of Adoption: September 17, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-32-05100H.

Statutory Authority for Adoption: RCW 75.08.080.

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

to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Available numbers of upriver brights has been taken. This rule is consistent with the actions of the September 16, 1991, meeting of the Columbia River Compact.

Effective Date of Rule: 12:00 noon, September 18, 1991.

September 17, 1991
Gene DiDonato
for Joseph R. Blum
Director

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:00 Noon September 18, 1991:

WAC 220-32-05100H COLUMBIA RIVER SALMON SEASONS ABOVE BONNEVILLE. (91-85)

**WSR 91-19-087
EMERGENCY RULES**

DEPARTMENT OF FISHERIES

[Order 91-93—Filed September 17, 1991, 3:06 p.m., effective September 19, 1991, 12:01 a.m.]

Date of Adoption: September 17, 1991.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-57-42500W; and amending WAC 220-56-197 and 220-57-425.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: Run size update information indicates the run of Skagit River natural spawning coho salmon will be below the escape goal, and conservation measures are necessary to protect this stock.

Effective Date of Rule: 12:01 a.m., September 19, 1991.

September 17, 1991
Gene DiDonato
for Joseph R. Blum
Director

NEW SECTION

WAC 220-56-19700A CLOSED AREAS—COHO SALMON ANGLING. *Notwithstanding the provisions of WAC 220-56-190 and WAC 220-56-197, effective 12:01 a.m. September 19, 1991 until further notice, it is unlawful to take, fish for, or possess coho salmon from waters of Skagit Bay lying easterly of a line projected from West Point on Whidbey Island to Reservation*

Head on Fidalgo Island, northerly of the state Highway 532 Bridge between Camano Island and the mainland, and south of a line between the south end of McGlinn Island and the light at the south end of Fidalgo Island (QK F1) at the south end of Swinomish slough.

NEW SECTION

WAC 220-57-42500X SKAGIT RIVER. *Notwithstanding the provisions of WAC 220-57-425, effective September 19, 1991 until further notice, it is unlawful to fish for or possess salmon taken from the Skagit River except as provided for in this section:*

(1) *Those waters downstream from the mouth of the Cascade River to Giligan Creek: Bag limit A, except that all chinook salmon greater than 24 inches in length and all coho and sockeye salmon must be released immediately.*

(2) *Those waters downstream from the mouth of Gilligan Creek to the mouth of the Skagit River: Bag Limit A, except that the daily bag limit may contain no more than one chinook over 24 inches in length, and all coho and sockeye salmon must be released immediately.*

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

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. September 19, 1991:

WAC 220-57-42500W SKAGIT RIVER. (91-46)

WSR 91-19-088

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 91-94—Filed September 17, 1991, 3:09 p.m., effective September 18, 1991, 11:59 p.m.]

Date of Adoption: September 17, 1991.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-19000N.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: The harvestable quota has been reached.

Effective Date of Rule: 11:59 p.m., September 18, 1991.

September 17, 1991
Gene DiDonato
for Joseph R. Blum
Director

REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. September 18, 1991:

**WAC 220-56-19000N SALTWATER SEASONS
ANG BAG LIMITS. (91-74)**

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

WSR 91-19-089**PERMANENT RULES****UTILITIES AND TRANSPORTATION
COMMISSION**

[Order R-348, Docket No. TV-910903—Filed September 17, 1991,
3:42 p.m.]

In the matter of amending WAC 480-12-130 relating to identification cards for common or contract carriers or registered carriers.

This action is taken pursuant to Notice No. WSR 91-16-090 filed with the code reviser on August 7, 1991. The rule change hereinafter adopted shall take effect pursuant to RCW 34.05.380(2).

This rule-making proceeding is brought on pursuant to RCW 80.01.040, 81.80.300, and chapter 241, Laws of 1991, and is intended administratively to implement those statutes.

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

Pursuant to Notice No. WSR 91-16-090, the above matter was scheduled for consideration at 9:00 a.m., Wednesday, September 11, 1991, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, before Chairman Sharon L. Nelson and Commissioners Richard D. Casad and A. J. Pardini.

Under the terms of said notice, interested persons were afforded the opportunity to submit data, views, or arguments to the commission in writing prior to September 3, 1991, and orally at 9:00 a.m., Wednesday, September 11, 1991, in the commission's hearing room above noted. At the September 11, 1991, meeting the commission considered the rule change proposal. Written comments were received from Robert C. Pitcher on behalf of American Trucking Associations, Rick Reeves on behalf of North American Van Lines, Joseph M. Harrison on behalf of American Movers Conference, M. Carolyn Barr on behalf of Consolidated Freightways, Inc., Stephen S. Richards on behalf of Yellow Freight System, Inc., and Dorothy Grose on behalf of Grose Construction Company, Inc. Martin Sangster, of the Washington Trucking Associations, made oral comments and summarized his earlier oral communications with commission staff.

The rule change affects no economic values.

In reviewing the entire record herein, it has been determined that WAC 480-12-130 should be amended to read as set forth in Appendix A shown below and by this reference made a part hereof. WAC 480-12-130 as amended will implement chapter 241, Laws of 1991, by raising the stamp fee from \$3 to \$10 for common or contract carriers or registered carriers in the state of Washington and allows the purchase of a regulatory fee card at the port of entry or at any commission office or from an authorized commission agent. The amendment would increase the stamp fee, but there necessarily would be a decrease in the regulatory fee resulting in no overall revenue impact, except for some minor change in the overall fee paid by some carriers in that the present combined stamp and regulatory fee for some vehicles is slightly less than \$10. The commission further determines that based on an analysis of the commission's consultant, a copy of which is included in the rule-making file, the \$10 regulatory fee card is cost-based.

The commission's adoption of the amendment to WAC 480-12-130 varies in content from the proposal noticed under WSR 91-16-090 in that clarifying language was added to subsection (2) to indicate that the stamp fee for lump sum regulatory fees and for floater regulatory fee cards will remain at \$3 per vehicle; and that in subsection (3)(d), in connection with short term leases, a common or contract carrier in intrastate commerce may elect to purchase a single trip regulatory fee card valid for 72 hours, rather than 5 days.

ORDER

WHEREFORE, IT IS ORDERED That WAC 480-12-130 as set forth in Appendix A, be amended as a rule of the Washington Utilities and Transportation Commission to take effect pursuant to RCW 34.05.380(2).

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

DATED at Olympia, Washington, this 16th day of September, 1991.

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

APPENDIX "A"

AMENDATORY SECTION (Amending Order R-276, Cause No. TV-2092, filed 9/17/87)

WAC 480-12-130 IDENTIFICATION CARDS—AMENDMENT—SUBSTITUTION. (1) No vehicle ((of)) or combination of vehicles operated by a common or contract carrier or registered carrier upon the highways of this state or the streets of regulated cities shall be so operated without having available within the cab of the motive power vehicle a valid identification cab card properly signed and with appropriate stamp affixed.

Such identification card shall be subject to inspection by the commission's representatives at all times.

(2) An application for sufficient number of identification stamps shall be filed with the commission, accompanied by the necessary stamp and regulatory fee, during the month of October each year, or at any time thereafter that additional stamps are required. Such application shall be on forms furnished by the commission. Except as provided in subsection (3) of this section, the schedule of stamp and maximum regulatory fees is as follows:

GROSS LICENSED WEIGHT	STAMP FEE	REGULATORY FEE
Less than 4,000 lbs.	((3.00)) \$10.00	\$ 7.00
4,000 to 7,999 lbs.	((3.00)) 10.00	9.00
8,000 to 11,999 lbs.	((3.00)) 10.00	11.00
12,000 to 15,999 lbs.	((3.00)) 10.00	13.00
16,000 to 19,999 lbs.	((3.00)) 10.00	15.00
20,000 to 23,999 lbs.	((3.00)) 10.00	17.00
24,000 to 27,999 lbs.	((3.00)) 10.00	19.00
28,000 to 31,999 lbs.	((3.00)) 10.00	21.00
32,000 to 35,999 lbs.	((3.00)) 10.00	23.00
36,000 to 39,999 lbs.	((3.00)) 10.00	30.00
40,000 to 43,999 lbs.	((3.00)) 10.00	32.00
44,000 to 47,999 lbs.	((3.00)) 10.00	34.00
48,000 to 51,999 lbs.	((3.00)) 10.00	36.00
52,000 to 55,999 lbs.	((3.00)) 10.00	38.00
56,000 to 59,999 lbs.	((3.00)) 10.00	40.00
60,000 to 63,999 lbs.	((3.00)) 10.00	42.00
64,000 to 67,999 lbs.	((3.00)) 10.00	44.00
68,000 to 71,999 lbs.	((3.00)) 10.00	46.00
72,000 to 75,999 lbs.	((3.00)) 10.00	48.00

Note: The above regulatory fees are maximum only. Under RCW 81.80.320 the commission may, by general order entered before October 1 of any year, reduce the fees on a proportional basis.

(3) The stamp fee named in subsection (2) applies to each stamp applied for. The regulatory fee is also payable in connection with each stamp and is determined as follows:

(a) On any "solo" vehicle, or in combinations pulling any trailer operated either in intrastate or interstate commerce, the regulatory fee shall be as stated in subsection (2) and shall be based upon the maximum gross weight thereof as set by the carrier in his application for his regular license plates plus any additional tonnage or log tolerance permits. In the event that trailers or semi-trailers are separately licensed for gross weight and not included within the licensed gross weight of the motive power unit, the fees provided herein shall be computed on the basis of the licensed gross weight of the trailers, plus additional weight fees if any, in which case a separate identification cab card will be issued for such trailers in the same manner as for a motive power vehicle.

(b) In lieu of the payment of a full regulatory fee for each vehicle or combination of vehicles operated across or between points in the state and points outside the state exclusively in interstate or foreign commerce, and as to vehicles operated between points in this state and points outside the state in interstate commerce as well as points within this state in intrastate commerce, the regulatory fee may, at the request of the carrier, be paid on the basis of one of the following options:

Option 1. Floater regulatory fee cards.

Carriers who operate vehicles between points in this state and points outside this state exclusively in interstate commerce, and carriers who operate fleets in excess of 200 motive power units between points in this state and points outside this state in interstate commerce as well as points within this state in intrastate commerce may elect to purchase unassigned regulatory fee receipts at one hundred fifty percent of the applicable gross weight fee stated in subsection (2). One of these regulatory fee receipts must be carried within the cab of the motive power vehicle when such equipment is operated in this state and must be accompanied by a properly executed National Association of Regulatory Utility Commissioners uniform identification cab card and Washington utilities and transportation commission identification stamp. When applied for in this manner the fee must be that for the highest gross licensed weight of such solo or combination with which the receipt showing the payment of regulatory fees may be used.

The carrier must purchase for three dollars an identification stamp for each power unit (~~as provided for in subsection (2)~~).

In the case of unladen automobiles and trucks operated in interstate driveaway service across or between points in the state and points outside the state, the carrier may use unassigned National Association of Regulatory Utility Commissioners uniform identification cab cards and Washington utilities and transportation commission identification stamps upon payment of one hundred fifty percent of the applicable gross weight fee and the three dollar stamp fee for each unassigned cab card and stamp.

Option 2. Lump sum regulatory fee payment.

Carriers who operate fleets in excess of 200 motive power vehicles either exclusively in interstate or foreign commerce across or between points in this state and points outside this state or between points in this state

and points outside this state in interstate commerce as well as points within this state in intrastate commerce, and who have so operated under Option 1, above, or this option for the immediately preceding calendar year, may elect to pay a lump sum regulatory fee based on the number of power units for which identification stamps have been purchased during the immediately preceding calendar year at the regulatory fee established by general order of the commission entered before October 1st of any year. These carriers must purchase ~~((an))~~ a three dollar identification stamp for each power unit ~~((as provided in subsection (2)))~~. With a properly executed National Association of Regulatory Utility Commissioners uniform identification cab card and Washington utilities and transportation commission identification stamp attached, no proof of regulatory fee payment need be carried.

Option 3. Single trip transit permit.

Carriers engaged exclusively in casual or occasional interstate or foreign commerce across or between points in the state and points outside the state may as ~~((in))~~ an alternative to all other requirements of this chapter obtain a single trip transit permit, valid for ten days, authorizing a one-way trip into, out of or across the state. This permit will be issued upon payment of a fee of ten dollars and must be carried in the cab of the power vehicle. The carrier must state the name and policy number or binder of the insurance company with whom the carrier has insurance which meets the provisions of WAC 480-12-350.

Option 4. Single trip regulatory fee card.

A carrier registered with the Washington utilities and transportation commission to engage in interstate or foreign commerce across or between points in this state and points outside of this state, may purchase single trip regulatory fee cards, valid for ~~((five days))~~ seventy-two hours, authorizing a ~~((one-way))~~ trip into, out of or across this state, for a fee of ten dollars each.

~~Prenumbered single trip regulatory fee cards must be purchased ((in advance and no refund will be allowed for unused cards. Cards must be filled out, in ink or by typewriter, by the carrier, showing the description of the vehicle, license number, state in which the vehicle is licensed, name of owner (if other than the carrier), the commodity to be transported, the origin and destination of the shipment and be signed by an officer, agent or employee of the carrier authorized to use the card:)) at any commission office or port of entry, or from an authorized commission field agent. The card must be carried in the power unit. ((The vehicle operating under a single trip regulatory fee card shall be under the control and direction of the motor carrier issuing the card and shall be used only within the scope of the authority of that motor carrier.~~

~~At the end of each calendar month a report shall be sent to the commission, showing the card number, dates used, origin of shipment, destination of shipment and vehicle number:))~~

(c) In intrastate or interstate commerce between points within the state of Washington the identification cab card and stamp may, at the request of the carrier,

not be assigned to any particular motive power vehicle under the following circumstances:

(i) In connection with trucks or tractors to be operated under master leasing agreements provided for in WAC 480-12-210 (1)(h), in which case the cab card may be used only with vehicles operated under such master leasing agreements; and

(ii) In connection with unladen automobiles or trucks in driveaway service, in which case the cab card may be used only with such vehicles in driveaway service. The fees shall be as stated in subsection (3)(a) for the highest gross licensed weight (highest actual weight in driveaway service) on any power vehicle with which the identification cab card and stamp may be used.

(d) In intrastate commerce between points within the state of Washington, a common or contract carrier acquiring the use of private carrier equipment under the provisions of WAC 480-12-210 (1)(c) may, in connection with short term leases, elect to purchase single trip regulatory fee cards, valid for ~~((five days))~~ seventy-two hours, authorizing a one-way trip between points within this state, for a fee of ten dollars each, in lieu of payment of the full regulatory fee.

Prenumbered single trip regulatory fee cards must be purchased in advance and no refunds will be allowed for unused cards. Cards must be filled out, in ink or by typewriter, by the carrier, showing the description of the vehicle, license number, state in which the vehicle is licensed, name of owner, the commodity to be transported, the origin and destination of the shipment and be signed by an officer, agent or employee of the carrier authorized to use the card. The card must be carried in the power unit. The vehicle operating under a single trip regulatory fee card shall be under the control and direction of the motor carrier issuing the card and shall be used only within the scope of the authority of that motor carrier.

At the end of each calendar month a report shall be sent to the commission, showing the card number, date used, origin of shipment, destination of shipment and vehicle number.

(4) On any truck or tractor for which the licensed capacity is increased during the year an IMMEDIATE APPLICATION accompanied by the amount of the increase in regulatory fee is necessary. The commission will provide for amendment of the cab card accordingly.

(5) No refund will be made on unused stamps.

(6) Any "lost" stamps will be replaced only at full stamp and regulatory fee: PROVIDED, HOWEVER, That in unusual circumstances the commission may, by order, waive all or a portion of the replacement cost.

(7) Each carrier shall obtain from the Washington utilities and transportation commission or from the National Association of Regulatory Utility Commissioners a sufficient number of blank identification cab cards to satisfy its requirements. Equipment which is used exclusively within the state, i.e., does not cross the state line, shall use the Washington utilities and transportation commission prescribed identification cab card. Equipment which is used exclusively in interstate or foreign commerce which crosses the state line shall use the National Association of Regulatory Utility Commissioners

uniform identification cab card. Equipment used in both types of operation may use either cab card, however it is recommended that the National Association of Regulatory Utility Commissioners uniform identification cab card be used. Upon receipt of stamps from the commission, an identification cab card shall be duly completed by the carrier for each motive power unit and the appropriate stamp firmly affixed thereto. Such identification cab card shall be placed in the cab of each power unit in accordance with subsection (1).

(8) All identification cab cards and stamps issued for a particular calendar year expire January 31 of each succeeding year. However a stamp may be issued for the ensuing calendar year on or after the first day of October preceding, and may be used from the date of issue.

(9) When a permit is revised or extended, the commission will provide a new copy of the revised or extended authority to be retained on the carrier's vehicle(s), in addition to the cab card.

(10) All delinquent stamp fees, regulatory fees, tariff fees and tariff maintenance fees which are due and payable by the carrier to the commission must be paid at the time application is made. The commission may refuse to issue identification stamps until all such fees are paid.

(11) An identification cab card may be reassigned to a substituted vehicle (power unit) only when the original vehicle has been destroyed or is being permanently withdrawn from the ownership or possession of the permittee.

**WSR 91-19-090
PERMANENT RULES
UTILITIES AND TRANSPORTATION
COMMISSION**

[Order R-349, Docket No. UT-910385—Filed September 17, 1991, 3:46 p.m.]

In the matter of amending WAC 480-120-031 relating to accounting for telecommunications companies.

This action is taken pursuant to Notice No. WSR 91-15-052 filed with the code reviser on July 18, 1991. The rule change hereinafter adopted shall take effect pursuant to RCW 34.05.380(2).

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

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

Pursuant to Notice No. WSR 91-15-052, the above matter was scheduled for consideration at 9:00 a.m., Wednesday, August 28, 1991, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, before Chairman Sharon L. Nelson and Commissioners Richard D. Casad and A. J. Pardini.

Under the terms of said notice, interested persons were afforded the opportunity to submit data, views, or arguments to the commission in writing prior to August 19, 1991, and orally at 9:00 a.m., Wednesday, August 28, 1991, in the commission's hearing room above noted. At the August 28, 1991, meeting the commission considered the rule change proposal. No written or oral comments have been received.

The rule change affects no economic values.

In reviewing the entire record herein, it has been determined that WAC 480-120-031 should be amended to read as set forth in Appendix A shown below and by this reference made a part hereof. WAC 480-120-031 as amended will change the time when the fourth quarter statement of results of operations will be due from Class A companies to coincide with the due date for filing annual reports.

ORDER

WHEREFORE, IT IS ORDERED That WAC 480-120-031 as set forth in Appendix A, be amended as a rule of the Washington Utilities and Transportation Commission to take effect pursuant to RCW 34.05.380(2).

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

DATED at Olympia, Washington, this 17th day of September, 1991.

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

APPENDIX "A"

AMENDATORY SECTION (Amending Order R-343, Docket No. UT-901585, filed 4/15/91, effective 5/16/91)

WAC 480-120-031 ACCOUNTING. (1) Except as provided in this rule, the Uniform System of Accounts (USOA) for Class A and Class B Telephone Companies published by the Federal Communications Commission (FCC) and designated as Part 32, effective January 1, 1988, is hereby prescribed for book and recording purposes for telecommunications companies in the state of Washington.

(2) Telecommunications companies operating within this state shall be classed by access lines as follows:

Class	Number of Access Lines
A	In Excess of 10,000
B	Less than 10,000

Upon authorization by the commission, a company presently classified by the commission as a Class B company but desiring more detailed accounting may adopt the accounts prescribed for Class A companies. Class B

companies authorized to adopt the accounts prescribed for Class A companies shall be required to comply with the more detailed accounting specified for Class A companies. Any election to the contrary notwithstanding, the commission reserves the right to require any company to comply with the accounting requirements applicable to Class A companies.

(3) Jurisdictional differences. For Account 7910—Income effect of jurisdictional ratemaking differences—Net; Account 1500—Other jurisdictional assets—Net; Account 4370—Other jurisdictional liabilities and deferred credits—Net, and in a subaccount of Account 4550—Retained earnings, the exchange telecommunications companies operating in this state shall keep subsidiary accounts and records reflecting in separate accounts, subaccounts, and subsidiary records, the Washington intrastate differences in amounts arising from the departure of this commission for booking and/or ratemaking purposes from FCC prescribed accounting. Separate subaccounts shall be kept for each difference. Examples include, but are not limited to, separate accounting for the booking of an allowance for funds used during construction (AFUDC) for short-term construction work in progress (Account 2003, formerly subdivision (1) of Account 100.2); flow-through accounting of tax timing differences to the extent permitted by tax regulations (unless specific exceptions to the flow-through requirement have been granted or required by the commission); elimination of excess profits for affiliated transactions; or such other company specific ratemaking or accounting treatment ordered by the commission in any case involving the rates of a specific company, or in other accounting directives issued by the commission.

(a) All local exchange telecommunications companies shall account as of January 1, 1988, for any embedded jurisdictional ratemaking differences by incorporating any previous jurisdictional differences side-records accounts, and any other accounting directives made by the commission, into the appropriate jurisdictional differences account.

(b) All companies shall expense currently any costs associated with the implementation of Part 32.

(c) All companies shall keep subsidiary records as may be necessary to report readily the source of Washington intrastate local exchange network services revenues by residential and business class of service.

(d) All telecommunication companies subject to this rule shall keep subsidiary accounts in Account 5084—State access revenue, showing separately the following: Intrastate revenues from end users (subscriber line charges); special access revenues; interLATA and intraLATA switched access revenues, identified as revenue derived from the carrier common line and Universal Service Fund rate elements, and revenue derived from all other switched access rate elements; independent company settlements; and other access revenues.

(e) Any company filing with the FCC reports in compliance with the requirements of Part 32, Paragraph

32.25 of Subpart B, Unusual Items and Contingent Liabilities, relating to extraordinary items, prior period adjustments, or contingent liabilities shall file a copy of such report concurrently with this commission.

(f) As to a leased asset which is or has been used in the provision of utility service, unless an alternate accounting treatment has been specifically approved by the commission, any company which capitalizes leases in accordance with FASB-13 shall capitalize such leases at the lower of their original cost or the present value of the minimum lease payments. For purposes of this section "original cost" is defined as the net book value of the leased property to the lessor at the inception of the lease. If all efforts by a company to obtain original cost information fail, and the original cost can not be reasonably estimated, then the companies will file a request with the commission seeking approval to record the asset at the lower of the fair market value of the asset or the present value of the minimum lease payments.

When the asset in question has never been used in the provision of utility service, any company which capitalizes leases in accordance with FASB-13 shall capitalize such leases at the lower of their fair market value or the present value of the minimum lease payments.

(g) Unless specific exceptions are granted, or required, all companies shall keep records for ratemaking and/or booking purposes which flow-through tax benefits to the extent permitted by federal tax regulations. Any jurisdictional ratemaking differences, created by this rule, shall be reflected in accounts provided in Part 32 for jurisdictional differences, more specifically Accounts 1500, 4370, and 7910. See sections 3(h) and 3(l) for further exceptions to this rule.

(h) As to compensated absences and sick pay, if payment of nonvesting accumulated sick pay benefits depends on the future illness of an employee, companies shall not accrue a liability for such an expense for purposes of portraying results of operations until such sick pay is actually paid. In addition, if a company accrues expenses for compensated absences before such expenses are actually deductible for federal income tax purposes, then an exception to the flow-through accounting requirement in section 3(g) is required. In such a case, a normalized tax accounting treatment will be required.

(i) No depreciation expense will be allowed for ratemaking purposes on amounts included in Account 2002—Property held for future telecommunications use. If a company records depreciation on amounts in this account, it shall record the jurisdictional difference in a separate subaccount of the designated jurisdictional differences accounts.

(j) Any property which has been used in the provision of utility service, when acquired from a nonaffiliate shall be recorded at its net book value at the time of the transfer. If the company wishes to record the acquisition at its acquisition cost rather than its net book value, it shall first seek approval for such accounting, providing such detail as the commission may require. If there is a

jurisdictional difference in recording the cost of an acquisition, any such difference shall be recorded in a separate subaccount of the designated jurisdictional differences accounts. Any other property acquired from a nonaffiliate shall be recorded at its acquisition cost.

(k) Amounts booked to Account 2005—Telecommunications plant adjustment, shall be treated as nonoperating investment, and shall not be included in any rate base account without the expressed permission of the commission. Unless an alternate treatment has been authorized by the commission, any amortization taken on amounts in Account 2005 will be treated as though charged to Account 7360—Other nonoperating income, or other nonoperating accounts as required.

(l) If a company is allowed to convert to a GAAP accounting treatment of an item, or allowed other accounting changes which call for the accrual of expenses before such expenses are deductible for federal income tax purposes, an exception to the flow-through accounting requirement in section 3(g) is required. In such event, a normalized tax accounting treatment will be required.

(4) The annual report form promulgated by the Federal Communications Commission is hereby adopted for purposes of annually reporting to this commission by those Class A telecommunications companies classified by the FCC in CC Docket No. 86-182 as Class A Tier I telecommunications companies. The annual report forms for all other Class A and Class B telecommunications companies shall be published by the commission. The annual report shall be filed with the commission as soon after the close of each calendar year as possible but in no event later than May 1 of the succeeding year. Those telecommunications companies having multistate operations shall report both total company and Washington results in their annual report. Companies may also be required to include certain supplemental information in the annual report, such as the status of all jurisdictional differences accounts and subaccounts for the period. This supplemental information will be described in the mailing of the annual reports, or in other sections of this rule (see sections (7) and (9)).

(5) The total company results of operations reported by each telecommunications company in its annual report shall agree with the results of operations shown on its books and records.

(6) All telecommunications companies having multistate operations shall maintain records in such detail that the costs of property located and business done in this state in accordance with state geographic boundaries can be readily ascertained.

(7) All telecommunications companies having multistate operations shall report to this commission at least once each year, as a supplement to its annual report, such allocations between states as are requested by the commission from time to time for each utility. Any allocations required in developing results of operations for the state of Washington separately shall be accomplished on a basis acceptable to the commission. In these supplemental reports, adjustments will be made to incorporate Washington intrastate amounts in the jurisdictional differences accounts.

(8)(a) If a company prepares an annual separations cost study and furnishes a copy thereof to the National Exchange Carrier Association, Inc., (NECA), that company shall, upon request by the commission, make available for commission review at a company-designated location in Thurston County a copy of the same study material as has been so furnished to NECA. Such copy shall be made available for such commission review within ten days after the later of:

(i) The date of the company's receipt of the commission's request therefor; or

(ii) The date on which NECA's copy of the study is furnished to NECA.

(b) If a company prepares an annual separations cost study and furnishes a copy thereof to the Federal Communications Commission (FCC), that company shall, upon request by the commission, make available for commission review at a company designated location in Thurston County a copy of the same study material as has been so furnished to the FCC. Such copy shall be made available for such commission review within ten days after the later of:

(i) The date of the company's receipt of the commission's request therefor; or

(ii) The date on which FCC's copy of the study is furnished to the FCC.

(9) Each telecommunications company shall file with the commission periodic results of operations statements showing total Washington per books, restating adjustments to per books, total Washington per books restated, and Washington restated intrastate results of operations.

Class A companies shall file periodic results of operations statements quarterly. Each quarterly statement shall show monthly and twelve months ended data for each month of the quarter reported. Class B companies shall show semiannual and twelve months ended results. For Class A companies, periodic results of operations statements shall be due ninety days after the close of the period being reported with the exception of the fourth quarter statement which shall be due no later than May 1 of the succeeding year. Class B companies shall file the June 30 ended and December 31 ended semiannual results of operations statements on October 1 and May 1 of each year, respectively.

The periodic results of operations statements shall be on a "commission basis" and restated for out-of-period items, nonoperating, nonrecurring, extraordinary items, or any other item that materially distorts test period earnings or expenses. By use of notes, an explanation of the restating adjustments shall accompany the results of operations statement.

"Commission basis" means that the rate base includes those standard rate base components that have been historically accepted by the commission for ratemaking. "Commission basis" does not include new theories or approaches which have not been previously addressed and resolved by the commission.

The telecommunications companies shall use the allocation factors from their most recent separations cost study to develop the Washington intrastate results of operations.

(10) This rule shall not supersede any reporting requirements specified in a commission order, nor shall it be construed to limit the commission's ability to request additional information on a company specific basis as is deemed necessary.

(11) The annual budget of expenditures form for budgetary reporting for telecommunications companies will be published by this commission in accordance with chapter 480-140 WAC.

(12) The requirements of this section shall not apply to telecommunications companies classified by the commission as competitive, and subject to WAC 480-120-033.

(13) There shall be no departure from the foregoing except as specifically authorized by the commission.

WSR 91-19-091
PROPOSED RULES
DEPARTMENT OF LICENSING
 [Filed September 18, 1991, 9:10 a.m.]

Original Notice.

Title of Rule: WAC 196-26-020 Engineer fees; and 196-26-030 License renewals.

Purpose: Regulation of the engineering and land surveying professions.

Statutory Authority for Adoption: RCW 43.24.086 and 43.24.140.

Statute Being Implemented: Chapter 18.43 RCW.

Summary: Amend fees as required by 1991 amendment to chapter 18.43 RCW (chapter 19, Laws of 1991) and clarify description of fees. Two new fees are added to offset cost of performing described function. Additionally, implement staggered renewal of corporations and partnerships.

Reasons Supporting Proposal: 1991 amendment to chapter 18.43 RCW eliminated the reexam without fee and payment of a separate fee for a certificate. The staggering of corporate and partnership renewals allows for better distribution of workload and allows for improved customer service.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Alan E. Rathbun, 2424 Bristol Court S.W., Olympia, 753-3634.

Name of Proponent: Department of Licensing, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule eliminates the first reexam without fee and the fee for an engineering certificate. Fee language is amended for clarification and to comply with the 1991 legislative amendment. A fee for a temporary permit (engineering) is added to cover the cost of this process. The rule also implements a staggered renewal for engineering corporations and partnerships commencing December 31, 1991.

Proposal Changes the Following Existing Rules: WAC 196-26-020, amend fees and fee description to comply with chapter 19, Laws of 1991, together with

clarification of fee descriptions; and WAC 196-26-030, implements a staggered renewal for engineering corporations and partnerships.

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

Hearing Location: Department of Licensing Professional Licensing Services, 2424 Bristol Court S.W., 3rd Floor Conference Room, Olympia, WA, on October 23, 1991, at 10:00 a.m.

Submit Written Comments to: Alan E. Rathbun, P.O. Box 9649, Olympia, WA 98507, by October 22, 1991.

Date of Intended Adoption: October 23, 1991.

September 16, 1991

Cynthia J. Jones
 for Marsha Tadano Long
 Assistant Director

AMENDATORY SECTION (Amending WSR 91-10-046, filed 4/25/91, effective 5/26/91)

WAC 196-26-020 **ENGINEER, AND LAND SURVEYOR FEES.** The following fees shall be charged by the professional licensing services division of the department of licensing:

Title of Fee	Fee
Engineers:	
Professional engineer application ((and), examination, and certificate	\$ 100.00
((Specialty exam (structural, sanitary)))	
Structural engineer application, examination, and certificate	175.00
Professional engineer examination retake ((2nd subsequent or more))	90.00
((Specialty)) Structural exam retake ((2nd subsequent or more))	160.00
((Reciprocity)) Comity	100.00
((Engineer certificate (initial registration)	25.00
Replacement certificate	25.00
Exam (locally prepared) rescore	50.00
Renewal (per year)	70.00
Late renewal penalty	70.00
Duplicate license	15.00
Temporary permit	100.00
Engineer in training:	
Application, examination and certificate	50.00
Examination retake ((2nd subsequent or more))	50.00
Replacement certificate	25.00
Land surveyor:	
Application, examination and certificate	100.00
FLS examination retake ((2nd subsequent or more))	40.00
PPLS examination retake ((2nd subsequent or more))	60.00
((Reciprocity)) Comity	100.00
Comity exam retake	60.00
PPLS exam rescore	50.00
Renewal (per year)	70.00
Late renewal penalty	70.00
Replacement certificate	25.00
Duplicate license	15.00
Engineer corporation:	
Certificate of authorization	300.00
Renewal	175.00
Duplicate license	15.00
Replacement certificate	25.00
Engineer partnership:	
Certification of authorization	300.00
Renewal	175.00
Replacement certificate	25.00
Duplicate license	15.00

AMENDATORY SECTION (Amending WSR 91-10-046, filed 4/25/91, effective 5/26/91)

WAC 196-26-030 **LICENSE RENEWALS.** The licenses for those individuals registered as a professional engineer and/or a professional land surveyor shall be renewed every two years. The date of renewal shall be the licensee's birth date. Licensees who fail to pay the prescribed renewal fee within ninety days of the license expiration date

will be subject to the late payment penalty fee as set forth in WAC 196-24-060.

Effective with renewals due on July 1, 1991, and continuing through those due on June 30, 1992, the renewal period for engineers and land surveyors will be converted from one to two years. This conversion will be accomplished as follows:

(1) Current licensees as of July 1, 1991, with a birth date which is an even number shall initially renew for one year. All subsequent renewals shall be for a two-year period.

(2) Current licensees as of July 1, 1991, with a birth date which is an odd number shall initially renew for a two-year period. All subsequent renewals shall be for a two-year period.

The initial license issued to an individual shall expire on the licensee's next birth date. However, if the licensee's next birth date is within three months of the initial date of licensure, the original license shall expire on his or her second birth date following original licensure. All subsequent renewals shall be for a two-year period.

The certificates of authorization for corporations and partnerships shall be renewed annually. The date of renewal shall be the ~~((last day of the month of December))~~ month and day of receipt of their original license application. Effective with renewals due on December 31, 1991, corporation and partnership renewals will be converted to the month and day of original application receipt. This conversion will be accomplished as follows:

(a) Renewal notices issued for payment by December 31, 1991, will include a prorated renewal fee equal to one-twelfth of the annual fee for each month until their new renewal date (month and day of original application receipt). For purposes of this conversion, all actively licensed corporations and partnerships will be issued a renewal which will at minimum expire in December 1992 and at maximum expire in November 1993.

(b) All subsequent renewals shall be for one year. Failure to pay the prescribed fee by the date of expiration shall cause the certificate to become invalid.

WSR 91-19-092

PROPOSED RULES

OFFICE OF

INSURANCE COMMISSIONER

[Filed September 18, 1991, 10:46 a.m.]

Original Notice.

Title of Rule: Regulation on transfer of insurance contracts.

Purpose: The purpose of this regulation is to protect policy owners from transfers of their insurance policies and contracts, without their affirmative consent. It also prevents them from losing guaranty fund protection.

Other Identifying Information: Insurance Commissioner Matter No. R 91-9.

Statutory Authority for Adoption: RCW 48.02.060 (3)(a) and 48.30.010.

Statute Being Implemented: RCW 48.01.030, 48.05.030, 48.15.020, 48.18.140, 48.18.190, 48.18.200 (1)(b), 48.18.210, 48.30.010 (1) and (2), 48.46.400, 48.46.130 (1)(c) and (e), and 48.44.110.

Summary: Some insurers, health maintenance contractors, and health maintenance organizations sell blocks of life or disability business to other entities, called assuming companies. This is usually done without a disclosure of information to the policy holders or annuity contract owners about the effects of the transfer. Also, it is usually done without obtaining the consent of those policy holders or contract owners. The assuming company may be financially weaker than the original company, which is called the ceding company. In addition, the assuming company may not be authorized to do

insurance business in this state. In that case, the policy holder or annuity contract owner loses the protection of the Washington Life and Disability Guaranty Association. This administrative rule provides that a transfer of one or more policies or annuity contracts from a ceding company to an assuming company will be effective only if the ceding company first makes full disclosure to the policy holder or annuity contract owner, and also obtains that person's affirmative consent to the transfer. The rule specifies certain transfers in which the rule will not apply. These include mergers, receiverships, acquisitions, withdrawal from the state, and the absorption of a subsidiary by a parent company.

Reasons Supporting Proposal: This regulation is necessary to protect Washington policy owners from the consequences of transfers of their policies or contracts to insurers or other entities which may be financially weaker than the original companies, and which may not be authorized to transact business in this state.

Name of Agency Personnel Responsible for Drafting: William Kay Kirby, Insurance Building, Olympia, Washington, (206) 753-7300; Implementation and Enforcement: David H. Rodgers, Insurance Building, Olympia, Washington, (206) 753-7300.

Name of Proponent: Dick Marquardt, Insurance Commissioner, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of this rule is to protect Washington policy holders and annuity contract owners from having their policies and contracts transferred without their informed and affirmative consent. Such transfers might be to insurers and other entities financially weaker than the original companies. Those transfers might also be to insurers not authorized to transact insurance business in Washington. This would cause the policy holders and annuity contract owners to lose the protection of the Washington life and disability insurance guaranty fund.

Proposal does not change existing rules.

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

The Regulatory Fairness Act (chapter 19.85 RCW) requires a regulatory agency to consider and, to the extent that it can, to minimize the impact of a rule upon small businesses. Most of the insurance companies, health maintenance organizations, and health care service contractors subject to this rule do not fall within the definition of "small business" found in RCW 43.31.025(4). RCW 19.85.040 requires the regulatory agency to analyze the cost of compliance. This includes the cost of equipment, supplies, labor and increased administrative costs. These are to be compared with costs for both large and small businesses, using one of the following bases: Cost per employee, cost per hour of labor, cost per one hundred dollars of sales, or any combination of these criteria. Even if one or more insurance company, health maintenance organization, or health care service contractor subject to the rule qualified as a "small business" under RCW 43.31.025(4), the cost resulting from this rule would be zero, because the rule does not

compel transfers of policies or contracts which would be subject to this rule.

Hearing Location: John L. Cherberg Building, Hearing Room #1, State Capitol Campus, 14th and Water Streets, Olympia, Washington, on October 25, 1991, at 9:30 a.m.

Submit Written Comments to: Insurance Commissioner, Insurance Building, AQ-21, Olympia, Washington 98504-0321, by October 25, 1991.

Date of Intended Adoption: November 1, 1991.

September 18, 1991
 Dick Marquardt
 Insurance Commissioner
 By David H. Rodgers
 Chief Deputy Commissioner

Chapter 284-95 WAC

TRANSFER OF INSURANCE CONTRACTS

WAC

284-95-010	Title.
284-95-020	Purpose and Scope.
284-95-030	Definitions.
284-95-040	Notice Requirements.
284-95-050	Requirement of Full Disclosure.
284-95-060	Prohibited Policy Provisions.
284-95-070	Transfers to Unauthorized Insurers.
284-95-080	Unfair or Deceptive Acts or Practices.

NEW SECTION

WAC 284-95-010 TITLE. This regulation, WAC 284-95-010 through WAC 284-95-080, inclusive, shall be known and may be cited as "The Washington Assumption Regulation on Transfer of Insurance Contracts".

NEW SECTION

WAC 284-95-020 PURPOSE AND SCOPE. The purposes of this regulation are:

(1) To protect policy owners, as defined below, from transfers of insurance policies and contracts, and annuity contracts, and all or substantially all of the liabilities arising under those policies and contracts, from one insurer to another, to the detriment of the existing contractual rights of those policy and contract owners. The rule provides that insurers and others must recognize those rights in certain specific respects.

(2) To protect the contractual rights of policy and contract owners, as defined below, to maintain their insurance or annuities with the ceding company, absent a written consent from the policy or contract owner, after sufficient notice and disclosure concerning the proposed transfer, giving information about both the ceding company and the assuming company.

(3) To clarify legal requirements for such transfers in cases of merger, receivership, acquisition, withdrawal from the state, or absorption of a subsidiary by a parent company.

(4) To ensure that all such transfers are consistent with RCW 48-01.030, which requires that all persons involved in the business of insurance be actuated by good faith, abstain from deception, and practice honesty and equity in all insurance matters.

(5) To prevent the loss of guaranty fund protection to policy or contract owners whose policies or annuities are subject to such transfers. Such protection would be lost if the ceding company possessed a certificate of authority to transact insurance business in Washington, while the assuming company did not possess such a certificate. To prevent this loss of protection, the transfer of policies or annuity contracts to an assuming company which does not possess a valid certificate of authority to transact insurance business in Washington, is defined as a violation of RCW 48.05.030(1).

(6) To establish procedures to be followed with respect to such transactions, and to define unfair or deceptive acts and practices, and unfair methods of competition in the conduct of the business of insurance, in accordance with RCW 48.30.020(2).

(7) This regulation applies to any insurer possessing a valid Washington certificate of authority which transfers all or substantially all of its contractual liabilities under any existing or in force insurance policy or contract, including an annuity contract, to another insurer.

(a) Where the policy owner, as defined in WAC 284-95-030(5), is a resident of this state either at the time the contract was delivered to the owner; or

(b) Where the holder of a certificate of group insurance or blanket insurance, meets the criteria set forth in WAC 284-95-030(5)(b)(1)(2) and (3).

(8) This regulation shall not apply in the following situations:

(a) Mergers or consolidations;

(b) Insurers subject to an order of liquidation, pursuant to 48.31 RCW;

(c) The acquisition of control of an insurer by another entity; or

(d) Withdrawal from the state by an insurer, pursuant to RCW 48.05.290.

(9) This regulation shall not apply to the absorption of a subsidiary insurance company by a parent company, where the parent company absorbs the entire subsidiary insurance company through a merger. However, this regulation shall apply where the parent company acquires only the policies of the subsidiary insurance company.

(10) Unless the ceding company and assuming company comply fully with the requirements of this administrative rule, any purported transaction of assumption reinsurance between them shall be ineffective to transfer any of the liabilities arising under one or more life or disability policies of insurance or annuity contracts.

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

NEW SECTION

WAC 284-95-030 DEFINITIONS. (1) "A transfer of insurance contracts" means a transaction in which a ceding company, as defined below, cedes one or more life or disability policies of insurance, or annuity contracts, together with all or substantially all of the liabilities arising under any such policy or contract, to an assuming company, as defined below. This rule is intended to apply in cases where a ceding company transfers all or substantially all of its liabilities under one or more policies or contracts, to an assuming company. This is a transfer of the type commonly known as "assumption reinsurance." This rule is not intended to apply to a case of true reinsurance, in which an insurer in effect insures itself by transferring part of its risk to a reinsurance company.

(2) "Consent to transfer", in the context of this regulation, means the active and affirmative consent of each policy owner, as defined below. This consent must be in writing, signed by the policy owner. It will not be presumed. It must be made after sufficient notice and disclosure concerning the proposed transfer, and concerning both the ceding company and the assuming company, more fully set forth in WAC 284-95-040 and WAC 284-95-050. Where a group or blanket policy is concerned, the consent required is that of the group policy owner. Where the holder of a certificate of group or blanket insurance meets the three criteria set forth in WAC 284-95-030 (b)(1) and (2), then the certificate holder is the owner, for the purpose of obtaining consent. If those criteria are not met, then the certificate holder is not the owner, for the purpose of obtaining consent to the proposed transfer.

(3) "Ceding company" means the insurance company, health care service contractor, or health maintenance organization which proposes to transfer one or more policies of life or disability insurance, or annuity contracts, together with all or substantially all of the liabilities arising under any such policy or contract, to an assuming company.

(4) "Assuming company" means the insurance company, health care service contractor, or health maintenance organization which proposes to acquire one or more policies of life or disability insurance, or annuity contract, together with all or substantially all of the liabilities arising under any such policies or contracts, from a ceding company.

(5) "Policy owner" shall mean any of the following:

(a) The owner of a life insurance policy, disability insurance policy, or annuity contract, where the owner is a resident of this state at the time the policy is delivered or the contract signed by the owner.

(b) The holder of a certificate issued under a policy of blanket or group insurance, where all the following criteria are met:

(i) The holder is a resident of the state either at the time he or she receives the certificate or at the time the proposed transfer is to become effective; and

(ii) The certificate vests in the certificate holder any rights against the insurer, which neither the insurer nor the group contract holder may not terminate.

(6) "Disability insurance" includes benefits or coverages provided by a contract issued by a health care service contractor or a health maintenance organization.

NEW SECTION

WAC 284-95-040 NOTICE REQUIREMENTS. (1) The ceding company shall provide to each policy or contract owner at least thirty days written notice of its intent to cede the policy or contract to an assuming company. The written notice shall be deposited in the United States mail, postage prepaid, addressed to the last known address for the policy or contract owner.

(2) The thirty-day period means thirty days before the transfer is to take effect.

(3) The ceding company shall keep records of all notices which are returned as undeliverable, and also of all responses which are signed and returned by the policy owner, regardless of whether those responses are consents or refusals to consent.

(4) The ceding company shall provide notice to the state insurance regulatory authority of each state in which one or more policy or contract owners reside. The notice to the regulatory authority shall be sent the notice thirty days before it is sent to the policy or contract owners.

NEW SECTION

WAC 284-95-050 REQUIREMENT OF FULL DISCLOSURE. At a minimum, the notice sent to the policy or contract owner shall state the following in plain English:

(1) The date upon which the transfer of liabilities arising under the policy or contract is to take place.

(2) The name and address of the proposed assuming company.

(3) The fact that the policy or contract owner has a legal right to either consent to the proposed transfer, or to refuse to consent to it.

(4) The fact that if the policy or contract owner wishes to accept the proposed transfer of contracts, that person must affirmatively do so by signing and returning the enclosed consent form.

(5) The fact that unless the policy or contract owner does sign and return the enclosed consent form, the proposed transfer of contracts will not take place as to the policy or contract in his or her case, and that as a result the liabilities arising under that policy or contract will remain with the ceding company.

(6) The fact that if the policy owner does not sign and return the enclosed consent form, the ceding company may still have the assuming company or some other entity perform administrative servicing of the contract or policy, even though the liabilities arising under the policy or contract will remain with the ceding company. Some examples of "administrative servicing of the contract or policy" should be given as an explanation in the disclosure document.

(7) The reason or reasons for the proposed transfer of policies or contracts.

(8) Enough information about both the ceding company and the assuming company for the policy owner to make an informed choice about whether to consent to the proposed transfer or not. Necessary information will vary from one situation to another. However, it shall include, although it is not limited to, the following: the assets and liabilities of each company, and the business experience each has (over the past ten years) within the line of insurance involved in the proposed transfer of contracts.

(9) Whether the assuming company holds a valid certificate of authority for the line of insurance involved in the proposed transfer of policies or contracts, issued by the state of which the policy or contract owner is a resident.

(10) Whether the proposed transfer of policies or contracts would have any effect upon availability of protection afforded by any state guaranty fund, in the event of insolvency of the proposed assuming company. This shall include the probability of the assuming company undergoing rehabilitation, conservation or liquidation, and whether the assuming company has undergone rehabilitation in the past ten years.

(11) The notice and disclosure to be sent to the policy owner shall be accompanied by two forms, one for a consent and one for a refusal to consent. Both of these forms shall be in plain English. They shall also be subject to the type size requirements of RCW 48.20.012(2).

(12) The ceding company shall retain, for a period of ten years or the expiration of the last contract covered, whichever occurs later, the following lists of owners or holders, identified by contract number:

(a) Those policy or contract owners who signed and returned the novation form.

(b) Those policy or contract owners who signed and returned the form indicating that they refused to provide the requested novation.

(c) Those policy owners who could not be reached, or who did not respond.

(13) The notice and disclosure documents must also advise the policy or contract owner that the ceding company may not unfairly discriminate against those policy or contract holders who do not consent to the transfer.

(14) The assumption certificate becomes a part of the new contract.

NEW SECTION

WAC 284-95-060 PROHIBITED POLICY PROVISIONS. No life or disability insurance policy, or annuity contract, including policies of blanket or group insurance, or other contractual document pertaining to any such policy or contract, shall contain any waiver or disclaimer of any of the rights recognized or protected by this regulation.

NEW SECTION

WAC 284-95-070 TRANSFERS TO UNAUTHORIZED INSURERS. Where a Washington resident owns a policy issued by a company possessing a certificate of authority to do business in Washington, that company may not transfer such policy to a company which does not possess a certificate of authority to do business in Washington. Acting as the assuming company in an assumption reinsurance transaction involving a policy issued to a Washington resident by a company possessing a Washington certificate of authority is specifically determined to constitute the transaction of insurance as described in RCW 48.05.030, for which a Washington certificate of authority is required.

NEW SECTION

WAC 284-95-080 UNFAIR OR DECEPTIVE ACTS OR PRACTICES. It shall be an unfair or deceptive act or practice, pursuant to RCW 48.30.010 (1) and (2), for any insurer, to

(1) Be a party to a transfer of policies or contracts which is in violation of the provisions of this rule; or

(2) To advise policy or contract owners, as defined in this rule, either verbally or in writing, that the insurance commissioner has approved of any transfer of policies or contracts. It shall be a false representation in advertising, in the sense of RCW 48.44.110, for a health care service contractor to advise policy owners as defined in this rule, either verbally or in writing, that the insurance commissioner has approved any transfer of policies or contracts. It shall be a false or misleading practice in advertising, in the sense of RCW 48.46.400, and a deceptive, misleading, or unfair practice in advertising, in the sense of RCW 48.46.130 (1)(e), for a health maintenance organization to advise policy or contract owners as defined in this rule, either verbally or in writing, that the insurance commissioner has approved of any transfer of policies or contracts; or

(3) To unfairly discriminate against owners of policies or contracts who do not consent to the proposed transfer of policies or contracts.

WSR 91-19-093

PERMANENT RULES

GAMBLING COMMISSION

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

Date of Adoption: September 13, 1991.

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

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

Statutory Authority for Adoption: RCW 9.46.070.

Other Authority: RCW 9.46.0331.

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

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

September 17, 1991

Sharon M. Tolton

Rules Coordinator

Reviser's note: The material contained in this filing will appear in the 91-20 issue of the Register as it was received after the applicable closing date for the issue for agency-typed material exceeding the volume limitations of WAC 1-21-040.

WSR 91-19-094

PROPOSED RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed September 18, 1991, 11:12 a.m.]

Original Notice.

Title of Rule: Paraprofessional classroom assistants training program.

Purpose: WAC 180-140-400 through 180-140-423 [392-140-400 - 392-140-423] needs to be repealed since the trial period for the training program has passed, and the purposes for these pilot projects have been met.

Statutory Authority for Adoption: RCW 28A.03.030(3).

Statute Being Implemented: RCW 28A.03.030(3).

Summary: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Richard M. Wilson, Office of Superintendent of Public Instruction, Old Capitol Building, (206) 753-2298; Implementation: Ted Andrews, Office of Superintendent of Public Instruction, Old Capitol Building, (206) 753-2298; and Enforcement: David Moberly, Office of Superintendent of Public Instruction, Old Capitol Building, (206) 753-2298.

Name of Proponent: Superintendent of Public Instruction, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal does not change existing rules.

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

Hearing Location: Brouillet Conference Room, 4th Floor, Superintendent of Public Instruction, Old Capitol Building, Olympia, Washington 98504, on November 1, 1991, at 9:00 a.m.

Submit Written Comments to: Richard M. Wilson, Superintendent of Public Instruction, Legal Services, Olympia, Washington 98504, by October 22, 1991.

Date of Intended Adoption: November 8, 1991.

September 17, 1991

Judith A. Billings
Superintendent of
Public Instruction

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 392-140-400 1990-91 PARAPROFESSIONAL CLASSROOM ASSISTANTS TRAINING PROGRAM—AUTHORITY.

WAC 392-140-401 1990-91 PARAPROFESSIONAL CLASSROOM ASSISTANTS TRAINING PROGRAM—PURPOSE.

WAC 392-140-402 1990-91 PARAPROFESSIONAL CLASSROOM ASSISTANTS TRAINING PROGRAM—DEFINITION—PARAPROFESSIONAL CLASSROOM ASSISTANT.

WAC 392-140-403 1990-91 PARAPROFESSIONAL CLASSROOM ASSISTANTS TRAINING PROGRAM—DEFINITION—ASSIGNED TEACHER.

WAC 392-140-404 1990-91 PARAPROFESSIONAL CLASSROOM ASSISTANTS TRAINING PROGRAM—DEFINITION—TRAINING PROGRAM.

WAC 392-140-405 1990-91 PARAPROFESSIONAL CLASSROOM ASSISTANTS TRAINING PROGRAM—DEFINITION—INDIRECT COSTS.

WAC 392-140-406 1990-91 PARAPROFESSIONAL CLASSROOM ASSISTANTS TRAINING PROGRAM—DEFINITION—ONE-DAY TRAINING PROGRAM.

WAC 392-140-407 1990-91 PARAPROFESSIONAL CLASSROOM ASSISTANTS TRAINING PROGRAM—DEFINITION—ONE CONTACT HOUR OR TRAINING.

WAC 392-140-408 1990-91 PARAPROFESSIONAL CLASSROOM ASSISTANTS TRAINING PROGRAM—TASK FORCE.

WAC 392-140-409 1990-91 PARAPROFESSIONAL CLASSROOM ASSISTANTS TRAINING PROGRAM—REQUIREMENTS—PROVIDERS.

WAC 392-140-410 1990-91 PARAPROFESSIONAL CLASSROOM ASSISTANTS TRAINING PROGRAM—DURATION.

WAC 392-140-411 1990-91 PARAPROFESSIONAL CLASSROOM ASSISTANTS TRAINING PROGRAM—GRANT PROPOSAL—APPLICATION PROCESS.

WAC 392-140-412 1990-91 PARAPROFESSIONAL CLASSROOM ASSISTANTS TRAINING PROGRAM—GRANT PROPOSAL—SELECTION PROCESS.

WAC 392-140-413 1990-91 PARAPROFESSIONAL CLASSROOM ASSISTANTS TRAINING PROGRAM—GRANT PROPOSAL—EVALUATION CRITERIA.

WAC 392-140-414 1990-91 PARAPROFESSIONAL CLASSROOM ASSISTANTS TRAINING PROGRAM—ASSIGNED TEACHERS—SELECTION PROCESS.

WAC 392-140-415 1990-91 PARAPROFESSIONAL CLASSROOM ASSISTANTS TRAINING PROGRAM—SELECTION PROCESS.

WAC 392-140-416 1990-91 PARAPROFESSIONAL CLASSROOM ASSISTANTS TRAINING PROGRAM—REQUIRED TRAINING COMPONENTS.

WAC 392-140-417 1990-91 PARAPROFESSIONAL CLASSROOM ASSISTANTS TRAINING PROGRAM—SUGGESTED TRAINING COMPONENTS.

WAC 392-140-418 1990-91 PARAPROFESSIONAL CLASSROOM ASSISTANTS TRAINING PROGRAM—ASSIGNED TEACHERS—TRAINING COMPONENTS.

WAC 392-140-419 1990-91 PARAPROFESSIONAL CLASSROOM ASSISTANTS TRAINING PROGRAM—DISTRIBUTION OF STATE MONEYS—MAXIMUM AMOUNT.

WAC 392-140-420 1990-91 PARAPROFESSIONAL CLASSROOM ASSISTANTS TRAINING PROGRAM—FTE PARAPROFESSIONAL CLASSROOM ASSISTANTS—CALCULATION FOR FUNDING PURPOSES.

WAC 392-140-421 1990-91 PARAPROFESSIONAL CLASSROOM ASSISTANTS TRAINING PROGRAM—ASSURANCES.

WAC 392-140-422 1990-91 PARAPROFESSIONAL CLASSROOM ASSISTANTS TRAINING PROGRAM—CARRYOVER PROHIBITION.

WAC 392-140-423 1990-91 PARAPROFESSIONAL CLASSROOM ASSISTANTS TRAINING PROGRAM—MAXIMUM CONTROL FACTOR—PRORATION.

**WSR 91-19-095
PROPOSED RULES
PARKS AND RECREATION
COMMISSION**

[Filed September 18, 1991, 12:47 p.m.]

Original Notice.

Title of Rule: Fort Worden fees, meal service and special events.

Purpose: Adjusts some user fees at Fort Worden, clarifies the meal service requirements and explains reservation policies for special events regarding Centrum.

Statutory Authority for Adoption: RCW 43.51.040.

Statute Being Implemented: Chapter 43.51 RCW.

Summary: The fee changes will help raise revenue to operate Fort Worden. The other changes clarify meal services and Centrum's (a nonprofit arts and cultural activities organization) role regarding special events.

Name of Agency Personnel Responsible for Drafting: Wayne McLaughlin, Washington State Parks, Olympia, Washington, 753-2029; Implementation and Enforcement: Dennis Smith, State Parks, KY-11, Olympia, Washington, 753-5761.

Name of Proponent: Washington State Parks and Recreation Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Fee changes keep Fort Worden comparable with conference center and recreational housing market. Meal changes offer wider choices for visitors. Changes regarding Centrum occur as a result of changes in overall facility use agreement.

Proposal Changes the Following Existing Rules: Shows new prices on housing at Fort Worden, explains meal services offered at Fort Worden. Explain role of Centrum and special events at Fort Worden.

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

Hearing Location: Ramada Inn, Empire Room, Spokane International Airport, Spokane, Washington 99219, on October 25, 1991, at 9:00 a.m.

Submit Written Comments to: Wayne McLaughlin, State Parks, KY-11, Olympia, Washington 98504-5711, by October 21, 1991.

Date of Intended Adoption: October 25, 1991.

September 18, 1991
Nina Carter
Executive Assistant

AMENDATORY SECTION (Amending WSR 90-23-031, filed 11/14/90, effective 1/1/91)

WAC 352-32-25001 RECREATIONAL AND CONFERENCE CENTER HOUSING FEES AND MEETING ROOM FEES CHARGED. (1) The following fees shall be charged per day for recreational and conference center housing at Fort Worden State Park:

(a) Renovated housing

Noncommissioned officers' row buildings—#331 and #332 (4 units, each with 2 bedrooms).....	\$ ((66-96)) 68.60/unit
Officers' row buildings—#5, #6, and #7 (6 units, each with 3.5 bedrooms).....	\$ ((108-03)) 110.79/unit
Officers' row buildings—#4 and #11 (4 units, each with 6 bedrooms).....	\$ ((179-31)) 183.85/unit

Charge for additional rollaway beds	\$ 10.20 per bed
(b) Nonrenovated housing	
Officers' row building—#9, #10 and #16 (5 units, each with 3 bedrooms).....	\$ ((83-10)) 85.19/unit
Officers' row buildings—#15 (1 unit with 5 bedrooms).....	\$ ((131-16)) 134.45/unit
Charge for additional rollaway beds	\$ 10.20 per bed
Bliss vista building—#235 (1 unit with 1 bedroom)	\$ ((54-97)) 56.34/unit

A deposit equal to the cost of the first night's fee for each unit rented is required. A \$10.00 per unit cancellation fee is deducted from the deposit for any cancelled reservations, to cover processing costs. If the cancellation is made less than three weeks prior to the arrival date, the entire deposit is forfeited, unless the unit is re-rented.

((Standard meal charges (meals optional for above-listed housing)

Breakfast.....	\$ 2.95
Lunch.....	\$ 4.00
Dinner.....	\$ 6.00
Total.....	\$ 12.95
Coffee service.....	\$10.00
minimum charge for any group of 20 or less.....	50¢ per person for additional persons:))

Meal charges vary depending upon which meals and which level of service are selected by the visitor in the reservation agreement. All conference groups utilizing dormitory accommodations must contract for food services for a minimum of two meals per full day of occupancy. Food services are optional for nonconference groups using above-listed recreational housing.

(c) Dormitory housing (for group reservations only—meals not included)

1 - 2 days.....	\$ ((23-30)) 10.63/person/day
3 - 13 days	\$ ((21-41)) 8.70/person/day
14 or more days.....	\$ ((19-83)) 7.08/person/day
Dormitory linen and towel charge.....	\$((8-65)) 8.85
Additional towel charges.....	\$ ((-80)) .85
Additional towel set.....	\$((1-00)) 1.85
Emergency bedroll.....	\$((9-00)) 9.15

~~((The parks and recreation commission has an agreement with the Centrum organization which provides for use of Fort Worden State Park dormitory facilities and services in conjunction with special group programs administered by Centrum. For further information, contact Centrum at Fort Worden State Park.))~~

(d) Barracks-style housing (for group reservations only—meals not included)

1 - 2 days.....	\$ ((21-44)) 8.72/person/day
3 - 13 days	\$ ((19-67)) 7.00/person/day
14 or more days.....	\$ ((18-02)) 5.21/person/day

All meals are served in the dining hall. Washington state sales tax is added to all charges.

The Centrum organization has a preferential right to reserve certain facilities and services at Fort Worden State Park in conjunction with special group programs administered by Centrum as set forth in the Fort Worden State Park Master Facility Use Plan and by separate agreement with Centrum. For further information contact Fort Worden State Park.

(2) Meeting rooms are available at varying charges, depending on size, character of facility, and length of stay. Prices range between \$ 6.85 and \$ 34.65 for those residing in Fort Worden recreational housing, with increased charges for nonusers of recreational housing facilities. Additional cleaning fee is charged if food or beverages are consumed in the room. Theatre is available for performances—\$105.00 per day; for rehearsals—\$27.30 per night. For larger performances or events, the balloon hangar pavilion is available at the following rental rates:

Commercial events.....	\$800 per day (plus \$100 or 10% of the net profit, whichever is greater)
Nonprofit or charitable events (with admission fee).....	\$500 per day
Nonprofit or charitable events (without admission fee).....	\$250 per day
Rehearsals.....	\$50 per day

Pavilion rates apply to users except as otherwise provided under separate contracts pertaining to project funding. The kitchen shelter is available for the minimum fee of \$21.00 per day plus a refundable \$50.00 cleaning deposit.

~~(3) ((Where not covered by or not inconsistent with the agency's facility use agreement with the Centrum Foundation;)) Groups or organizations of ((twenty-five)) thirty-two or more wishing to reserve the Fort Worden State Park housing or meeting room facilities may make application for reservations ((up to two years)) in advance ((of the date of use)) consistent with the provisions of the Fort Worden Master Facility Use Plan by contacting the park. Confirmation of reservations is subject to the user group complying with the procedures specified in the ((group booking)) Master Facility Use Plan and the reservation agreement, copies of which are available at the park.~~

~~(4) ((Conference center groups may reserve no more than fifty campsites per night in addition to other reserved conference center facilities;)) Consistent with the Fort Worden State Park Master Facility Use Plan, conference groups may also reserve campsites in advance as their sole overnight accommodation: PROVIDED, That there will be a twenty-site minimum for any individual reservation. During the months of May through September only the upper campground may be reserved by such conference groups. During the months of October through April, all of the upper campground and twenty sites in the beach level campground may be reserved by conference groups.~~

AMENDATORY SECTION (Amending Order 98, filed 11/24/86)

WAC 352-32-25002 CAMPSITE AND RALLY AREA RESERVATIONS—FORT WORDEN STATE PARK. (1) ~~((Advance individual campsite reservations will be available at Fort Worden State Park. They may be made throughout the year for no more than ten consecutive nights within the current and first succeeding calendar month, except that a continuous reservation may carry from the end of the first succeeding month into the beginning of the next succeeding month. Reservations may be made by mail, or in person, at Fort Worden State Park, and will require a completed application, the first night's camping fee and the nonrefundable reservation fee provided for in WAC 352-32-035. All reservations will be processed at 8:30 a.m. on the first day of the month. Mail-in reservation requests postmarked the twentieth day of the preceding month or later will be held at the park until processed in order of arrival. Reservation requests postmarked earlier than the twentieth day of the preceding month will be returned to the sender. Tentative reservations may be made by telephone, but must be followed by a mailing containing the first night's camping fee, the reservation fee and completed application postmarked within five days of the tentative telephone reservation to become a confirmed reservation. During the period from the Friday before Memorial Day through Labor Day an individual may reserve no more than ten campsites for use at the same time, and, may reserve campsites for no more than ten nights in each calendar month. Other state parks are subject to continuous occupancy rules provided for in WAC 352-32-030(6).))~~

~~(2) Reservations for a specific campsite will not be guaranteed. A refund of the first night's camping fee will be issued for any reservation which is not used, provided a cancellation request is made in person, by mail, or by telephone prior to 5:00 p.m. on the first day of the reservation. Campers will be declared no-show and, in addition to the nonrefundable reservation fee, will forfeit their reservation as well as the first night's camping fee if they have not cancelled and if the reservation is not claimed by 8:00 a.m. on the day after the confirmed arrival date.~~

~~(3) Campers who arrive at the park without a reservation may use unreserved campsites for up to ten consecutive nights during the period from May 1 through September 30 and fifteen consecutive nights during the period from October 1 through April 30, beginning the day of arrival, on a first-come-first-served basis, without paying a reservation fee.~~

~~(4)) Campsites at Fort Worden State Park may be reserved as set forth in WAC 352-32-035: PROVIDED, That conference groups as defined by the Fort Worden State Park Master Facility Use Plan may make advance reservation for campsites at Fort Worden State Park as set forth in WAC 352-32-25001.~~

~~(2) Advance reservations will be available for groups of self-contained recreational vehicles in the Fort Worden State Park rally area. The group must have a minimum of twenty-five recreational vehicles and may not exceed two hundred recreational vehicles. The nonrefundable reservation fee for the rally area will be \$2.00 per recreational vehicle, or \$100.00 total, whichever is greater. The rally area camping fee is \$4.00 per night. Rally area reservations may be made by contacting Fort Worden State Park.~~

WSR 91-19-096
WITHDRAWAL OF PROPOSED RULES
LIQUOR CONTROL BOARD
 [Filed September 18, 1991, 1:19 p.m.]

The Washington State Liquor Control Board wishes to withdraw amendatory action to WAC 314-12-035 Furnishing of information and/or documentation to the board, as filed in WSR 91-16-081.

The board will submit the rule at a later date for consideration in complete form.

Paula O'Connor
 Chairman

WSR 91-19-097
PROPOSED RULES
LIQUOR CONTROL BOARD
 [Filed September 18, 1991, 1:22 p.m.]

Original Notice.

Title of Rule: WAC 314-12-035 Furnishing of information and/or documentation to the board.

Purpose: Set forth criteria for submitting affidavits of ownership, financial interests or other interests when making applications for licenses or complying with requests for information from the board.

Statutory Authority for Adoption: RCW 66.08.030.

Summary: Specific forms would be eliminated and the procedure for obtaining information would be streamlined to make the process less demanding.

Name of Agency Personnel Responsible for Drafting: David Goyette, 1025 East Union, 753-6270; Implementation and Enforcement: Gary Gilbert, 1025 East Union, Olympia, 753-6270.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: Adoption will streamline the requirements for application and make them easier to meet in terms of providing information to the board.

Proposal Changes the Following Existing Rules: Makes existing rule easier to satisfy by requiring less documentation.

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

Hearing Location: Fifth Floor Conference Room, Capital Plaza Building, 1025 East Union, Olympia, WA 98504, on October 23, 1991, at 9:30 a.m.

Submit Written Comments to: M. Carter Mitchell, Public Information Officer, 1025 East Union, Olympia, WA 98504, by October 22, 1991.

Date of Intended Adoption: October 23, 1991.

September 18, 1991

Paula O'Connor
Chairman

AMENDATORY SECTION (Amending Order 99, Resolution No. 108, filed 1/27/82)

WAC 314-12-035 FURNISHING OF INFORMATION AND/OR DOCUMENTATION ~~((=OATH REQUIRED FORM OF AFFIDAVIT))~~. (1) In order to facilitate the administration and/or enforcement of RCW 66.24.010, licensees, applicants for licenses, or the agents or representatives thereof shall, upon request by the board, furnish to the board copies of all documents affecting the ownership and/or proposed operation of the premises licensed or sought to be licensed. These documents ~~((shall be furnished))~~ may be required with the original license application, with any application for transfer of license, and at such other times as may be requested by the board. Licensees, applicants for licenses, or the agents or representatives thereof, shall furnish along with these documents a signed written summary of any oral agreements which affect the ownership and/or proposed operation of the premises licensed, or sought to be licensed. Failure or refusal to furnish said requested documentation will be good and sufficient cause for denial of any application in support of which the documentation was requested, and will be good and sufficient cause for revocation of any license held by a licensee who fails or refuses to furnish the said requested documentation.

(2) Written information and/or documentation requested by the board from any person for the purpose of administering and/or enforcing RCW 66.24.010 ~~((shall be submitted to the board along with an affidavit in the form provided in subsection (3) or (4) hereof, whichever is appropriate))~~, any person furnishing written information and/or documentation requested by the board may be required to submit an affidavit on a form prescribed by the board, which shall be signed by the person submitting the information, given under oath subject to the penalties of perjury, and certifying that all information and/or documentation being furnished is true, accurate and complete.

~~((3) Where the person furnishing information and/or documentation to the board is a licensee, an applicant for a license, or the agent or representative of such a licensee or applicant, the affidavit referenced in subsection (2) above shall be in the following form:~~

~~AFFIDAVIT OF LICENSEE, APPLICANT FOR LICENSE OR AGENT OR REPRESENTATIVE THEREOF, CONCERNING DOCUMENTATION OF OWNERSHIP INTERESTS IN LICENSED PREMISES AND/OR BUSINESS~~

~~I, _____, having been duly sworn upon oath depose and say:~~

~~That I have read the following specifically identified application and/or documents which are herewith submitted by me to the board through its authorized representative for the purpose of inducing official action by the board:~~

~~(List application by date and documents by type and date)~~

That I am authorized to submit the application and/or documents on behalf of the licensee or applicant for a license, as the case may be.

That to the best of my knowledge all of the information on said specifically identified application and/or documents is true, accurate and complete.

That there are no oral agreements of any kind whatsoever which modify the provisions of the said specifically identified application and/or documents other than those which are fully disclosed in the said application and/or documents.

That the true identity of all persons or other entities who do, or will, have an interest in the business licensed, or sought to be licensed, have been fully disclosed to the board; all such interests being fully described in the said application and/or documents whether such interests result from open loans, mortgages, conditional sales contracts, silent partnerships, trusts, or from any other source whatsoever except open trade accounts incurred in the ordinary course of business.

That I am aware that RCW 9A.72.030 provides that it is a crime (Class C Felony) for a person, with intent to mislead a public servant in the performance of his duty, to make under an oath required or authorized by law a materially false statement, knowing it to be false.

Name _____

Title _____

Sole Proprietor,
Corporate Officer
Shareholder, Partner,
Manager, Agent, Etc.

Date _____

SUBSCRIBED AND SWORN TO Before me this ____ day of _____ 1981.

Notary Public in and for
the state of _____
residing at _____.

~~(4) Where the person furnishing information and/or documentation to the board is some person other than a licensee or applicant for a license, and the person is not acting as the agent or representative of such a licensee or applicant, the affidavit referenced in subsection (2) above shall be in the following form:~~

~~AFFIDAVIT OF PERSON OTHER THAN A LICENSEE, OR APPLICANT FOR A LICENSE, RELATING TO INFORMATION AND/OR DOCUMENTATION FURNISHED TO THE BOARD~~

~~I, _____, having been duly sworn upon oath depose and say:~~

~~That I have read the following specifically identified documents which are herewith submitted by me to the board through its authorized representative for the purpose of inducing official action by the board:~~

~~(List documents by type and date)~~

That to the best of my knowledge all of the information on said specifically identified documents is true, accurate and complete.

That there are no oral agreements of any kind whatsoever which modify the provisions of the said specifically identified documents other than those which are fully disclosed in the said specifically identified documents.

That I am aware that RCW 9A.72.030 provides that it is a crime (Class C Felony) for a person, with intent to mislead a public servant in the performance of his duty, to make under an oath required or authorized by law a materially false statement, knowing it to be false.

Name _____

Title _____

Sole Proprietor,
Corporate Officer
Shareholder, Partner,
Manager, Agent, Etc.

Date _____

SUBSCRIBED AND SWORN TO Before me this ____ day of _____ 1981.

Notary Public in and for
the state of _____
residing at _____.

~~(5) For the purpose of effectively obtaining information concerning any matter relating to the administration or enforcement of Title 66 RCW, any person providing books, records, or other documents to a person appointed in writing by the board pursuant to RCW 66.08.130~~

and 66.08.140 for the purposes specified in those statutes, shall provide the board at the same time with an affidavit in the following form:

"AFFIDAVIT OF PERSON PROVIDING BOOKS, RECORDS OR OTHER DOCUMENTS FOR INSPECTION BY THE BOARD PURSUANT TO RCW 66.08.130 OR 66.08.140"

I, _____, having been duly sworn upon oath depose and say:

That I have produced the following specifically identified books, records and other documents for inspection by the board, through its authorized representative, in compliance with RCW 66.08.130 and/or 66.08.140:

(List books, records or other documents by type and date)

That I am aware of no other books, records or documents which come within the purview of the request made for production under RCW 66.08.130 or 66.08.140 other than those which have been produced, except the following:

(Insert "none" or describe the other books, records or documents)

That to the best of my knowledge all of the documents which I have provided to the authorized representative of the board are true, correct, and complete, except the following:

(Insert "none" or identify specific documents and describe in what manner they are untrue, incorrect, or incomplete)

That to the best of my knowledge there are no oral agreements of any kind whatsoever which modify the provisions of any of the books, records and/or other documents produced by me other than those which are summarized below:

(Insert "none" or summarize each and every such oral agreement)

That I am aware that RCW 9A.72.030 provides that it is a crime (Class C Felony) for a person, with intent to mislead a public servant in the performance of his duty, to make under an oath required or authorized by law a materially false statement, knowing it to be false:

Name _____

Title _____

- Sole Proprietor;
- Corporate Officer
- Shareholder, Partner,
- Manager, Agent, Etc.

Date _____

SUBSCRIBED AND SWORN TO Before me this ____ day of _____ 1981.

Notary Public in and for the state of _____ residing at _____.

**WSR 91-19-098
PERMANENT RULES
LIQUOR CONTROL BOARD**
[Filed September 18, 1991, 1:23 p.m.]

Date of Adoption: September 18, 1991.

Purpose: To add language that more specifically describes the type of visual reproductions which are prohibited from display in liquor licensed premises.

Citation of Existing Rules Affected by this Order: Amending WAC 314-16-125.

Statutory Authority for Adoption: RCW 66.08.030.

Pursuant to notice filed as WSR 91-16-083 on August 6, 1991.

Effective Date of Rule: Thirty days after filing.

September 18, 1991

Paula O'Connor
Chairman

AMENDATORY SECTION (Amending Order 115, Resolution No. 124, filed 11/2/82)

WAC 314-16-125 SUGGESTIVE, LEWD AND/OR OBSCENE CONDUCT ON LICENSED PREMISES. The following acts or conduct on licensed premises are prohibited:

(1) To employ or use any person in the sale or service of alcoholic beverages in or upon the licensed premises while such person is unclothed or in such attire, costume or clothing as to expose to view any portion of the breast below the top of the areola or of any portion of the pubic hair, anus, cleft of the buttocks, vulva or genitals.

(2) To employ or use the services of any hostess or other person to mingle with the patrons while such hostess or other person is unclothed or in such attire, costume or clothing as described in subsection (1) above.

(3) To encourage or permit any person on the licensed premises to touch, caress or fondle the breasts, buttocks, anus or genitals of any other person.

(4) To permit any employee or person to wear or use any device or covering, exposed to view, which simulates the breast, genitals, anus, pubic hair or any portion thereof.

(5) To permit any person to perform acts of or acts which simulate:

(a) Sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law.

(b) The touching, caressing or fondling of the breast, buttocks, anus or genitals.

(c) The displaying of the pubic hair, anus, vulva or genitals.

(6) Subject to subsection (5) herein, to permit entertainers whose breast and/or buttocks are exposed to view to perform elsewhere on the licensed premises except upon a stage at least eighteen inches above the immediate floor level and removed at least six feet from the nearest patron.

(7) Subject to subsection (5) herein, to permit any dancer-entertainer to perform on the licensed premises except when removed at least six feet from the nearest

patron. This subsection shall not be applied to performances of traditional ethnic dancing such as belly dancing, flamenco dancing, Hawaiian, or Tahitian dancing, etc., performed in restaurant, hotel, or club licensed premises, provided that the following conditions are met:

(a) That the licensee shall have applied for and received written approval of the board for such activity.

(b) That the dancers shall be compensated by the licensee.

(c) The licensee shall keep and have available for inspection by the board, or any peace officer, at all reasonable times, a list of all traditional ethnic dancers employed at the licensed premises. Such list shall be retained for a period of thirty days after termination of employment and shall designate the following information with respect to each entertainer:

(i) True name and professional or stage name, if any;

(ii) Residence address and phone number;

(iii) Social Security number;

(iv) Terms of the agreement of employment; and

(v) Signature of both the licensee and the dancer.

(d) That a person employed as a traditional ethnic dancer at a licensed premises shall not act as an employee in any other public capacity such as a waiter, waitress, host/hostess, etc., in connection with the sale or service of liquor at that licensed premises.

(e) The dance performances authorized by this subsection shall be those performed for the enjoyment of the general audience of the licensee and not for individual patrons.

(8) To permit any person to use artificial devices or inanimate objects to depict any of the prohibited activities described above.

(9) To permit any person to remain in or upon the licensed premises who exposes to public view any portion of his or her genitals or anus.

(10) To permit the showing of film, ~~((still))~~ or moving pictures, electronic reproduction, or other visual reproductions, not including still pictures in any medium, depicting:

(a) Acts or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law.

(b) ~~((Any person being touched, caressed or fondled on the breast, buttocks, anus or genitals.~~

~~((c))) Scenes wherein a person displays the vulva or the anus or the genitals.~~

~~((d) Scenes wherein artificial devices or inanimate objects are employed to depict, or drawings are employed to portray, any of the prohibited activities described above.))~~

(11) Nothing in this rule is intended to modify the provisions of RCW 66.28.080 concerning city or county dancing or music permits.

(12) Notwithstanding any of the provisions of this rule, no licensee shall employ, use the services of, or permit upon his licensed premises, any entertainment or person whose attire or conduct is in violation of any city or county ordinance.

(13) The occurrence of any of the above acts or conduct, whether permitted on the part of a licensee or his

employees or agents or any other persons under the control or direction of the licensee or his employees or agents, shall constitute good and sufficient cause for cancellation of license privileges.

(14) If any provision of this rule or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or application of the rule which can be given effect without the invalid provision or application, and to this end the provisions of this rule are severable.

**WSR 91-19-099
PROPOSED RULES
DEPARTMENT OF
NATURAL RESOURCES**

[Order 580—Filed September 18, 1991, 1:24 p.m.]

Original Notice.

Title of Rule: WAC 332-30-106(29), definitions, interest rate; WAC 332-30-122(3), aquatic land use authorization, rents and fees; WAC 332-100-030, rate of interest for sales; and WAC 332-100-050, rate of interest for contracts.

Purpose: To provide for consistent application of past due interest charges in terms of rate and timing of application, with all other department past due receivables. To provide for a consistent source of interest rate for property sale contracts requiring deferred payment schedules and a consistent rate for use in timber sale contract extensions.

Statutory Authority for Adoption: RCW 79.01.132, 79.01.216, 79.64.030, 79.90.540, 79.90.535, 79.90.455, 79.90.460, and 79.90.520.

Statute Being Implemented: RCW 79.01.132, 79.01.216, 79.90.520, 79.90.535, and sections 1 and 2, chapter 64, Laws of 1991.

Summary: The proposed rule allows the Department of Natural Resources to establish consistent policies and procedures for interest on past due receivables, interest for contract extensions, and interest on land sale contracts with deferred payment schedules.

Reasons Supporting Proposal: The department recently adopted policies and procedures for assessing interest for various receivable activities. These rule changes will bring current rules into conformance with department policy and procedures.

Name of Agency Personnel Responsible for Drafting: Jim Smego, Financial Services Division, John Cherberg Building, QW-21, Olympia, Washington 98504, 753-1512; Implementation and Enforcement: Don Hansen, Manager, Financial Services Division, John Cherberg Building, QW-21, Olympia, Washington 98504, 753-5320.

Name of Proponent: Department of Natural Resources, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Existing contract provisions for past due interest charges and extensions will not be changed until

updates take place. These rates will be effective for new contracts starting in December, 1991.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule will set the interest rate to be assessed on past due receivables for aquatic lands and timber sales contracts. This rule establishes the interest rate to be applied on land sales contracts with a deferred payment schedule. This rule will also set the interest rate to be assessed for timber sale contract extensions. This rule allows the department to set consistent interest rate policies and procedures for all agency receivables, especially interest rates and application for past due accounts.

Proposal Changes the Following Existing Rules: Proposed WAC 332-30-106 has a different definition of interest rate than current WAC 332-30-106; proposed WAC 332-30-122 allows for past due interest to be assessed as soon as it is past due, while current WAC 332-30-122 does not allow assessment until 30 days past due; proposed WAC 332-100-030 establishes the specific interest rate to be used for all timber sales contract extensions and past due accounts, while current WAC 332-100-030 defines the data sources and frequency for setting interest rates for extension and past dues; and proposed WAC 332-100-050 defines data element for interest rate on land sale contracts requiring deferred payment schedule, to more closely correspond to activity as carried out by the department.

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

Hearing Location: Senate Hearing Room 1, John Cherberg Building, Olympia, Washington 98504, on October 22, 1991, at 1:00 p.m.

Submit Written Comments to: Jim Smego, Division of Financial Services, John Cherberg Building, QW-21, Olympia, Washington 98504, by October 22, 1991.

Date of Intended Adoption: November 5, 1991.

September 17, 1991

Stan Biles

Acting

for James A. Stearns

Department Supervisor

AMENDATORY SECTION (Amending Order 346, Resolution No. 304, filed 8/11/80)

WAC 332-100-030 **RATE OF INTEREST FOR SALES.** The interest rate to be charged on all sales requiring the same pursuant to RCW 79.01.132 shall be ~~((the average prime interest rate as quoted by Seattle First National Bank, National Bank of Washington, Rainier National Bank, and Peoples National Bank on the first day of the last full quarter preceding approval of a sale by the board of natural resources. Said rate shall not be less than six))~~ twelve percent per annum.

AMENDATORY SECTION (Amending Order 346, Resolution No. 304, filed 8/11/80)

WAC 332-100-050 **RATE OF INTEREST FOR CONTRACTS.** The interest rate to be charged on all contracts requiring the same pursuant to RCW 79.01.216 shall be the average ~~((rate of interest charged in the general area of the property to be sold by the six largest lending institutions in such area))~~ for thirty year fixed conventional mortgages on the first day of the last full ~~((quarter))~~ month preceding approval ~~((of a contract))~~ by the board of natural resources. Said rate shall not be less than six percent.

AMENDATORY SECTION (Amending Resolution No. 500, filed 11/5/85)

WAC 332-30-106 **DEFINITIONS.** All definitions in this section shall apply to the department and to port districts managing aquatic lands under a management agreement (WAC 332-30-114). For the purpose of this chapter:

(1) "Accretion" means the natural buildup of shoreline through the gradual deposit of alluvium. The general principle of common law applicable is that a riparian or littoral owner gains by accretion and reliction, and loses by erosion. Boundary lines generally will change with accretion.

(2) "Alluvium" means material deposited by water on the bed or shores.

(3) "Anniversary date" means the month and day of the start date of an authorization instrument unless otherwise specified in the instrument.

(4) "Aquaculture" means the culture and/or farming of food fish, shellfish, and other aquatic plants and animals in fresh water, brackish water or salt water areas. Aquaculture practices may include but are not limited to hatching, seeding or planting, cultivating, feeding, raising, harvesting of planted crops or of natural crops so as to maintain an optimum yield, and processing of aquatic plants or animals.

(5) "Aquatic lands" means all state-owned tidelands, shorelands, harbor areas, and the beds of navigable waters (RCW 79.90.010). Aquatic lands are part of the public lands of the state of Washington (see subsection (49) of this section). Included in aquatic lands are public places subsection (51) of this section, waterways subsection (74) of this section, bar islands, avulsively abandoned beds and channels of navigable bodies of water, managed by the department of natural resources directly, or indirectly through management agreements with other governmental entities.

(6) "Aquatic land use classes" means classes of uses of tideland, shorelands and beds of navigable waters that display varying degrees of water dependency. See WAC 332-30-121.

(7) "Authorization instrument" means a lease, material purchase, easement, permit, or other document authorizing use of state-owned aquatic lands and/or materials.

(8) "Avulsion" means a sudden and perceptible change in the shoreline of a body of water. Generally no change in boundary lines occurs.

(9) "Beds of navigable waters" means those submerged lands lying waterward of the line of extreme low tide in navigable tidal waters and waterward of the line of navigability in navigable lakes, rivers and streams. The term, "bedlands" means beds of navigable waters.

(10) "Commerce" means the exchange or buying and selling of goods and services. As it applies to aquatic land, commerce usually involves transport and a land/water interface.

(11) "Covered moorage" means slips and mooring floats that are covered by a single roof with no dividing walls.

(12) "Department" means the department of natural resources.

(13) "Dredging" means enlarging or cleaning out a river channel, harbor, etc.

(14) "Educational reserves" means accessible areas of aquatic lands typical of selected habitat types which are suitable for educational projects.

(15) "Enclosed moorage" means moorage that has completely enclosed roof, side and end walls similar to a car garage i.e. boathouse.

(16) "Environmental reserves" means areas of environmental importance, sites established for the continuance of environmental baseline monitoring, and/or areas of historical, geological or biological interest requiring special protective management.

(17) "Erosion" means the gradual cutting away of a shore by natural processes. Title is generally lost by erosion, just as it is gained by accretion.

(18) "Extreme low tide" means the line as estimated by the federal government below which it might reasonably be expected that the tide would not ebb. In Puget Sound area generally, this point is estimated by the federal government to be a point in elevation 4.50 feet below the datum plane of mean lower low water, (0.0). Along the Pacific Ocean and in the bays fronting thereon and the Strait of Juan de Fuca, the elevation ranges down to a minus 3.5 feet in several locations.

(19) "Fair market value" means the amount of money which a purchaser willing, but not obligated, to buy the property would pay an owner willing, but not obligated, to sell it, taking into consideration all uses to which the property is adapted and might in reason be applied (Donaldson v. Greenwood, 40 ((Wash.2d (Wn.2d))) Wn.2d 238, 1952). Such uses must be consistent with applicable federal, state and

local laws and regulations affecting the property as of the date of valuation.

(20) "First class shorelands" means the shores of a navigable lake or river belonging to the state not subject to tidal flow, lying between the line of ordinary high water and the line of navigability, or the inner harbor line where established and within or in front of the corporate limits of any city, or within two miles thereof upon either side (RCW 79.90.040). These boundary descriptions represent the general rule; however exceptions do exist. To determine if the shorelands are within two miles of the corporate limits of a city, the distance is measured along the shoreline from the intersection of the corporate limit with the shoreline.

(21) "First class tidelands" means the shores of navigable tidal waters belonging to the state lying within or in front of the corporate limits of any city, or within one mile thereof upon either side and between the line of ordinary high tide and the inner harbor line; and within two miles of the corporate limits on either side and between the line of ordinary high tide and the line of extreme low tide (RCW 79.90.030). In general, the line of ordinary high tide is the landward boundary. The line of extreme low tide, or the inner harbor line where established, is the waterward boundary. To determine if the tidelands are within two miles of the corporate limits of a city, the distance is measured along the shoreline from the intersection of the corporate limit with the shoreline.

(22) "Fiscal year" means a period of time commencing on the first day of July and ending on the thirtieth day of June of the succeeding year. A fiscal year is identified by the year in which it ends, e.g., fiscal year 1985 is the period July 1, 1984 through June 30, 1985.

(23) "Governmental entity" means the federal government, the state, county, city, port district, or other municipal corporation or political subdivision thereof.

(24) "Harbor area" means the area of navigable waters determined as provided in section 1 of Article XV of the state Constitution which shall be forever reserved for landings, wharves, streets, and other conveniences of navigation and commerce (RCW 79.90.020). Harbor areas exist between the inner and outer harbor lines as established by the state harbor line commission.

(25) "Harbor area use classes" means classes of uses of harbor areas that display varying degrees of conformance to the purpose for which harbor areas were established under the Constitution.

(26) "Harbor line" means either or both: (a) A line ((f)) (outer harbor line((f))) located and established in navigable waters as provided for in section 1 of Article XV of the state Constitution beyond which the state shall never sell or lease any rights whatever to private persons (RCW 79.90.015). (b) A line ((f)) (inner harbor line((f))) located and established in navigable waters between the line of ordinary high tide and the outer harbor line, constituting the inner boundary of the harbor area (RCW 79.90.025).

(27) "Houseboat" means a floating structure normally incapable of self propulsion and usually permanently moored that serves as a place of residence or business. Otherwise called a floating home.

(28) "Inflation rate" means, for a given year, the percentage rate of change in the previous calendar year's all commodity producer price index of the Bureau of Labor Statistics of the United States department of commerce (RCW 79.90.465). The rate published by the bureau during May of each year for the previous calendar year shall be the rate for the previous calendar year.

(29) "Interest rate" ((means, for a given year, the average rate of return for the prior calendar year on conventional real property mortgages as reported by the Federal Home Loan Bank Board)) shall be twelve percent per annum (RCW 79.90.520).

(30) "Interim uses" means certain uses which may, under special circumstances, be allowed to locate in harbor areas (see WAC 332-30-115(5)).

(31) "Inventory" means both a compilation of existing data on man's uses, and the biology and geology of aquatic lands as well as the gathering of new information on aquatic lands through field and laboratory analysis. Such data is usually presented in map form such as the Washington Marine Atlas.

(32) "Island" means a body of land entirely and customarily surrounded by water. Land in navigable waters which is only surrounded by water in times of high water, is not an island within the rule that the state takes title to newly formed islands in navigable waters.

(33) "Line of navigability" means a measured line at that depth sufficient for ordinary navigation as determined by the board of natural resources for the body of water in question.

(34) "Log booming" means placing logs into and taking them out of the water, assembling and disassembling log rafts before or after their movement in water-borne commerce, related handling and sorting activities taking place in the water, and the temporary holding of logs to be taken directly into a processing facility (RCW 79.90.465).

(35) "Log storage" means the water storage of logs in rafts or otherwise prepared for shipment in water-borne commerce, but does not include the temporary holding of logs to be taken directly into a vessel or processing facility (RCW 79.90.465).

(36) "Marine land" means those lands from the mean high tide mark waterward in marine and estuarine waters, including intertidal and submerged lands. Marine lands represents a portion of aquatic lands.

(37) "Meander line" means fixed determinable lines run by the federal government along the banks of all navigable bodies of water and other important rivers and lakes for the purpose of defining the sinuosities of the shore or bank and as a means of ascertaining the areas of fractional subdivisions of the public lands bordering thereon.

(38) "Motorized vehicular travel" means movement by any type of motorized equipment over land surfaces.

(39) "Multiple use management" means a management philosophy which seeks to insure that several uses or activities can occur at the same place at the same time. The mechanism involves identification of the primary use of the land with provisions such as performance standards to permit compatible secondary uses to occur.

(40) "Navigability or navigable" means that a body of water is capable or susceptible of having been or being used for the transport of useful commerce. The state of Washington considers all bodies of water meandered by government surveyors as navigable unless otherwise declared by a court.

(41) "Navigation" means the movement of vessels to and from piers and wharves.

(42) "Nonwater-dependent use" means a use that can operate in a location other than on the waterfront. Examples include, but are not limited to, hotels, condominiums, apartments, restaurants, retail stores, and warehouses not part of a marine terminal or transfer facility (RCW 79.90.465).

(43) "Open moorage" means moorage slips and mooring floats that have completely open sides and tops.

(44) "Optimum yield" means the yield which provides the greatest benefit to the state with particular reference to food production and is prescribed on the basis of the maximum sustainable yield over the state-wide resource base as modified by any relevant economic, social or ecological factor.

(45) "Ordinary high tide" means the same as mean high tide or the average height of high tide. In Puget Sound, the mean high tide line varies from 10 to 13 feet above the datum plane of mean lower low water (0.0).

(46) "Ordinary high water" means, for the purpose of asserting state ownership, the line of permanent upland vegetation along the shores of nontidal navigable waters. In the absence of vegetation, it is the line of mean high water.

(47) "Port district" means a port district created under Title 53 RCW (RCW 79.90.465).

(48) "Public benefit" means that all of the citizens of the state may derive a direct benefit from departmental actions in the form of environmental protection; energy and mineral production; utilization of renewable resources; promotion of navigation and commerce by fostering water-dependent uses; and encouraging direct public use and access; and generating revenue in a manner consistent with RCW 79.90.455.

(49) "Public lands" means lands belonging to or held in trust by the state, which are not devoted to or reserved for a particular use by law, and include state lands, tidelands, shorelands and harbor areas as herein defined, and the beds of navigable waters belonging to the state (RCW 79.01.004).

(50) "Public interest" means ... ((f)) (reserved((f)))

(51) "Public place" means a part of aquatic lands set aside for public access through platted tidelands, shorelands, and/or harbor areas to the beds of navigable waters.

(52) "Public tidelands" means tidelands belonging to and held in public trust by the state for the citizens of the state, which are not devoted to or reserved for a particular use by law.

(53) "Public trust" means that certain state-owned tidelands, shorelands and all beds of navigable waters are held in trust by the state for all citizens with each citizen having an equal and undivided interest in the land. The department has the responsibility to manage these lands in the best interest of the general public.

(54) "Public use" means to be made available daily to the general public on a first-come, first-served basis, and may not be leased to private parties on any more than a day use basis.

(55) "Public use beach" means a state-owned beach available for free public use but which may be leased for other compatible uses.

(56) "Public utility line" means pipes, conduits, and similar facilities for distribution of water, electricity, natural gas, telephone, other electronic communication, and sewers, including sewer outfall lines (RCW 79.90.465).

(57) "Real rate of return" means the average for the most recent ten calendar years of the average rate of return on conventional real property mortgages as reported by the Federal Home Loan Bank Board or any successor agency, minus the average inflation rate for the most recent ten calendar years (RCW 79.90.465).

(58) "Reliction" means the gradual withdrawal of water from a shoreline leaving the land uncovered. Boundaries usually change with reliction.

(59) "Renewable resource" means a natural resource which through natural ecological processes is capable of renewing itself.

(60) "Riparian" means relating to or living or located on the bank of a natural water course, such as a stream, lake or tidewater.

(61) "Scientific reserves" means sites set aside for scientific research projects and/or areas of unusually rich plant and animal communities suitable for continuing scientific observation.

(62) "Second class shorelands" means the shores of a navigable lake or river belonging to the state, not subject to tidal flow, lying between the line of ordinary high water and the line of navigability, and more than two miles from the corporate limits of any city (RCW 79.90.045). These boundary definitions represent the general rule; however, exceptions do exist. To determine if shorelands are more than two miles from the corporate limits of a city, the distance is measured along the shoreline from the intersection of the corporate limit with the shoreline.

(63) "Second class tidelands" means the shores of navigable tidal waters belonging to the state, lying outside of and more than two miles from the corporate limits of any city and between the line of ordinary high tide and the line of extreme low tide (RCW 79.90.035). In general, the line of ordinary high tide is the landward boundary. The line of extreme low tide is the waterward boundary. To determine if the tidelands are more than two miles from the corporate limits of a city, the distance is measured along the shoreline from the intersection of the corporate limit with the shoreline.

(64) "Shore" means that space of land which is alternately covered and left dry by the rising and falling of the water level of a lake, river or tidal area.

(65) "State-owned aquatic lands" means those aquatic lands and waterways administered by the department of natural resources or managed under department agreement by a port district. "State-owned aquatic lands" does not include aquatic lands owned in fee by, or withdrawn for the use of, state agencies other than the department of natural resources (RCW 79.90.465).

(66) "State-wide value." The term state-wide value applies to aquatic land uses and natural resources whose use, management, or intrinsic nature have state-wide implications. Such uses and resources may be either localized or distributed state-wide. Aquatic land uses of state-wide value provide major state-wide public benefits. Public use and access, renewable resource use and water-dependent use have been cited by the legislature as examples of such uses. Aquatic land natural resources of state-wide value are those critical or uniquely suited to aquatic land uses of state-wide value or to environmental quality. For example, wild and scenic rivers, high quality public use beaches and aquatic lands fronting state parks are of state-wide value for public use and access. Commercial clam and geoduck beds and sites uniquely suited to aquaculture are of state-wide value to renewable resource use. Harbor areas are of state-wide value to water-dependent navigation and commerce. Certain aquatic land habitats and plant and animal populations are of state-wide value to recreational and commercial fisheries, wildlife protection, and scientific study.

(67) "Streamway" means stream dependent corridor of single or multiple, wet or dry channel, or channels within which the usual seasonal or storm water run-off peaks are contained, and within which environment the flora, fauna, soil and topography is dependent on or influenced by the height and velocity of the fluctuating river currents.

(68) "Terminal" means a point of interchange between land and water carriers, such as a pier, wharf, or group of such, equipped with facilities for care and handling of cargo and/or passengers (RCW 79.90.465).

(69) "Thread of stream - thalweg" means the center of the main channel of the stream at the natural and ordinary stage of water.

(70) "Town" means a municipal corporation of the fourth class having not less than three hundred inhabitants and not more than fifteen hundred inhabitants at the time of its organization (RCW 35.01.040).

(71) "Water-dependent use" means use which cannot logically exist in any location but on the water. Examples include, but are not limited to, waterborne commerce; terminal and transfer facilities; ferry terminals; watercraft sales in conjunction with other water dependent uses; watercraft construction, repair, and maintenance; moorage and launching facilities; aquaculture; log booming; and public fishing piers and parks (RCW 79.90.465).

(72) "Waterfront" means a parcel of property with upland characteristics which includes within its boundary, a physical interface with the existing shoreline of a body of water.

(73) "Water oriented use" means use which historically has been dependent on a waterfront location, but with existing technology could be located away from the waterfront. Examples include, but are not limited to, wood products manufacturing, watercraft sales, fish processing, petroleum refining, sand and gravel processing, log storage, and house boats (RCW 79.90.465).

(74) "Waterway" means an area platted across aquatic lands or created by a waterway district providing for access between the uplands and open water, or between navigable bodies of water.

(75) "Wetted perimeter" means a fluctuating water line which separates submerged river beds from the dry shoreland areas at any given time.

AMENDATORY SECTION (Amending Resolution No. 470, filed 11/9/84)

WAC 332-30-122 AQUATIC LAND USE AUTHORIZATION. All requirements in this section shall apply to the department. Subsection (2) of this section (except subsection (2)(a)(iii) and (b)(iii) of this section), subsections (3)(a), and (4)(a) shall apply to port districts managing aquatic lands under a management agreement (WAC 332-30-114).

(1) General requirements.

(a) In addition to other requirements of law, aquatic land activities that interfere with the use by the general public of an area will require authorization from the department by way of agreement, lease, permit, or other instrument.

(i) Suitable instruments shall be required for all structures on aquatic lands except for those federal structures serving the needs of navigation.

(ii) The beds of navigable waters may be leased to the owner or lessee of the abutting tideland or shoreland. This preference lease right is limited to the area between the landward boundary of the beds and the -3 fathom contour, or 200 feet waterward, whichever is closer to shore. However, the distance from shore may be less in locations where it is necessary to protect the navigational rights of the public.

(iii) When proposing to lease aquatic lands to someone other than the abutting property owner, that owner shall be notified of the intention to lease the area. When not adverse to the public's ownership, the abutting owner's water access needs may be reasonably accommodated.

(b) Determination of the area encumbered by an authorization for use shall be made by the department based on the impact to public use and subsequent management of any remaining unencumbered public land.

(i) Operations involving fixed structures will include the area physically encumbered plus the open water area needed to operate the facility.

(ii) Areas for individual mooring buoys will be a circle with a radius equal to the expected swing of the vessel or object moored. Only the area encumbered at any given point in time shall be used to calculate any rentals due.

(iii) Areas for utility line easements will normally be ten feet wider than the overall width of the structure(s) placed in the right of way.

(c) All necessary federal, state and local permits shall be acquired by those proposing to use aquatic lands. Copies of permits must be furnished to the department prior to authorizing the use of aquatic lands. When evidence of interest in aquatic land is necessary for application for a permit, an authorization instrument may be issued prior to permit approval but conditioned on receiving the permit.

(2) Application review. In addition to other management considerations, the following special analysis shall be given to specific proposed uses:

- (a) Environment.
- (i) Authorization instruments shall be written to insure that structures and activities on aquatic lands are properly designed, constructed, maintained and conducted in accordance with sound environmental practices.
- (ii) Uses which cause adverse environmental impacts may be authorized on aquatic lands only upon compliance with applicable environmental laws and regulations and appropriate steps as may be directed are taken to mitigate substantial or irreversible damage to the environment.
- (iii) Nonwater-dependent uses which have significant adverse environmental impacts shall not be authorized.
- (b) Public use and access.
- (i) Wherever practical, authorization instruments for use of aquatic lands shall be written to provide for public access to the water.
- (ii) Areas allocated for first-come, first-served public use shall not be managed to produce a profit for a concessionaire or other operator without a fee being charged.
- (iii) Notice will be served to lessees of tidelands and shorelands allocated for future public use that prior to renewal of current leases, such leases will be modified to permit public use or will be terminated.
- (c) Authorization to use aquatic lands shall not be granted to any person or organization which discriminates on the basis of race, color, creed, religion, sex, age, or physical or mental handicap.
- (d) Authorization instruments for the installation of underwater pipelines, outfalls and cables may be granted when proper provisions are included to insure against substantial or irreversible damage to the environment and there is no practical upland alternative.
- (3) Rents and fees.
- (a) When proposed uses of aquatic lands requiring an authorization instrument (other than in harbor areas) have an identifiable and quantifiable but acceptable adverse impact on state-owned aquatic land, both within and without the authorized area, the value of that loss or impact shall be paid by the one so authorized in addition to normal rental to the department or port as is appropriate.
- (b) Normal rentals shall be calculated based on the classification of the aquatic land use(s) occurring on the property. Methods for each class of use are described in specific WAC sections.
- (c) Advance payments for two or more years may be collected in those situations where annual payments are less than document preparation and administration costs.
- (d) Rentals for leases will normally be billed annually, in advance. If requested by a lessee in good standing, billings will be made:
- (i) Quarterly on a prorated basis when annual rental exceeds four thousand dollars; or
- (ii) Monthly on a prorated basis when annual rental exceeds twelve thousand dollars.
- (e) A one percent per month charge shall be made on any amounts which are (~~more than thirty days~~) past due, unless those amounts are appealed. Users of aquatic properties shall not be considered in good standing when they have amounts more than thirty days past due.
- (4) Structures and improvements on aquatic lands.
- (a) Authorization for placing structures and improvements on public aquatic lands shall be based on the intended use, other uses in the immediate area, and the effect on navigational rights of public and private aquatic land owners. Structures and improvements shall:
- (i) Conform to the laws and regulations of any public authority;
- (ii) Be kept in good condition and repair by the authorized user of the aquatic lands;
- (iii) Not be, nor become, a hazard to navigation;
- (iv) Be removed by the authorized user as stipulated in the authorization instrument.
- (b) In addition to aquatic land rentals and fees, rent shall be charged for use of those structures and improvements:
- (i) Owned by the department, under contract to the department for management; or that become state property under RCW 79.94.320;
- (ii) As may be agreed upon as part of the authorization document;
- (iii) Installed on an authorized area without written concurrence of the department; or
- (iv) Not covered by an application for use of aquatic lands, or a lawsuit challenging such requirements, within ninety days after the date of mailing of the department's written notification of unauthorized occupancy of public aquatic lands.
- (c) Only land rental and fees shall be charged for public aquatic lands occupied by those structures and improvements that are:

- (i) Authorized in writing by the department;
- (ii) Installed prior to June 1, 1971 (effective date of the Shoreline Management Act) on an area authorized for use from the department; or
- (iii) Covered by an application for use of aquatic lands within ninety days after the date of mailing of the department's written notification of unauthorized occupancy of public aquatic lands.
- (5) Insurance, bonds, and other security.
- (a) The department may require authorized users of aquatic lands to carry insurance, bonding, or provide other forms of security as may be appropriate for the use or uses occurring on public property, in order to ensure its sustained utility and future value.
- (b) Proof of coverage shall be acceptable to the department if provided by any of the following:
- (i) Insurance and/or bonding companies licensed by the state;
- (ii) Recognized insurance or bonding agent for the authorized user;
- (iii) Savings account assignment from authorized user to department; or
- (iv) Cash deposit.
- (c) The amount of security required of each user shall be determined by the department and adjusted periodically as needed.
- (i) Any portion of the required security relating to payment of rent or fees shall be limited to an amount not exceeding two year's rental or fees.
- (ii) Required security related to other terms of the agreement shall be based on the estimated cost to the department of enforcing compliance with those terms.
- (iii) Cash deposits shall not be required in an amount exceeding one-twelfth of the annual rental or fees. If this amount is less than the total required security, the remainder shall be provided through other forms listed in (b) of this subsection.
- (d) Security must be provided on a continual basis for the life of the agreement. Security arrangements for less than the life of the agreement shall be accepted as long as those arrangements are kept in force through a series of renewals or extensions.

WSR 91-19-100
PROPOSED RULES
DEPARTMENT OF HEALTH
(Board of Medical Examiners)
 [Filed September 18, 1991, 1:51 p.m.]

- Original Notice.**
- Title of Rule:** WAC 246-917-026 Application withdrawals.
- Purpose:** To inform applicants that an application may not be withdrawn after the board or the reviewing board member determines that grounds exist to deny a license or issue a conditional license.
- Statutory Authority for Adoption:** RCW 18.71.017.
- Summary:** Informs applicants that an application cannot be withdrawn after a decision has been made there are grounds to deny a license or issue a conditional license.
- Reasons Supporting Proposal:** Prohibits applicants from avoiding disciplinary action.
- Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement:** Board of Medical Examiners, Olympia, Washington, 753-2844.
- Name of Proponent:** Board of Medical Examiners, governmental.
- Rule is not necessitated by federal law, federal or state court decision.**
- Explanation of Rule, its Purpose, and Anticipated Effects:** Inform applicants they cannot withdraw their application once a decision has been determined that

grounds exist to deny a license or issue a conditional license. This rule will prohibit applicants from avoiding disciplinary action.

Proposal does not change existing rules.

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

Hearing Location: Seattle Airport Hilton, 17620 Pacific Highway South, Peninsula West Room, Seattle, WA 98168, on November 1, 1991, at 9:30 a.m.

Submit Written Comments to: Patti L. Rathbun, Program Manager, Board of Medical Examiners, 1300 Quince Street, EY-25, Olympia, WA 98504, by October 25, 1991.

Date of Intended Adoption: November 1, 1991.

September 9, 1991

Patti L. Rathbun

Program Manager

Board of Medical Examiners

NEW SECTION

WAC 246-917-026 APPLICATION WITHDRAWALS. An application for a license may not be withdrawn after the Board or the reviewing board member determines that grounds exist for denial of the license or the issuance of a conditional license. Applications which are subject to investigation for unprofessional conduct or impaired practice may not be withdrawn.

WSR 91-19-101

PROPOSED RULES

DEPARTMENT OF HEALTH

(Optometry Board)

[Filed September 18, 1991, 1:54 p.m.]

Original Notice.

Title of Rule: Chapter 246-851 WAC, Optometrists.

Purpose: To update WAC and RCW references and make other housekeeping changes.

Statutory Authority for Adoption: WAC 246-851-020, 246-851-030, 246-851-080, 246-851-120, 246-851-160, 246-851-170, 246-851-180, 246-851-210, 246-851-230, 246-851-260 and 246-851-400 is RCW 18.54.070; and WAC 246-851-430 is RCW 18.54.070 and 70.24.270.

Summary: Housekeeping changes to update. No substantive changes.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Judy Haenke, 1300 Quince Street S.E., Olympia, WA 98504, (206) 753-4614.

Name of Proponent: Optometry Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: These proposed amendments update department name, RCWs and WACs referenced throughout, deletes obsolete material and makes other housekeeping changes.

Proposal Changes the Following Existing Rules: Housekeeping changes.

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

Hearing Location: Olympic Room, WestCoast Sea-Tac Hotel, 18220 Pacific Highway South, Seattle, WA 98188, on October 25, 1991, at 9:00 a.m.

Submit Written Comments to: Leslie Baldwin, Rules Coordinator, 1300 Quince Street S.E., Olympia, WA 98504, by October 24, 1991.

Date of Intended Adoption: October 25, 1991.

September 17, 1991

Judy L. Haenke

Program Manager

AMENDATORY SECTION (Amending Order 119B, filed 2/26/91, effective 3/29/91)

WAC 246-851-020 RENEWAL OF LICENSES. (1) The annual license renewal date for licensed optometrists coincides with the licensee's birthdate. Individuals making application for initial license and examination, provided they meet all such requirements, will be issued a license, to expire on their next birth anniversary date.

(2) Licensees shall renew their licenses, at the annual renewal fee rate, for one year, from birth anniversary date to the next birth anniversary date.

(3) All applicants for license renewal must comply with the continuing education requirements set forth in WAC ~~((308-53-100 to 308-53-180))~~ 246-851-090 through 246-851-240.

AMENDATORY SECTION (Amending Order 119B, filed 2/26/91, effective 3/29/91)

WAC 246-851-030 TEMPORARY PERMIT POLICY RECOMMENDATION. To protect the public, the board recommends to the ~~((director))~~ secretary that temporary permits not be issued pursuant to the discretion granted in RCW 18.53.030. However, if a temporary permit is issued the board recommends that the applicant must be under the direct and immediate supervision of a currently licensed optometrist who is at all times on the same premises.

AMENDATORY SECTION (Amending Order 119B, filed 2/26/91, effective 3/29/91)

WAC 246-851-080 EXAMINATION APPEAL PROCEDURES. (1) Any candidate who takes the state examination for licensure and does not pass may request informal review by the board of his or her examination results. This request must be in writing and must be received by the department within thirty days of the postmark of notification of the examination results. The board will not set aside their prior determination unless the candidate proves the challenged score was the result of fraud, coercion, arbitrariness or manifest unfairness by the board. The board will not consider any challenges to examination scores unless the total revised score could result in issuance of a license.

(2) The procedure for filing an informal review is as follows:

(a) Contact the department of ~~((licensing))~~ health office in Olympia for an appointment to appear personally to review incorrect answers on failed written tests and score sheets on failed practical tests.

(b) Candidate will be provided a form to complete in the department of ~~((licensing))~~ health office in Olympia in defense of test answers.

(c) The candidate must state the specific reason or reasons why the candidate feels the results of the test should be changed.

(d) Candidate will be identified only by candidate number for the purpose of this review. Letters of reference or requests for special consideration will not be read or considered by the board.

(e) Candidate may not bring in notes or texts for use while completing the informal review form.

(f) Candidate will not be allowed to take any notes or materials from the office upon leaving.

(g) The optometry board will schedule a closed session meeting to review the tests and forms completed by the candidate for the purpose of informal review.

(h) The candidate will be notified in writing of the results.

(3) Any candidate who is not satisfied with the result of the examination review may request a formal hearing to be held before the board pursuant to the Administrative Procedure Act. Such hearing must be requested within twenty days of the postmark of the result of the board's review of the examination results. The request must state the specific reason or reasons why the candidate feels the results of the

examination should be changed. These reasons shall not be broader than those stated for the informal review. The board will not set aside its prior determination unless the candidate proves the challenged score was the result of fraud, coercion, arbitrariness or manifest unfairness by the board. The board will not consider any challenges to examination scores unless the total revised score could result in issuance of a license.

AMENDATORY SECTION (Amending Order 119B, filed 2/26/91, effective 3/29/91)

WAC 246-851-120 CREDIT FOR CLASSES. Continuing education credit may be granted for courses sponsored by schools and professional organizations. The board will individually consider granting or denying credit for any course other than those offered by organizations approved in WAC ((308-53-120)) 246-851-110.

(1) Requests for credit must be submitted at least thirty days prior to the date of the course. The request must include, as a minimum, an agenda, an outline of each offering, and a brief professional biography of each presenter. Within sixty days the board will notify the sponsor of its approval or denial of continuing education credits and the number of credits approved. If the board does not act on the continuing education credit request within sixty days after receipt, the request shall be approved as submitted.

(2) Any requests received after the thirty-day submission deadline will be considered by the board as soon as possible.

(3) In determining whether a course will be granted credit, the board may consider, among other factors: The relevancy of the course to the usual and customary practice of optometry, the correlation of the course to subjects taught in accredited colleges or schools of optometry, the speaker(s) being properly credentialed in the subject area, and the relationship to new concepts and techniques: PROVIDED, HOWEVER, Courses related to a single product or device will not normally be granted credit.

AMENDATORY SECTION (Amending Order 119B, filed 2/26/91, effective 3/29/91)

WAC 246-851-160 CREDIT FOR REPORTS. Continuing education credit will be given for reports on professional optometric literature. Requests for credit must be submitted to the department of ((licensing)) health, professional licensing ((division)) services in Olympia, at least thirty days prior to the end of the reporting period. The request should include a copy of the article being reported on and the typewritten report. Such report shall list ten descriptive basic statements from an article or sequence of articles. Professional literature approved for such reports are: American Journal of Optometry and Physiological Optics, American Optometric Association News, Contact Lens Forum, Contacto, Insight, International Contact Lens Clinic, Journal of American Optometric Association, Journal of Optometric Education, Journal of Optometric Vision Development, OEP Monthly, Optometric Management, Optometric Monthly, Optometric World, Review of Optometry, and 20/20 Magazine. Other professional literature may be submitted in advance for the board's consideration and approval. Reports shall list the title of the article(s), literature that the article(s) was taken from, the date of issuance/publication of the literature, page(s) utilized, and author(s).

Each report qualifies for one credit hour and may only be used for credit once. The maximum continuing education credit that will be granted under this section is ten credit hours for each two-year reporting period.

AMENDATORY SECTION (Amending Order 119B, filed 2/26/91, effective 3/29/91)

WAC 246-851-170 CREDIT FOR PREPROGRAMMED EDUCATIONAL MATERIALS. Continuing education credit will be granted for observation and participation in the use of formal preprogrammed optometric educational materials, including the use of cassettes, videodiscs, videotapes, teaching machines, etc. Requests for credit must be submitted to the department of ((licensing)) health, professional licensing ((division)) services in Olympia, at least thirty days prior to the end of the reporting period. The request should include the title of the preprogrammed educational material, its date of issuance, its author/provider, and the length of time spent viewing/listening to the preprogrammed educational material. A synopsis of the preprogrammed educational material shall be submitted.

The maximum continuing education credit that will be granted under this section is ten credit hours for each two-year reporting period.

AMENDATORY SECTION (Amending Order 119B, filed 2/26/91, effective 3/29/91)

WAC 246-851-180 CREDIT FOR LECTURING. Continuing education credit will be given for the preparation and presentation of courses and lectures in optometric education, if attendance at such a course or lecture would also qualify for such credit. For each hour of credit for the initial presentation of such a course or lecture, two additional hours of credit will be granted. Requests for credit must be submitted to the department of ((licensing)) health, professional licensing ((division)) services in Olympia, at least thirty days prior to the end of the reporting period. The request should include a brief outline of the lecture and the length of the presentation. Credit for subsequent presentations will be individually considered upon a showing that significant additional work has been required. No more than ten hours will be approved for any licensee in any two-year reporting period.

AMENDATORY SECTION (Amending Order 119B, filed 2/26/91, effective 3/29/91)

WAC 246-851-210 CERTIFICATION FOR CONTINUING EDUCATION COURSES. (1) In conjunction with the application for renewal of licensure, a licensee shall submit, on a form provided by the board, an affidavit of compliance with the continuing education requirement of WAC ((308-53-100)) 246-851-090.

(2) Upon request of the board, a licensee shall submit evidence in addition to the affidavit to substantiate compliance with the continuing education requirement. Accordingly, it shall be the responsibility of the licensee to maintain evidence and documentation of such compliance.

(3) It is the responsibility of the licensee to seek prior approval of the board for any continuing education credit where such credit is not automatically approved under the provisions of WAC ((308-53-120 through 308-53-155)) 246-851-110 through 246-851-190, or where the licensee has any doubt as to its acceptability.

AMENDATORY SECTION (Amending Order 119B, filed 2/26/91, effective 3/29/91)

WAC 246-851-230 CREDITS FOR PRACTICE MANAGEMENT. Continuing education credit will be granted for courses or materials involving practice management; however, no more than ten credit hours total will be granted to any licensee for practice management courses under WAC ((308-53-120 through 308-53-150)) 246-851-110 through 246-851-180 in any two-year reporting period.

AMENDATORY SECTION (Amending Order 119B, filed 2/26/91, effective 3/29/91)

WAC 246-851-260 MOBILE OPTOMETRIC UNITS. (1) Doctors of optometry operating mobile units are required to maintain the minimum equipment requirements of WAC ((308-53-200)) 246-851-250 in such units.

(2) Before examining a patient or filling a prescription for a patient, the doctor of optometry must provide to the patient his complete name, his business phone number, the address of his regular office, and his regular office hours. If such doctor of optometry does not maintain a business phone or regular office, he must provide this information to the patient, and must give him his personal phone number and address in place of his business number and address. If the practice of a mobile unit is owned in whole or in part by someone other than the doctor of optometry operating the mobile unit, such fact must also be provided to the patient, along with the names, phone numbers and addresses of all those who own an interest in the practice. The information required by this section may be provided to the patients by means of a sign on or near the mobile unit which the public may reasonably be expected to see and comprehend.

AMENDATORY SECTION (Amending Order 119B, filed 2/26/91, effective 3/29/91)

WAC 246-851-400 CERTIFICATION REQUIRED FOR USE OF PHARMACEUTICAL AGENTS. (1) Licensed optometrists using pharmaceutical agents in the practice of optometry shall have a minimum of sixty hours of didactic and clinical instruction in general and ocular pharmacology as applied to optometry, and for therapeutic purposes an additional minimum seventy-five hours of didactic and

clinical instruction, and certification from an institution of higher learning, accredited by those agencies recognized by the United States Office of Education or the Council on Post-Secondary Accreditation to qualify for certification by the optometry board to use drugs for diagnostic and therapeutic purposes.

(2) Optometrists must obtain the required instructions in both diagnostic and therapeutic categories in order to be eligible to qualify for certification to use drugs for therapeutic purposes.

(3) The instruction in ocular therapeutics must cover the following subject area in order to qualify for certification training:

- (a) Ocular pharmacology.
 - (i) Corneal barrier, blood-aqueous, /-retinal barrier.
 - (ii) Routes of drug administration for ocular disease.
 - (iii) Prescription writing and labeling.
 - (iv) Ocular side-effects of systemic drugs.
- (b) Anti-infectives.
 - (i) General principles of anti-infective drugs.
 - (ii) Antibacterial drugs.
 - (iii) Treatment of ocular bacterial infections.
 - (iv) Antiviral drugs.
 - (v) Treatment of ocular viral infections.
 - (vi) Antifungal drugs.
 - (vii) Treatment of ocular fungal infections.
 - (viii) Antiparasitic drugs.
 - (ix) Treatment of parasitic eye disease.
- (c) Anti-inflammatory drugs.
 - (i) Nonsteroidal anti-inflammatory drugs (NSAIDS).
 - (ii) General principles of mast-cell stabilizers.
 - (iii) Antihistamines.
 - (iv) Ocular decongestants.
 - (v) Treatment of allergic disease.
 - (vi) Treatment of inflammatory disease.
 - (vii) Cycloplegic drugs.
 - (viii) Treatment of ocular trauma.
 - (ix) Ocular lubricants.
 - (x) Hypertonic agents.
 - (xi) Antiglaucoma drugs.

Each subject area shall be covered in sufficient depth so that the optometrist will be informed about the general principles in the use of each drug category, drug side effects and ~~((counter-indications))~~ contra indications, and for each disease covered the subjective symptoms, objective signs, diagnosis and recommended treatment and programs.

AMENDATORY SECTION (Amending Order 119B, filed 2/26/91, effective 3/29/91)

WAC 246-851-430 AIDS PREVENTION AND INFORMATION EDUCATION REQUIREMENTS. (1) Definitions.

(a) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(b) "Office on AIDS" means that section within the department of social and health services or any successor department with jurisdiction over public health matters as defined in chapter 70.24 RCW.

(2) Application for licensure. Effective July 1, 1989 persons who submit an application for licensure shall submit, prior to being granted a license and in addition to the other requirements, evidence to show compliance with the educational requirements of subsection ~~((4))~~ (3) of this section.

~~(3) ((1989 renewal of licenses. Effective with the renewal period beginning September 1, 1989, through August 31, 1990, all persons making application for licensure renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4). Renewal applicants who have documented hardship which prevents obtaining the required education on AIDS may petition the board for an extension.~~

~~((4))~~ AIDS education and training.

(a) Acceptable education and training. The board will accept education and training that is consistent with the topical outline supported by the office on AIDS. Such education and training shall be a minimum of four clock hours regarding the prevention, transmission and treatment of AIDS, and may include, but is not limited to, the following: Etiology and epidemiology; testing and counseling; infection control guidelines; clinical manifestations and training; legal and ethical issues to include confidentiality; and psychosocial issues to include special population considerations.

(b) Implementation. ~~((Effective September 1, 1989;))~~ The requirements for licensure, renewal, or reinstatement of any license on lapsed,

inactive, or disciplinary status shall include completion of AIDS education and training. All persons affected by this section shall show evidence of completion of an education and training program, which meets the requirements of ~~((subsection))~~ (a) of this subsection.

(c) Documentation. The licensee or applicant for licensure shall:

(i) Certify, on forms provided, that the minimum education and training has been completed after January 1, 1987;

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

(iii) Be prepared to validate, through submission of these records, that attendance has taken place.

WSR 91-19-102
PERMANENT RULES
DEPARTMENT OF HEALTH
(Board of Nursing)

[Order 198B—Filed September 18, 1991, 1:58 p.m.]

Date of Adoption: September 13, 1991.

Purpose: Allows the board to conduct brief adjudicative hearings for matters related to denial of licensure on the basis of failure to meet [meet] education, experience, or examination prerequisites. Full hearings not required for such matters. New rule avoids delays.

Statutory Authority for Adoption: RCW 18.88.080.

Pursuant to notice filed as WSR 91-15-004 on July 5, 1991.

Changes Other than Editing from Proposed to Adopted Version: Editing only.

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

September 16, 1991

Patricia O. Brown, RN, MSN
Executive Secretary
Board of Nursing

NEW SECTION

WAC 246-839-105 BRIEF ADJUDICATIVE PROCEEDINGS — DENIALS BASED ON FAILURE TO MEET EDUCATION, EXPERIENCE, OR EXAMINATION PREREQUISITES FOR LICENSURE. The board adopts RCW 34.05.482 and RCW 34.05.485 through RCW 34.05.494 for adjudicative proceedings requested by applicants, who are denied a license under chapter 18.88 RCW or chapter 246-839 WAC for failure to meet the education, experience, or examination prerequisites for licensure. The sole issue at the adjudicative proceeding shall be whether the applicant meets the education, experience, and examination prerequisites for the issuance of a license.

WSR 91-19-103
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed September 18, 1991, 2:33 p.m.]

Original Notice.

Title of Rule: WAC 388-49-630 Changes—Reporting requirements.

Purpose: To conform WAC 388-49-630 to the requirements of 7 CFR 273.12 (a)(1)(iv) as interpreted by Indexed Policy Memo 90-22 and Administrative Notice 90-57. Also, to make minor editorial changes for clarity.

Statutory Authority for Adoption: RCW 74.04.510.

Statute Being Implemented: RCW 74.04.510.

Summary: Added to the list of mandatory reporting requirements households must report the end of a temporary disability when the temporary disability is the reason for exempting the value of a vehicle from consideration as a resource. Other minor editorial changes are made for clarity.

Reasons Supporting Proposal: This rule is necessary to require households to report the end of a temporary disability when the temporary disability is the reason for exempting the value of a vehicle from consideration.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Charles Henderson, Income Assistance, 753-4912.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, 7 CFR 273.12 (a)(1)(iv).

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on October 22, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805, Olympia, Washington 98504, by October 22, 1991.

Date of Intended Adoption: October 31, 1991.

September 18, 1991

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2575, filed 13/31/87 [12/31/87])

WAC 388-49-630 CHANGES—REPORTING REQUIREMENTS. The department shall require a household certified for more than one month and not subject to mandatory monthly reporting (~~shall~~) to report the following changes within ten days of the date the change becomes known to the household:

- (1) Change in the source of income;
- (2) Change in the amount of gross monthly income, except for public assistance income(~~(gross)~~);
- (3) Change in medical expenses of more than twenty-five dollars;
- ~~((3))~~ (4) Change in the household composition, such as the addition or loss of a household member;
- ~~((4))~~ (5) Change in residence (~~and resulting~~);
- (6) Change in shelter cost;
- ~~((5))~~ (7) The acquisition of licensed vehicles; (~~and~~ ~~(6))~~ (8) The end of a temporary disability when the temporary disability is the reason for exempting the value of a vehicle; and
- (9) When nonexempt liquid resources exceed two thousand dollars or three thousand dollars for households with one or more members sixty years of age or older.

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

WSR 91-19-104
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed September 18, 1991, 2:35 p.m.]

Original Notice.

Title of Rule: Chapter 388-70 WAC, Child welfare—Foster care—Adoption.

Purpose: To meet legislative intent (2SSB 5341) establishing a foster parent liability fund adding new sections to chapters 74.14 and 4.24 RCW.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: Chapter 283, Laws of 1991.

Summary: To provide liability coverage to pay claims on behalf of foster parents licensed under chapter 74.15 RCW. The fund shall provide foster parent liability injury and property damage claims made by a third party, a natural parent, a guardian or a guardian ad litem.

Reasons Supporting Proposal: To provide rules for administering a foster parent liability fund.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Sharon Braden, Children and Family Services, 753-6761.

Name of Proponent: Department of Social and Health Services, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on October 22, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805, Olympia, Washington 98504, by October 22, 1991.

Date of Intended Adoption: November 5, 1991.

September 18, 1991

Leslie F. James, Director
Administrative Services

NEW SECTION

WAC 388-70-031 FOSTER PARENT LIABILITY FUND. (1) The state of Washington, department of social and health services, under chapter 283, laws of 1991, establishes a fund to pay liability claims on behalf of foster parents licensed under chapter 74.15 RCW. The department shall administer this fund and shall pay a foster parent's liability claim subject to available funds, individual claim limits, and eligibility criteria as established under this chapter.

(2) The department's foster parent liability fund shall provide foster parent liability injury and property damage claims made by a:

- (a) Third party;
- (b) Natural parent; or
- (c) Guardian or guardian ad litem.

(3) A foster parent liability coverage shall:

(a) Only apply to an occurrence arising from a foster parent's act or omission in the good faith provision of foster child care and supervision; and

(b) Be subject to all legal limitations on a foster parent's liability.

NEW SECTION

WAC 388-70-032 PERIOD OF COVERAGE. The department's coverage under the foster parent liability fund shall be effective for claims arising out of occurrences on or after July 1, 1991.

NEW SECTION

WAC 388-70-033 PERSONS ELIGIBLE FOR COVERAGE. A person eligible for foster parent liability fund coverage shall be a foster parent licensed by the department or a licensed child placing agency as described under chapter 74.15 RCW.

NEW SECTION

WAC 388-70-034 LIMITS OF COVERAGE. (1) The foster parent's liability fund coverage shall be limited to twenty-five thousand dollars per occurrence. "Occurrence" shall be defined for purposes of this WAC as the event precipitating the claim.

(2) The foster parent's claim for a twenty-five thousand dollar limitation per occurrence shall apply regardless of whether there are multiple claims arising from the same occurrence.

(3) For purposes of this section, the department shall consider a liability claim against one or more foster parents occupying the same household as a single occurrence claim.

(4) The department's aggregate coverage of the foster parent liability fund shall be limited to the availability of funds specifically appropriated for the foster parent coverage minus costs associated with administering the coverage.

(5) The department foster parent liability fund shall pay a claim on behalf of a licensed foster parent, within the occurrence and aggregate funding limits, for personal injury or property damage of a third party arising from a foster parent's act or omission in the good faith provision of family foster care and supervision of a foster child.

(6) The department shall not make a payment of claims from this liability fund if the foster parent is not liable to the third party or the foster child's natural parent or guardian because of any:

- (a) Immunities;
- (b) Limitations; or
- (c) Exclusions provided by law.

(7) The department's coverage under this foster parent liability fund shall be in excess of any other available liability insurance.

(8) The department shall not pay a foster parent money from this liability fund unless the foster parent exhausts all proceeds available from another valid and collectible liability insurance.

NEW SECTION

WAC 388-70-035 EXCLUSIONS. (1) The department's foster parent liability fund shall not pay any liability fund claims arising out of a foster parent's illegal conduct or bad faith acts in providing family foster care.

(2) A foster parent's illegal conduct or bad faith act shall include, but is not limited to any:

- (a) Loss arising out of a dishonest, fraudulent, criminal or intentional act or omission;
- (b) Loss arising out of licentious, immoral, or sexual behavior;
- (c) Actual giving of any alcoholic beverage, which causes or contributes to the intoxication of a foster child, for whatever reason or cause; and
- (d) Judgment based on alienation of affection against a foster parent.

(3) The department shall specifically exclude the following from foster parent's liability fund coverage:

(a) A claim based on an occurrence not arising from the family foster care relationship. This exclusion shall include a foster child's act occurring:

- (i) As a result of the foster child's visit to or with the natural parent; or
- (ii) While temporarily assigned outside the jurisdiction of the foster parent.

(b) A bodily injury or property damage arising out of the operation or use of any motor vehicle, aircraft, or water craft owned by, operated by, rented to, or loaned to any foster parent; or

(c) An injury or damage arising out of an occurrence before July 1, 1991.

NEW SECTION

WAC 388-70-036 SUBROGATION. (1) If the department pays a liability fund claim to a foster parent, the department shall be subrogated to a foster parent's rights of recovery against any person or organization against whom the foster parent may have a legal claim.

(2) The foster parent shall sign and deliver to the department any documents necessary to secure such foster parent's rights of subrogation for the state.

NEW SECTION

WAC 388-70-037 INVESTIGATION OF CLAIMS. (1) The department may conduct an appropriate investigation of any foster parent liability fund claim.

(2) The foster parent shall fully cooperate with the department for any liability fund claims filed against the foster parent.

**WSR 91-19-105
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Filed September 18, 1991, 2:37 p.m.]

Original Notice.

Title of Rule: WAC 388-49-640 Overissuances.

Purpose: Amends the timeframe for food stamp program households to elect a repayment method for intentional program violation (IPV) claims.

Statutory Authority for Adoption: RCW 74.04.510.

Statute Being Implemented: RCW 74.04.510.

Summary: Reduces the timeframe for a food stamp program household to respond to an intentional program violation overissuance notice from 30 days to the date the notice is received or the next business day if received on a nonbusiness day.

Reasons Supporting Proposal: This rule is necessary to conform with section 1746 of Public Law 101-624.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Joan Wirth, Income Assistance, 753-6745.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, section 1746 of Public Law 101-624.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on October 22, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805, Olympia, Washington 98504, by October 22, 1991.

Date of Intended Adoption: October 31, 1991.

September 18, 1991
Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2610, filed 4/1/88)

WAC 388-49-640 OVERISSUANCES. (1) The department shall establish claims and take collection action against households and household members for administrative error, inadvertent household error, or intentional program violation resulting in overissuances except as provided in subsections (3), (10), and (11) of this section.

(2) The department shall establish an overissuance claim against any household:

(a) Receiving more food stamp benefits than it was entitled to receive((:)); or

(b) Containing an adult member who was an adult member of another household receiving more benefits than it was entitled to receive.

(3) The department shall not establish an administrative error claim or an inadvertent household error claim if an overissuance occurred because:

(a) The department failed to ensure the household:

(i) Signed the application form((:));

(ii) Completed a current work registration form((:)); or

(iii) Was certified in the correct project area.

(b) The household transacted an expired food coupon authorization (FCA) unless the household had altered the FCA.

(4) The department shall hold all persons((:)) who were adult members of the household at the time of the overissuance jointly and severally liable for the overissuance.

(a) The department shall establish an overissuance claim and pursue collection action against any or all of these persons.

(b) If the household composition changes, the department may establish an overissuance claim and pursue collection action against any household containing a person who was an adult member of the household receiving the overissuance.

(5) The department shall not collect more than the amount of the overissuance.

(6) The department shall calculate the allotment the household should have been authorized when the department discovers an:

(a) ((Am)) Administrative error or inadvertent household error occurred in the prior twenty-four months((:)); or

(b) ((Am)) Intentional program violation in the prior seventy-two months.

(7) Except as provided in subsection (8) of this section, the amount of the overissuance shall be the difference between:

(a) The monthly allotment actually authorized, and

(b) The monthly allotment the household should have been authorized.

(8) When determining the monthly allotment the household should have been authorized, the department shall not apply the ((20)) twenty percent earned income deduction:

(a) To that portion of earned income which the household intentionally failed to report;

(b) When the department has determined that the household committed an intentional program violation.

(9) The amount of the household's and/or household member's liability for an overissuance shall be the difference between:

(a) The amount of the overissuance((:)); and

(b) Any lost benefits ((that have)) not ((been)) previously restored or used as an offset.

(10) The department shall initiate collection action on all inadvertent household or administrative error claims unless:

(a) The claim is collected through offset((:));

(b) The total amount of the claim is less than thirty-five dollars and the claim cannot be recovered by reducing the household's allotment((:));

(c) The department cannot locate the liable household((:)); or

(d) The department determines collection action will prejudice an inadvertent household error claim case being referred for possible prosecution or administrative disqualification.

(11) The department shall initiate collection action against the liable household whose member is found to have committed an intentional program violation unless:

(a) The household has repaid the overissuance((:));

(b) The department cannot locate the household((:)); or

(c) The department determines collection action will prejudice the case against a household member referred for prosecution.

(12) The department shall initiate collection action by providing the household a demand letter.

(13) A household or household member may repay an overissuance except as provided in subsections (14) through (18) of this section by:

(a) A lump sum((:));

(b) Regular installments under a payment schedule agreed to by the household or household member and the department((:)); and/or

(c) Allotment reductions.

(14) When the allotment reduction is the method of collection, the department shall reduce a currently participating household's allotment to repay an:

(a) Inadvertent household error overissuance by the greater of:

(i) Ten percent of the household's monthly allotment((:)); or

(ii) Ten dollars per month.

(b) Intentional program violation overissuance by the greater of:

(i) Twenty percent of the household's monthly entitlement((:)); or

(ii) Ten dollars per month.

(c) Administrative error overissuance by the amount agreed to by the household.

(15) A household member and/or the department may request the payment schedule be renegotiated.

(16) The department shall ensure the negotiated monthly installment amount is not less than the amount which could be recovered through allotment reduction when:

(a) A current participating household is liable for an inadvertent household error or an intentional program violation((:)); and

(b) An installment payment schedule is the method of collection.

(17) The department shall reduce the allotment to repay an inadvertent household error or an intentional program violation overissuance without additional notice if, after notification of failure to make payment in accordance with a repayment schedule, the household member fails to:

(a) ((Fo)) Make the overdue payments((:)); or

(b) ((Fo)) Request renegotiation of the payment schedule.

(18) The department shall reduce the household's allotment if:

(a) The household member fails to respond to the demand letter;

(i) Within thirty days of the date the inadvertent household error overissuance notice is mailed((, and)); or

(ii) Upon receipt of the intentional program violation overissuance notice or the next business day if received on a nonbusiness day.

(b) The household is liable for an inadvertent household error or an intentional program violation claim.

(19) The department shall suspend collection action when:

(a) Collection action has not been initiated as provided in subsection (10) of this section((:));

(b) A liable household member cannot be located((:)); or

(c) The cost of further collection action is likely to exceed the amount that can be recovered.

(20) The department may accept offers of compromise for overissuances when:

(a) The department has already established the account receivable for the overissuance and taken steps to recover the overissuance; and

(b) The amount offered approximates the net amount expected to be collected prior to the expiration of the collection period allowed by statute.

(21) The department shall write-off amounts from its account receivable records and release any applicable liens prior to the expiration of the collection period allowed by statute when there is:

(a) No further possibility of collection;

(b) An account receivable balance after payment of an accepted offer of compromise; or

(c) An account receivable balance after a claim has been in suspense for three consecutive years, as provided in subsection (19) of this section.

WSR 91-19-106
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3246—Filed September 18, 1991, 2:40 p.m., effective September 19, 1991, 12:01 a.m.]

Date of Adoption: September 18, 1991.

Purpose: To meet legislative intent (2SSB 5341) establishing a foster parent liability fund adding new sections to chapters 74.14 and 4.24 RCW.

Statutory Authority for Adoption: RCW 74.08.090.

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

Reasons for this Finding: To provide liability coverage to pay claims on behalf of foster parents licensed under chapter 74.15 RCW. The fund shall provide foster parent liability injury and property damage claims made by a third party, a natural parent, a guardian or a guardian ad litem.

Effective Date of Rule: September 19, 1991, 12:01 a.m.

September 18, 1991
Leslie F. James, Director
Administrative Services

NEW SECTION

WAC 388-70-031 FOSTER PARENT LIABILITY FUND. (1) The state of Washington, department of social and health services, under chapter 283, laws of 1991, establishes a fund to pay liability claims on behalf of foster parents licensed under chapter 74.15 RCW. The department shall administer this fund and shall pay a foster parent's liability claim subject to available funds, individual claim limits, and eligibility criteria as established under this chapter.

(2) The department's foster parent liability fund shall provide foster parent liability injury and property damage claims made by a:

- (a) Third party,
- (b) Natural parent, or
- (c) Guardian or guardian ad litem.

(3) A foster parent liability coverage shall:

(a) Only apply to an occurrence arising from a foster parent's act or omission in the good faith provision of foster child care and supervision; and

(b) Be subject to all legal limitations on a foster parent's liability.

NEW SECTION

WAC 388-70-032 PERIOD OF COVERAGE. The department's coverage under the foster parent liability fund shall be effective for claims arising out of occurrences on or after July 1, 1991.

NEW SECTION

WAC 388-70-033 PERSONS ELIGIBLE FOR COVERAGE. A person eligible for foster parent liability fund coverage shall be a foster parent licensed by the department or a licensed child placing agency as described under chapter 74.15 RCW.

NEW SECTION

WAC 388-70-034 LIMITS OF COVERAGE. (1) The foster parent's liability fund coverage shall be limited to twenty-five thousand dollars per occurrence. "Occurrence" shall be defined for purposes of this WAC as the event precipitating the claim.

(2) The foster parent's claim for a twenty-five thousand dollar limitation per occurrence shall apply regardless of whether there are multiple claims arising from the same occurrence.

(3) For purposes of this section, the department shall consider a liability claim against one or more foster parents occupying the same household as a single occurrence claim.

(4) The department's aggregate coverage of the foster parent liability fund shall be limited to the availability of funds specifically appropriated for the foster parent coverage minus costs associated with administering the coverage.

(5) The department foster parent liability fund shall pay a claim on behalf of a licensed foster parent, within the occurrence and aggregate funding limits, for personal injury or property damage of a third party arising from a foster parent's act or omission in the good faith provision of family foster care and supervision of a foster child.

(6) The department shall not make a payment of claims from this liability fund if the foster parent is not liable to the third party or the foster child's natural parent or guardian because of any:

- (a) Immunities;
- (b) Limitations; or
- (c) Exclusions provided by law.

(7) The department's coverage under this foster parent liability fund shall be in excess of any other available liability insurance.

(8) The department shall not pay a foster parent money from this liability fund unless the foster parent exhausts all proceeds available from another valid and collectible liability insurance.

NEW SECTION

WAC 388-70-035 EXCLUSIONS. (1) The department's foster parent liability fund shall not pay any liability fund claims arising out of a foster parent's illegal conduct or bad faith acts in providing family foster care.

(2) A foster parent's illegal conduct or bad faith act shall include, but is not limited to any:

- (a) Loss arising out of a dishonest, fraudulent, criminal or intentional act or omission;
- (b) Loss arising out of licentious, immoral, or sexual behavior;

(c) Actual giving of any alcoholic beverage, which causes or contributes to the intoxication of a foster child, for whatever reason or cause; and

(d) Judgment based on alienation of affection against a foster parent.

(3) The department shall specifically exclude the following from foster parent's liability fund coverage:

(a) A claim based on an occurrence not arising from the family foster care relationship. This exclusion shall include a foster child's act occurring:

(i) As a result of the foster child's visit to or with the natural parent; or

(ii) While temporarily assigned outside the jurisdiction of the foster parent.

(b) A bodily injury or property damage arising out of the operation or use of any motor vehicle, aircraft, or water craft owned by, operated by, rented to, or loaned to any foster parent; or

(c) An injury or damage arising out of an occurrence before July 1, 1991.

NEW SECTION

WAC 388-70-036 SUBROGATION. (1) If the department pays a liability fund claim to a foster parent, the department shall be subrogated to a foster parent's rights of recovery against any person or organization against whom the foster parent may have a legal claim.

(2) The foster parent shall sign and deliver to the department any documents necessary to secure such foster parent's rights of subrogation for the state.

NEW SECTION

WAC 388-70-037 INVESTIGATION OF CLAIMS. (1) The department may conduct an appropriate investigation of any foster parent liability fund claim.

(2) The foster parent shall fully cooperate with the department for any liability fund claims filed against the foster parent.

WSR 91-19-107

WITHDRAWAL OF PROPOSED RULES WASHINGTON STATE PATROL

[Filed September 18, 1991, 4:10 p.m.]

The Washington State Patrol hereby withdraws proposed changes to chapter 446-65 WAC, filed with your office on August 7, 1991, as part of WSR 91-16-098.

George B. Tellevik
Chief

WSR 91-19-108

PROPOSED RULES LOTTERY COMMISSION

[Filed September 18, 1991, 4:16 p.m.]

Original Notice.

Title of Rule: WAC 315-11-680, Definitions for Instant Game No. 68 ("Mistledough"); WAC 315-11-710, 315-11-711 and 315-11-712, Definitions, criteria and ticket validation requirements for Instant Game No. 71 ("Draw Poker"); and WAC 315-11-720, 315-11-721 and 315-11-722, Definitions, criteria and ticket validation requirements for Instant Game No. 72 ("Moolah Moolah").

Purpose: To amend the definitions for Instant Game No. 68 (Mistledough); to establish the game play rules and criteria for determining winners of Instant Game Nos. 71 ("Draw Poker") and 72 ("Moolah Moolah").

Statutory Authority for Adoption: RCW 67.70.040.

Statute Being Implemented: RCW 67.70.040.

Summary: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Jeff Burkhardt, Contracts Specialist, Olympia, 586-6583; Implementation and Enforcement: Evelyn Y. Sun, Director, Olympia, 753-3330.

Name of Proponent: Washington State Lottery Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 315-11-680, amends the rules for "Mistledough" to change the number of tickets in a pack; and WAC 315-11-710, 315-11-711, 315-11-712, 315-11-720, 315-11-721 and 315-11-722, for each game certain terms must be defined in order to provide consistency in the game play rules. The play criteria will explain how the game functions to licensed retailers and players. Rigid validation requirements are set forth which will prevent the lottery from paying out prize money on invalid tickets.

Proposal Changes the Following Existing Rules: The proposal amends WAC 315-11-680. For a description of changes, see Explanation of Rule above.

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

The lottery has considered whether this rule is subject to the Regulatory Fairness Act, chapter 19.85 RCW, and has determined that it is not for the following reasons: The rules have no economic impact on business' cost of equipment, supplies, labor or administrative costs. The rules are designed to establish rules and procedures for the playing of instant lottery games. The rules will have a negligible impact, if any, on business because they are interpretive. They have been promulgated for the purpose of stating policy, procedure and practice and do not include requirements for forms, fees, appearances or other actions by business.

Hearing Location: Washington State Lottery, 5963 Corson Avenue, #106, Seattle, WA 98108, on November 1, 1991, at 10:00 a.m.

Submit Written Comments to: Judith Giniger, Lottery, P.O. Box 9770, Olympia, WA 98504, by October 31, 1991.

Date of Intended Adoption: November 1, 1991.

September 17, 1991

Evelyn Y. Sun
Director

AMENDATORY SECTION (Amending WSR 91-15-037, filed 7/16/91, effective 8/16/91)

WAC 315-11-680 DEFINITIONS FOR INSTANT GAME NUMBER 68 ("MISTLEDOUGH"). (1) Play symbols: The following are the "play symbols": "\$1.00"; "\$2.00"; "\$4.00"; "\$8.00"; "\$14.00"; "\$24.00"; "\$40.00"; "\$80.00"; and "\$5,000." One of these play symbols appears in each of the six play spots under the latex covering on the front of the ticket.

(2) Play symbol captions: The small printed characters appearing below each play symbol which verify and correspond with that play

symbol. The caption is a spelling out, in full or abbreviated form of the play symbol. One and only one of these captions appears under each play symbol. For Instant Game Number 68, the captions which correspond with and verify the play symbols are:

PLAY SYMBOL	CAPTION
\$1.00	ONE DOL
\$2.00	TWO DOL
\$4.00	FOR DOL
\$8.00	EGT DOL
\$14.00	FORTEEN
\$24.00	TTF DOL
\$40.00	\$FORTY\$
\$80.00	\$EIGHTY
\$5,000	FIVTHOU

(3) Validation number: The unique nine-digit number on the front of the ticket. The number is covered by latex covering.

(4) Pack-ticket number: The eleven-digit number of the form 06800001-000 printed on the front of the ticket. The first three digits are the game identifier. The first eight digits of the pack-ticket number for Instant Game Number 68 constitute the "pack number" which starts at 06800001; the last three digits constitute the "ticket number" which starts at 000 and continues through ((399)) 199 within each pack of tickets.

(5) Retailer verification codes: Codes consisting of small letters found under the removable latex covering on the front of the ticket which the lottery retailer uses to verify instant winners of \$25 or less. For Instant Game Number 68, the retailer verification codes are three-letter codes, with each letter appearing in a varying three of six locations among the play symbols on the front of the ticket. The retailer verification codes are:

VERIFICATION CODE	PRIZE
ONE	\$1.00
TWO	\$2.00
FOR	\$4.00
EGT	\$8.00
FRN	\$14.00
TTF	\$24.00

(6) Pack: A set of ((four)) two hundred fanfolded instant game tickets separated by perforations and packaged in plastic shrinkwrapping.

NEW SECTION

WAC 315-11-710 DEFINITIONS FOR INSTANT GAME NUMBER 71 ("DRAW POKER"). (1) Play symbols: The following are the "play symbols": "A"; "K"; "Q"; "J"; "10"; "9"; "8"; "7"; "6"; "5"; "4"; and "2". One of these play symbols appears in each of the ten play spots under the latex covering on the front of the ticket. The ten play spots are divided into two horizontal rows ("hands") of five adjoining spots. Each horizontal set of five adjoining play spots shall constitute one game and shall be known as a playfield. Each ticket shall have two playfields.

(2) Play symbol captions: The small printed characters appearing below each play symbol which verify and correspond with that play symbol. The caption is a spelling out, in full or abbreviated form of the play symbol. One and only one of these captions appears under each play symbol. For Instant Game Number 71, the captions which correspond with and verify the play symbols are:

PLAY SYMBOL	CAPTION
A	ACE
K	KNG
Q	QUE
J	JAC
10	TEN
9	NIN
8	EGT
7	SVN
6	SIX
5	FIV
4	FOR
2	TWO

(3) Validation number: The unique nine-digit number on the front of the ticket. The number is covered with latex.

(4) Pack-ticket number: The eleven-digit number of the form 07100001-000 printed on the front of the ticket. The first three digits are the game identifier. The first eight digits of the pack-ticket number for Instant Game Number 71 constitute the "pack number" which starts at 07100001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(5) Retailer verification codes: Codes consisting of small letters found under the removable latex covering on the front of the ticket which the lottery retailer uses to verify instant winners of \$25 and less. For Instant Game Number 71, the retailer verification codes are three-letter codes, with each letter appearing in a varying three of eight locations among the play symbols on the front of the ticket. The retailer verification codes are:

VERIFICATION CODE	PRIZE
ONE	\$1.00
TWO	\$2.00
FIV	\$5.00
NIN	\$9.00
EGN	\$18.00

(6) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in plastic shrinkwrapping.

NEW SECTION

WAC 315-11-711 CRITERIA FOR INSTANT GAME NUMBER 71. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(a) The bearer of a ticket having the following play symbols in any of the five spots in any order within a playfield beneath the removable covering on the front of the ticket shall win the following prize:

Two matching play symbols (one pair)	- win \$ 1.00
Two matching play symbols with two other matching play symbols (two pairs)	- win \$ 2.00
Three matching play symbols (three of a kind)	- win \$ 5.00
One 10, one J, one Q, one K, and one A	- win \$ 9.00
Three matching play symbols with two other matching play symbols (full house)	- win \$ 18.00
Four matching play symbols (four of a kind) except A's	- win \$ 50.00
Four A's	- win \$ 10,000

(b) Play symbols from one playfield may not be mixed, combined or intermingled with play symbols from the other playfield.

(c) The ticket shall bear a legend which lists the prizes in the game.

(d) Only the highest instant prize amount meeting the standards of (a) of this subsection will be paid on a given ticket.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 71 set forth in WAC 315-11-712, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) Notwithstanding any other provisions of these rules, the director may:

- (a) Vary the length of Instant Game Number 71; and/or
- (b) Vary the number of tickets sold in Instant Game Number 71 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

NEW SECTION

WAC 315-11-712 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 71. (1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 71 all of the following validation requirements apply.

(a) Exactly one play symbol must appear in each of the ten play spots under the latex covering on the front of the ticket.

(b) Each of the ten play symbols must have a caption below it, and each must agree with its caption.

(c) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the artwork on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbols	Play Symbol Font
Captions	Caption Font
Pack-Ticket Number	Validation Font
Validation Number	Validation Font
Retail Verification Code	Validation Font

(d) Each of the play symbols and its caption, the validation number, pack-ticket number and retailer verification code must be printed in black ink.

(e) Each of the play symbols must be exactly one of those described in WAC 315-11-710(1) and each of the captions must be exactly one of those described in WAC 315-11-710(2).

(2) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

NEW SECTION

WAC 315-11-720 DEFINITIONS FOR INSTANT GAME NUMBER 72 ("MOOLAH MOOLAH"). (1) Play symbols: The following are the "play symbols": "\$1.00"; "\$2.00"; "\$4.00"; "\$8.00"; "\$40.00"; "\$5,000"; and " ". One of these play symbols appears in each of the six play spots under the latex covering on the front of the ticket.

(2) Play symbol captions: The small printed characters appearing below each play symbol which verify and correspond with that play symbol. The caption is a spelling out, in full or abbreviated form of the play symbol. One and only one of these captions appears under each play symbol. For Instant Game Number 72, the captions which correspond with and verify the play symbols are:

<u>PLAY SYMBOL</u>	<u>CAPTION</u>
\$1.00	ONE DOL
\$2.00	TWO DOL
\$4.00	FOR DOL
\$8.00	EGT DOL
\$40.00	\$FORTY\$
\$5,000	FIVTHOU COW

(3) Validation number: The unique nine-digit number on the front of the ticket. The number is covered with latex.

(4) Pack-ticket number: The eleven-digit number of the form 07200001-000 printed on the front of the ticket. The first three digits are the game identifier. The first eight digits of the pack-ticket number for Instant Game Number 72 constitute the "pack number" which starts at 07200001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(5) Retailer verification codes: Codes consisting of small letters found under the removable latex covering on the front of the ticket which the lottery retailer uses to verify instant winners of \$25 and less. For Instant Game Number 72, the retailer verification codes are three-letter codes, with each letter appearing in a varying three of six locations among the play symbols on the front of the ticket. The retailer verification codes are:

<u>VERIFICATION CODE</u>	<u>PRIZE</u>
ONE	\$1.00
TWO	\$2.00 (\$2; \$1 and \$1)
FOR	\$4.00 (\$2 and \$2)
EGT	\$8.00 (\$8; \$4 and \$4)
SXT	\$16.00 (\$8 and \$8)

(6) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in plastic shrinkwrapping.

NEW SECTION

WAC 315-11-721 CRITERIA FOR INSTANT GAME NUMBER 72. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(a) The bearer of a ticket having the following play symbols in any three of the six spots beneath the removable covering on the front of the ticket shall win the following prize:

Three	\$1.00 play symbols	- Win	\$1.00
Two	\$1.00 play symbols and one	- Win	\$2.00
Three	\$2.00 play symbols	- Win	\$2.00
Two	\$2.00 play symbols and one	- Win	\$4.00
Two	\$4.00 play symbols and one	- Win	\$8.00
Three	\$8.00 play symbols	- Win	\$8.00
Two	\$8.00 play symbols and one	- Win	\$16.00
Three	\$40.00 play symbols	- Win	\$40.00
Two	\$40.00 play symbols and one	- Win	\$80.00
Three	\$5000.00 play symbols	- Win	\$5000.00

(b) Only the highest instant prize amount meeting the standards of (a) of this subsection will be paid on a given ticket.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 72 set forth in WAC 315-11-722, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) Notwithstanding any other provisions of these rules, the director may:

- (a) Vary the length of Instant Game Number 72; and/or
- (b) Vary the number of tickets sold in Instant Game Number 72 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

NEW SECTION

WAC 315-11-722 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 72. (1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 72 all of the following validation requirements apply.

(a) Exactly one play symbol must appear under each of the six play spots under the latex covering on the front of the ticket.

(b) Each of the six play symbols must have a caption below it, and each must agree with its caption.

(c) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the artwork on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbols	Play Symbol Font
Captions	Caption Font
Pack-Ticket Number	Validation Font
Validation Number	Validation Font
Retail Verification Code	Validation Font

(d) Each of the play symbols and its caption, the validation number, pack-ticket number and retailer verification code must be printed in black ink.

(e) Each of the play symbols must be exactly one of those described in WAC 315-11-720(1) and each of the captions must be exactly one of those described in WAC 315-11-720(2).

(2) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

WSR 91-19-109

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Order 91-27—Filed September 18, 1991, 4:27 p.m.]

Continuance of WSR 91-15-104.

Title of Rule: Chapter 173-548 WAC, Water resources program in the Methow River Basin, WRIA 48 (WAC 173-548-050, Streams and lakes closed to further consumptive appropriation); and chapter 173-160

WAC, Minimum standards for construction and maintenance of wells (WAC 173-160-040, Permits).

Purpose: This notice changes the person to whom comments may be submitted and extends the comment cut off deadline from October 3, 1991, to October 18, 1991.

Hearing Location: Winthrop Barn, Winthrop, Washington, on September 25, 1991, at 7:00 p.m.

Submit Written Comments to: Roger von Gohren, Department of Ecology, Mailstop PV-11, Olympia, Washington 98504-8711, by October 18, 1991.

Date of Intended Adoption: November 1, 1991.

September 18, 1991

Fred Olson

Deputy Director

Table of WAC Sections Affected

KEY TO TABLE

Symbols:

- AMD = Amendment of existing section
- A/R = Amending and recodifying a section
- DECOD = Decodification of an existing section
- NEW = New section not previously codified
- OBJEC = Notice of objection by Joint Administrative Rules Review Committee
- PREP = Preproposal comments
- RE-AD = Readoption of existing section
- RECOD = Recodification of previously codified section
- REP = Repeal of existing section
- RESCIND = Rescind previous emergency rule
- REVIEW = Review of previously adopted rule

Suffixes:

- P = Proposed action
- C = Continuance of previous proposal
- E = Emergency action
- S = Supplemental notice
- W = Withdrawal of proposed action
- No suffix means permanent action

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

WAC # shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

WSR # shows the issue of the Washington State Register where the document may be found; the last three digits show the sequence of the document within the issue.

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1-06-040	AMD-P	91-06-067		1-08-490	REP-P
1-06-040	AMD	91-10-010		1-08-490	REP
1-08-005	REP-P	91-06-067	1-08-240	1-08-500	REP-P
1-08-005	REP	91-10-010	1-08-250	1-08-500	REP
1-08-007	REP-P	91-06-067	1-08-260	1-08-510	REP-P
1-08-007	REP	91-10-010	1-08-260	1-08-510	REP
1-08-010	REP-P	91-06-067	1-08-270	1-08-520	REP-P
1-08-010	REP	91-10-010	1-08-270	1-08-520	REP
1-08-030	REP-P	91-06-067	1-08-280	1-08-530	REP-P
1-08-030	REP	91-10-010	1-08-280	1-08-530	REP
1-08-040	REP-P	91-06-067	1-08-290	1-08-540	REP-P
1-08-040	REP	91-10-010	1-08-290	1-08-540	REP
1-08-050	REP-P	91-06-067	1-08-300	1-08-550	REP-P
1-08-050	REP	91-10-010	1-08-300	1-08-550	REP
1-08-060	REP-P	91-06-067	1-08-310	1-08-560	REP-P
1-08-060	REP	91-10-010	1-08-310	1-08-560	REP
1-08-070	REP-P	91-06-067	1-08-320	1-08-570	REP-P
1-08-070	REP	91-10-010	1-08-320	1-08-570	REP
1-08-080	REP-P	91-06-067	1-08-330	1-08-580	REP-P
1-08-080	REP	91-10-010	1-08-330	1-08-580	REP
1-08-090	REP-P	91-06-067	1-08-340	1-08-590	REP-P
1-08-090	REP	91-10-010	1-08-340	1-08-590	REP
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1-08-100	REP	91-10-010	1-08-350	1-21-040	AMD-P
1-08-110	REP-P	91-06-067	1-08-360	4-25-190	AMD-P
1-08-110	REP	91-10-010	1-08-360	4-25-190	AMD-P
1-08-120	REP-P	91-06-067	1-08-370	4-25-192	NEW-P
1-08-120	REP	91-10-010	1-08-370	16-22-011	NEW-P
1-08-130	REP-P	91-06-067	1-08-380	16-22-011	NEW
1-08-130	REP	91-10-010	1-08-380	16-22-015	NEW-P
1-08-140	REP-P	91-06-067	1-08-390	16-22-015	NEW
1-08-140	REP	91-10-010	1-08-390	16-23-012	NEW-P
1-08-150	REP-P	91-06-067	1-08-400	16-23-012	NEW
1-08-150	REP	91-10-010	1-08-400	16-23-014	NEW-P
1-08-160	REP-P	91-06-067	1-08-410	16-23-014	NEW
1-08-160	REP	91-10-010	1-08-410	16-80-005	NEW-P
1-08-170	REP-P	91-06-067	1-08-420	16-80-005	NEW
1-08-170	REP	91-10-010	1-08-420	16-80-007	NEW-P
1-08-180	REP-P	91-06-067	1-08-430	16-80-007	NEW
1-08-180	REP	91-10-010	1-08-430	16-80-010	NEW-P
1-08-190	REP-P	91-06-067	1-08-440	16-80-010	NEW
1-08-190	REP	91-10-010	1-08-440	16-80-015	NEW-P
1-08-200	REP-P	91-06-067	1-08-450	16-80-015	NEW
1-08-200	REP	91-10-010	1-08-450	16-80-020	NEW-P
1-08-210	REP-P	91-06-067	1-08-460	16-80-020	NEW
1-08-210	REP	91-10-010	1-08-460	16-80-025	NEW-P
1-08-220	REP-P	91-06-067	1-08-470	16-80-025	NEW
1-08-220	REP	91-10-010	1-08-470	16-80-030	NEW-P
1-08-230	REP-P	91-06-067	1-08-480	16-80-030	NEW
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Table of WAC Sections Affected

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16-124-011	NEW-P	91-13-106	16-230-170	AMD-P	91-04-078	16-231-510	AMD	91-06-019
16-124-011	NEW	91-16-005	16-230-170	AMD	91-08-058	16-231-525	AMD-P	91-02-106
16-126-001	NEW-P	91-13-106	16-230-180	AMD-P	91-04-078	16-231-525	AMD	91-06-019
16-126-001	NEW	91-16-005	16-230-180	AMD	91-08-058	16-231-530	AMD-P	91-02-106
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16-154-020	AMD	91-09-028	16-230-450	AMD	91-06-019	16-231-620	AMD-P	91-02-106
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16-154-110	NEW	91-09-028	16-231-001	AMD-P	91-02-106	16-231-900	AMD	91-06-019
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16-154-120	NEW	91-09-028	16-231-033	REP-P	91-02-106	16-231-905	AMD	91-06-019
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16-304-040	AMD-P	91-15-099	16-470-500	AMD-P	91-15-100	16-484-205	NEW-E	91-06-035
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16-316-280	AMD	91-08-017	16-470-530	AMD-P	91-15-100	16-484-210	NEW-E	91-06-035
16-316-285	AMD-P	91-04-066	16-470-533	NEW-P	91-15-100	16-484-210	NEW-P	91-10-095
16-316-285	AMD	91-08-017	16-470-535	NEW-P	91-15-100	16-484-210	NEW	91-13-026
16-316-290	AMD-P	91-04-066	16-471-010	NEW	91-03-046	16-484-220	NEW-E	91-06-035
16-316-290	AMD	91-08-017	16-471-015	NEW	91-03-046	16-484-220	NEW-P	91-10-095
16-316-620	AMD-P	91-10-082	16-471-020	NEW	91-03-046	16-484-220	NEW	91-13-026
16-316-620	AMD	91-14-001	16-471-030	NEW	91-03-046	16-484-230	NEW-E	91-06-035
16-316-622	AMD-P	91-10-082	16-471-040	NEW	91-03-046	16-484-230	NEW-P	91-10-095
16-316-622	AMD	91-14-001	16-471-050	NEW	91-03-046	16-484-230	NEW	91-13-026
16-316-715	AMD-P	91-10-082	16-471-060	NEW	91-03-046	16-484-240	NEW-E	91-06-035
16-316-715	AMD	91-14-001	16-471-070	NEW	91-03-046	16-484-240	NEW-P	91-10-095
16-316-800	AMD-P	91-10-082	16-471-080	NEW	91-03-046	16-484-240	NEW	91-13-026
16-316-800	AMD	91-14-001	16-481	PREP	91-10-013	16-484-250	NEW-E	91-06-035
16-316-820	AMD-P	91-10-082	16-481-010	AMD-P	91-15-098	16-484-250	NEW-P	91-10-095
16-316-820	AMD	91-14-001	16-481-015	NEW-P	91-15-098	16-484-250	NEW	91-13-026
16-316-970	NEW-P	91-10-082	16-481-020	AMD-P	91-15-098	16-484-260	NEW-E	91-06-035
16-316-970	NEW	91-13-087	16-481-025	NEW-P	91-15-098	16-484-260	NEW-P	91-10-095
16-316-975	NEW-P	91-10-082	16-481-030	AMD-P	91-15-098	16-484-260	NEW	91-13-026
16-316-975	NEW	91-13-087	16-481-040	REP-P	91-15-098	16-486-001	REP-P	91-07-036
16-316-980	NEW-P	91-10-082	16-481-050	AMD-P	91-15-098	16-486-001	REP	91-11-054
16-316-980	NEW	91-13-087	16-481-060	AMD-P	91-15-098	16-486-010	REP-P	91-07-036
16-316-985	NEW-P	91-10-082	16-481-070	AMD-P	91-15-098	16-486-010	REP	91-11-054
16-316-985	NEW	91-13-087	16-481-075	NEW-P	91-15-098	16-486-015	REP-P	91-07-036
16-316-990	NEW-P	91-10-082	16-482-001	AMD-P	91-03-105	16-486-015	REP	91-11-054
16-316-990	NEW	91-13-087	16-482-001	AMD	91-07-016	16-486-020	REP-P	91-07-036
16-316-995	NEW-P	91-10-082	16-482-005	NEW-P	91-03-105	16-486-020	REP	91-11-054
16-316-995	NEW	91-13-087	16-482-005	NEW	91-07-016	16-486-025	REP-P	91-07-036
16-316-997	NEW-P	91-10-082	16-482-006	NEW-P	91-03-105	16-486-025	REP	91-11-054
16-316-997	NEW	91-13-087	16-482-006	NEW	91-07-016	16-486-030	REP-P	91-07-036
16-324-375	AMD-P	91-06-061	16-482-007	NEW-P	91-03-105	16-486-030	REP	91-11-054
16-324-375	AMD	91-10-029	16-482-007	NEW	91-07-016	16-486-035	REP-P	91-07-036
16-324-380	AMD-P	91-06-061	16-482-010	AMD-P	91-03-105	16-486-035	REP	91-11-054
16-324-380	AMD	91-10-029	16-482-010	AMD	91-07-016	16-486-040	REP-P	91-07-036
16-324-605	AMD-P	91-06-061	16-482-015	NEW-P	91-03-105	16-486-040	REP	91-11-054
16-324-605	AMD	91-10-029	16-482-015	NEW	91-07-016	16-486-045	REP-P	91-07-036
16-333-200	NEW-P	91-04-068	16-482-016	NEW-P	91-03-105	16-486-045	REP	91-11-054
16-333-200	NEW	91-08-015	16-482-016	NEW	91-07-016	16-487-005	NEW-P	91-15-097
16-333-205	NEW-P	91-04-068	16-482-017	NEW-P	91-03-105	16-487-010	AMD-P	91-15-097
16-333-205	NEW	91-08-015	16-482-017	NEW	91-07-016	16-487-015	NEW-P	91-15-097
16-333-210	NEW-P	91-04-068	16-482-020	AMD-P	91-03-105	16-487-017	NEW-P	91-15-097
16-333-210	NEW	91-08-015	16-482-020	AMD	91-07-016	16-487-020	AMD-P	91-15-097
16-333-215	NEW-P	91-04-068	16-482-030	REP-P	91-03-105	16-487-023	NEW-P	91-15-097
16-333-215	NEW	91-08-015	16-482-030	REP	91-07-016	16-487-025	NEW-P	91-15-097
16-333-220	NEW-P	91-04-068	16-482-040	REP-P	91-03-105	16-487-030	AMD-P	91-15-097
16-333-220	NEW	91-08-015	16-482-040	REP	91-07-016	16-487-040	AMD-P	91-15-097
16-333-225	NEW-P	91-04-068	16-483	PREP	91-10-013	16-487-050	AMD-P	91-15-097
16-333-225	NEW	91-08-015	16-483-001	AMD-P	91-15-098	16-487-060	AMD-P	91-15-097
16-333-230	NEW-P	91-04-068	16-483-005	NEW-P	91-15-098	16-487-100	NEW-P	91-15-097
16-333-230	NEW	91-08-015	16-483-010	AMD-P	91-15-098	16-487-110	NEW-P	91-15-097
16-333-235	NEW-P	91-04-068	16-483-020	AMD-P	91-15-098	16-487-120	NEW-P	91-15-097
16-333-235	NEW	91-08-015	16-483-030	AMD-P	91-15-098	16-487-130	NEW-P	91-15-097
16-333-240	NEW-P	91-04-068	16-483-040	AMD-P	91-15-098	16-487-140	NEW-P	91-15-097
16-333-240	NEW	91-08-015	16-483-050	AMD-P	91-15-098	16-487-150	NEW-P	91-15-097
16-333-245	NEW-P	91-04-068	16-483-060	AMD-P	91-15-098	16-487-160	NEW-P	91-15-097
16-333-245	NEW	91-08-015	16-483-070	REP-P	91-15-098	16-487-200	NEW-P	91-15-097
16-354-005	AMD-P	91-04-067	16-484-020	REP-P	91-07-037	16-487-210	NEW-P	91-15-097
16-354-005	AMD	91-08-016	16-484-020	REP	91-11-053	16-487-220	NEW-P	91-15-097
16-354-010	AMD-P	91-04-067	16-484-022	REP-P	91-07-037	16-487-230	NEW-P	91-15-097
16-354-010	AMD	91-08-016	16-484-022	REP	91-11-053	16-487-240	NEW-P	91-15-097
16-354-020	AMD-P	91-04-067	16-484-030	REP-P	91-07-037	16-487-250	NEW-P	91-15-097
16-354-020	AMD	91-08-016	16-484-030	REP	91-11-053	16-487-300	NEW-P	91-15-097
16-354-030	AMD-P	91-04-067	16-484-040	REP-P	91-07-037	16-487-310	NEW-P	91-15-097
16-354-030	AMD	91-08-016	16-484-040	REP	91-11-053	16-487-320	NEW-P	91-15-097
16-354-040	AMD-P	91-04-067	16-484-050	REP-P	91-07-037	16-487-330	NEW-P	91-15-097
16-354-040	AMD	91-08-016	16-484-050	REP	91-11-053	16-487-335	NEW-P	91-15-097
16-354-070	AMD-P	91-04-067	16-484-080	REP-P	91-07-037	16-494-001	AMD-P	91-04-066
16-354-070	AMD	91-08-016	16-484-080	REP	91-11-053	16-494-001	AMD	91-08-017
16-354-100	AMD-P	91-04-067	16-484-090	REP-P	91-07-037	16-494-010	AMD-P	91-04-066
16-354-100	AMD	91-08-016	16-484-090	REP	91-11-053	16-494-010	AMD	91-08-017
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16-403-141	AMD-W	91-07-015	16-484-100	REP	91-11-053	16-494-012	NEW	91-08-017
16-470-010	AMD-P	91-15-100	16-484-200	NEW-E	91-06-035	16-494-013	NEW-P	91-04-066

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16-494-015	REP-P	91-04-066	16-557-030	NEW-E	91-08-021	36-12-180	AMD-P	91-05-032
16-494-015	REP	91-08-017	16-557-030	NEW	91-09-003	36-12-180	AMD	91-11-038
16-494-020	AMD-P	91-04-066	16-557-040	NEW-E	91-08-021	36-12-190	AMD-P	91-05-032
16-494-020	AMD	91-08-017	16-557-040	NEW	91-09-003	36-12-190	AMD	91-11-038
16-494-030	AMD-P	91-04-066	16-557-041	NEW-E	91-08-021	36-12-195	NEW-P	91-05-032
16-494-030	AMD	91-08-017	16-557-041	NEW	91-09-003	36-12-195	NEW	91-11-038
16-494-042	AMD-P	91-04-066	16-557-050	NEW-E	91-08-021	36-12-200	AMD-P	91-05-032
16-494-042	AMD	91-08-017	16-557-050	NEW	91-09-003	36-12-200	AMD	91-11-038
16-494-043	NEW-P	91-04-066	16-557-060	NEW-E	91-08-021	36-12-200	AMD-P	91-05-032
16-494-043	NEW	91-08-017	16-557-060	NEW	91-09-003	36-12-220	AMD	91-11-038
16-494-044	AMD-P	91-04-066	16-557-070	NEW-E	91-08-021	36-12-220	AMD-P	91-05-032
16-494-044	AMD	91-08-017	16-557-070	NEW	91-09-003	36-12-220	AMD	91-11-038
16-494-045	NEW-P	91-04-066	16-557-080	NEW-E	91-08-021	36-12-230	REP-P	91-05-032
16-494-045	NEW	91-08-017	16-557-080	NEW	91-09-003	36-12-230	REP	91-11-038
16-494-046	NEW-P	91-04-066	16-560-06001	AMD-P	91-13-105	36-12-240	AMD-P	91-05-032
16-494-046	NEW	91-08-017	16-603-010	NEW-P	91-04-076	36-12-240	AMD	91-11-038
16-494-047	NEW-P	91-04-066	16-603-010	NEW-C	91-09-042	36-12-240	AMD-P	91-05-032
16-494-047	NEW	91-08-017	16-603-010	AMD	91-13-018	36-12-250	AMD-P	91-05-032
16-494-062	AMD-P	91-04-066	16-603-010	AMD	91-13-018	36-12-250	AMD	91-11-038
16-494-062	AMD	91-08-017	16-605A-005	NEW-P	91-13-106	36-12-260	AMD-P	91-05-032
16-494-063	NEW-P	91-04-066	16-605A-005	NEW	91-16-005	36-12-260	AMD	91-11-038
16-494-063	NEW	91-08-017	16-620-390	NEW-P	91-13-106	36-12-260	AMD-P	91-05-032
16-494-064	NEW-P	91-04-066	16-620-390	NEW	91-16-005	36-12-270	AMD-P	91-05-032
16-494-064	NEW	91-08-017	16-674-030	NEW-P	91-13-106	36-12-270	AMD	91-11-038
16-495-004	AMD-P	91-10-082	16-674-030	NEW	91-16-005	36-12-270	AMD	91-11-038
16-495-004	AMD	91-13-087	16-674-040	NEW-P	91-13-106	36-12-280	AMD-P	91-05-032
16-495-010	AMD-P	91-10-082	16-674-040	NEW	91-16-005	36-12-280	AMD	91-11-038
16-495-010	AMD	91-13-087	16-674-050	NEW-P	91-13-106	36-12-280	AMD-P	91-05-032
16-495-020	AMD-P	91-10-082	16-674-050	NEW	91-16-005	36-12-280	AMD	91-11-038
16-495-020	AMD	91-13-087	16-694-020	NEW-P	91-13-106	36-12-280	AMD-P	91-05-032
16-495-030	AMD-P	91-10-082	16-694-020	NEW	91-16-005	36-12-290	AMD-P	91-05-032
16-495-030	AMD	91-13-087	16-694-021	NEW-P	91-13-106	36-12-290	AMD	91-11-038
16-495-040	AMD-P	91-10-082	16-694-021	NEW	91-16-005	36-12-290	AMD	91-11-038
16-495-040	AMD	91-13-087	16-752-305	AMD	91-03-045	36-12-300	AMD-P	91-05-032
16-495-050	AMD-P	91-10-082	16-752-310	RE-AD	91-03-045	36-12-300	AMD	91-11-038
16-495-050	AMD	91-13-087	16-752-310	AMD	91-03-045	36-12-300	AMD-P	91-05-032
16-495-060	AMD-P	91-10-082	16-752-320	RE-AD	91-03-045	36-12-310	AMD-P	91-05-032
16-495-060	AMD	91-13-087	16-752-325	REP	91-03-045	36-12-310	AMD	91-11-038
16-495-080	REP-P	91-10-082	16-752-330	AMD	91-03-045	36-12-310	AMD	91-11-038
16-495-080	REP	91-13-087	36-12	AMD-P	91-05-032	36-12-320	AMD-P	91-05-032
16-495-085	REP-P	91-10-082	36-12	AMD	91-11-038	36-12-320	AMD	91-11-038
16-495-085	REP	91-13-087	36-12-010	AMD-P	91-05-032	36-12-320	AMD	91-11-038
16-495-090	AMD-P	91-10-082	36-12-010	AMD	91-11-038	36-12-330	AMD-P	91-05-032
16-495-090	AMD	91-13-087	36-12-011	AMD-P	91-05-032	36-12-330	AMD	91-11-038
16-495-095	AMD-P	91-10-082	36-12-011	AMD	91-11-038	36-12-330	AMD	91-11-038
16-495-095	AMD	91-13-087	36-12-020	AMD-P	91-05-032	36-12-340	AMD-P	91-05-032
16-495-100	AMD-P	91-10-082	36-12-020	AMD	91-11-038	36-12-340	AMD	91-11-038
16-495-100	AMD	91-13-087	36-12-030	AMD-P	91-05-032	36-12-340	AMD	91-11-038
16-495-105	AMD-P	91-10-082	36-12-030	AMD	91-11-038	36-12-350	AMD-P	91-05-032
16-495-105	AMD	91-13-087	36-12-040	AMD-P	91-05-032	36-12-350	AMD	91-11-038
16-495-110	AMD-P	91-10-082	36-12-040	AMD	91-11-038	36-12-350	AMD-P	91-05-032
16-495-110	AMD	91-13-087	36-12-050	AMD-P	91-05-032	36-12-360	AMD-P	91-05-032
16-497-001	AMD-P	91-04-067	36-12-050	AMD	91-11-038	36-12-360	AMD	91-11-038
16-497-001	AMD	91-08-016	36-12-060	AMD-P	91-05-032	36-12-360	NEW-P	91-05-032
16-497-005	NEW-P	91-04-067	36-12-060	AMD	91-11-038	36-12-365	NEW	91-11-038
16-497-005	NEW	91-08-016	36-12-070	AMD-P	91-05-032	36-12-365	NEW-P	91-05-032
16-497-020	AMD-P	91-04-067	36-12-070	AMD	91-11-038	36-12-367	NEW	91-11-038
16-497-020	AMD	91-08-016	36-12-080	AMD-P	91-05-032	36-12-367	AMD-P	91-05-032
16-497-030	AMD-P	91-04-067	36-12-080	AMD	91-11-038	36-12-370	AMD	91-11-038
16-497-030	AMD	91-08-016	36-12-090	REP-P	91-05-032	36-12-370	AMD-P	91-05-032
16-497-040	AMD-P	91-04-067	36-12-090	REP	91-11-038	36-12-380	REP-P	91-05-032
16-497-040	AMD	91-08-016	36-12-100	AMD-P	91-05-032	36-12-380	REP	91-11-038
16-497-050	AMD-P	91-04-067	36-12-100	AMD	91-11-038	36-12-380	REP	91-11-038
16-497-050	AMD	91-08-016	36-12-110	AMD-P	91-05-032	36-12-385	NEW-P	91-05-032
16-497-060	AMD-P	91-04-067	36-12-110	AMD	91-11-038	36-12-385	NEW	91-11-038
16-497-060	AMD	91-08-016	36-12-120	AMD-P	91-05-032	36-12-390	REP-P	91-05-032
16-528-105	NEW	91-05-065	36-12-120	AMD	91-11-038	36-12-390	REP	91-11-038
16-528-110	AMD	91-05-065	36-12-120	AMD-P	91-11-101	36-12-400	AMD-P	91-05-032
16-528-150	AMD	91-05-065	36-12-120	AMD	91-14-063	36-12-400	AMD	91-11-038
16-528-170	NEW	91-05-065	36-12-130	AMD-P	91-05-032	36-12-410	AMD-P	91-05-032
16-532-040	AMD-P	91-09-057	36-12-130	AMD	91-11-038	36-12-410	AMD	91-11-038
16-532-040	AMD-C	91-14-113	36-12-150	AMD-P	91-05-032	36-12-415	NEW-P	91-05-032
16-532-040	AMD	91-15-019	36-12-150	AMD	91-11-038	36-12-415	NEW	91-11-038
16-557-010	NEW-E	91-08-021	36-12-160	AMD-P	91-05-032	36-12-420	REP-P	91-05-032
16-557-010	NEW	91-09-003	36-12-160	AMD	91-11-038	36-12-420	REP	91-11-038
16-557-020	NEW-E	91-08-021	36-12-170	AMD-P	91-05-032	36-12-425	NEW-P	91-05-032
						36-12-425	NEW	91-11-038
						36-12-430	REP-P	91-05-032
						36-12-430	REP	91-11-038
						36-12-435	NEW-P	91-05-032
						36-12-435	NEW	91-11-038
						36-12-440	REP-P	91-05-032
						36-12-440	REP	91-11-038
						36-12-445	NEW-P	91-05-032
						36-12-445	NEW	91-11-038
						36-12-450	AMD-P	91-05-032
						36-12-450	AMD	91-11-038
						36-12-460	REP-P	91-05-032
						36-12-460	REP	91-11-038
						36-12-470	REP-P	91-05-032
						36-12-470	REP	91-11-038
						36-12-480	REP-P	91-05-032
						36-12-480	REP	91-11-038

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50-12-045	AMD	91-18-055	51-20-001	NEW-P	91-16-113	51-20-3109	NEW-P	91-16-113
50-20	AMD-P	91-18-079	51-20-002	NEW-P	91-16-113	51-20-3110	NEW-P	91-16-113
50-20-001	REP-P	91-18-079	51-20-003	NEW-P	91-16-113	51-20-3111	NEW-P	91-16-113
50-20-010	REP-P	91-18-079	51-20-004	NEW-P	91-16-113	51-20-3112	NEW-P	91-16-113
50-20-020	REP-P	91-18-079	51-20-005	NEW-P	91-16-113	51-20-3113	NEW-P	91-16-113
50-20-030	REP-P	91-18-079	51-20-007	NEW-P	91-16-113	51-20-3114	NEW-P	91-16-113
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50-20-070	REP-P	91-18-079	51-20-0300	NEW-P	91-16-113	51-20-3207	NEW-P	91-16-113
50-20-080	REP-P	91-18-079	51-20-0307	NEW-P	91-16-113	51-20-3300	NEW-P	91-16-113
50-20-090	REP-P	91-18-079	51-20-0400	NEW-P	91-16-113	51-20-3304	NEW-P	91-16-113
50-20-100	NEW-P	91-18-079	51-20-0404	NEW-P	91-16-113	51-20-3305	NEW-P	91-16-113
50-20-110	NEW-P	91-18-079	51-20-0407	NEW-P	91-16-113	51-20-3306	NEW-P	91-16-113
50-20-120	NEW-P	91-18-079	51-20-0409	NEW-P	91-16-113	51-20-3315	NEW-P	91-16-113
50-20-130	NEW-P	91-18-079	51-20-0414	NEW-P	91-16-113	51-20-3350	NEW-P	91-16-113
50-20-140	NEW-P	91-18-079	51-20-0417	NEW-P	91-16-113	51-20-3800	NEW-P	91-16-113
50-20-150	NEW-P	91-18-079	51-20-0419	NEW-P	91-16-113	51-20-3801	NEW-P	91-16-113
50-20-160	NEW-P	91-18-079	51-20-0420	NEW-P	91-16-113	51-20-3802	NEW-P	91-16-113
50-20-170	NEW-P	91-18-079	51-20-0500	NEW-P	91-16-113	51-20-3900	NEW-P	91-16-113
50-20-180	NEW-P	91-18-079	51-20-0503	NEW-P	91-16-113	51-20-3901	NEW-P	91-16-113
50-44-005	NEW-P	91-15-102	51-20-0504	NEW-P	91-16-113	51-20-3903	NEW-P	91-16-113
50-44-005	NEW	91-18-054	51-20-0514	NEW-P	91-16-113	51-20-5100	NEW-P	91-16-113
50-44-020	AMD-P	91-15-102	51-20-0515	NEW-P	91-16-113	51-20-5103	NEW-P	91-16-113
50-44-020	AMD	91-18-054	51-20-0516	NEW-P	91-16-113	51-20-5105	NEW-P	91-16-113
50-44-030	AMD-P	91-15-102	51-20-0551	NEW-P	91-16-113	51-20-5400	NEW-P	91-16-113
50-44-030	AMD	91-18-054	51-20-0554	NEW-P	91-16-113	51-20-5401	NEW-P	91-16-113
50-44-050	AMD-P	91-15-102	51-20-0555	NEW-P	91-16-113	51-20-91200	NEW-P	91-16-113
50-44-050	AMD	91-18-054	51-20-0600	NEW-P	91-16-113	51-20-91223	NEW-P	91-16-113
50-44-060	NEW-P	91-15-102	51-20-0605	NEW-P	91-16-113	51-20-91224	NEW-P	91-16-113
50-44-060	NEW	91-18-054	51-20-0610	NEW-P	91-16-113	51-20-91225	NEW-P	91-16-113
51-10	REP-P	91-16-110	51-20-0700	NEW-P	91-16-113	51-20-91226	NEW-P	91-16-113
51-11-0502	AMD-P	91-16-111	51-20-0702	NEW-P	91-16-113	51-20-91227	NEW-P	91-16-113
51-11-0503	AMD-P	91-16-111	51-20-0800	NEW-P	91-16-113	51-20-91228	NEW-P	91-16-113
51-11-0504	AMD-P	91-16-111	51-20-0801	NEW-P	91-16-113	51-20-91229	NEW-P	91-16-113
51-11-0505	AMD-P	91-16-111	51-20-0802	NEW-P	91-16-113	51-20-91230	NEW-P	91-16-113
51-11-0525	NEW-P	91-16-111	51-20-0900	NEW-P	91-16-113	51-20-91231	NEW-P	91-16-113
51-11-0526	NEW-P	91-16-111	51-20-0901	NEW-P	91-16-113	51-20-91232	NEW-P	91-16-113
51-11-0527	NEW-P	91-16-111	51-20-0902	NEW-P	91-16-113	51-20-91233	NEW-P	91-16-113
51-11-0528	NEW-P	91-16-111	51-20-1000	NEW-P	91-16-113	51-20-91234	NEW-P	91-16-113
51-11-0529	NEW-P	91-16-111	51-20-1011	NEW-P	91-16-113	51-20-93100	NEW-P	91-16-113
51-11-0530	NEW-P	91-16-111	51-20-1200	NEW-P	91-16-113	51-20-93115	NEW-P	91-16-113
51-11-0531	NEW-P	91-16-111	51-20-1201	NEW-P	91-16-113	51-20-93116	NEW-P	91-16-113
51-11-0532	NEW-P	91-16-111	51-20-1210	NEW-P	91-16-113	51-20-93117	NEW-P	91-16-113
51-11-0533	NEW-P	91-16-111	51-20-1215	NEW-P	91-16-113	51-20-93118	NEW-P	91-16-113
51-11-0534	NEW-P	91-16-111	51-20-1216	NEW-P	91-16-113	51-20-93119	NEW-P	91-16-113
51-11-0535	NEW-P	91-16-111	51-20-1223	NEW-P	91-16-113	51-20-93120	NEW-P	91-16-113
51-11-0536	NEW-P	91-16-111	51-20-1224	NEW-P	91-16-113	51-20-93121	NEW-P	91-16-113
51-11-0537	NEW-P	91-16-111	51-20-1225	NEW-P	91-16-113	51-21-001	NEW-P	91-16-113
51-11-0538	NEW-P	91-16-111	51-20-1226	NEW-P	91-16-113	51-21-002	NEW-P	91-16-113
51-11-0539	NEW-P	91-16-111	51-20-1227	NEW-P	91-16-113	51-21-003	NEW-P	91-16-113
51-11-0540	NEW-P	91-16-111	51-20-1228	NEW-P	91-16-113	51-21-007	NEW-P	91-16-113
51-11-0541	NEW-P	91-16-111	51-20-1229	NEW-P	91-16-113	51-21-008	NEW-P	91-16-113
51-11-0542	NEW-P	91-16-111	51-20-1230	NEW-P	91-16-113	51-21-31010	NEW-P	91-16-113
51-11-0600	NEW	91-06-065	51-20-1231	NEW-P	91-16-113	51-21-38030	NEW-P	91-16-113
51-11-0608	AMD-P	91-16-111	51-20-1232	NEW-P	91-16-113	51-21-38038	NEW-P	91-16-113
51-11-0625	NEW-P	91-16-111	51-20-1233	NEW-P	91-16-113	51-21-38039	NEW-P	91-16-113
51-11-0626	NEW-P	91-16-111	51-20-1234	NEW-P	91-16-113	51-22-001	NEW-P	91-16-114
51-11-0627	NEW-P	91-16-111	51-20-1251	NEW-P	91-16-113	51-22-002	NEW-P	91-16-114
51-11-0628	NEW-P	91-16-111	51-20-1800	NEW-P	91-16-113	51-22-003	NEW-P	91-16-114
51-11-0629	NEW-P	91-16-111	51-20-1807	NEW-P	91-16-113	51-22-004	NEW-P	91-16-114
51-11-0630	NEW-P	91-16-111	51-20-2300	NEW-P	91-16-113	51-22-005	NEW-P	91-16-114
51-11-0631	NEW-P	91-16-111	51-20-2312	NEW-P	91-16-113	51-22-007	NEW-P	91-16-114
51-11-1000	AMD-P	91-16-111	51-20-2700	NEW-P	91-16-113	51-22-008	NEW-P	91-16-114
51-13-502	AMD-P	91-07-047	51-20-2710	NEW-P	91-16-113	51-22-0400	NEW-P	91-16-114
51-13-502	AMD	91-12-045	51-20-3000	NEW-P	91-16-113	51-22-0423	NEW-P	91-16-114
51-16-010	REP-P	91-16-112	51-20-3007	NEW-P	91-16-113	51-22-0500	NEW-P	91-16-114
51-16-020	REP-P	91-16-112	51-20-3100	NEW-P	91-16-113	51-22-0504	NEW-P	91-16-114
51-16-030	REP-P	91-16-112	51-20-3101	NEW-P	91-16-113	51-22-0800	NEW-P	91-16-114
51-16-040	REP-P	91-16-112	51-20-3102	NEW-P	91-16-113	51-22-0807	NEW-P	91-16-114
51-16-050	REP-P	91-16-112	51-20-3103	NEW-P	91-16-113	51-22-1000	NEW-P	91-16-114
51-16-060	REP-P	91-16-112	51-20-3104	NEW-P	91-16-113	51-22-1002	NEW-P	91-16-114
51-16-070	REP-P	91-16-112	51-20-3105	NEW-P	91-16-113	51-22-1100	NEW-P	91-16-114
51-16-080	REP-P	91-16-112	51-20-3106	NEW-P	91-16-113	51-22-1104	NEW-P	91-16-114
51-16-100	REP-P	91-16-112	51-20-3107	NEW-P	91-16-113	51-22-1500	NEW-P	91-16-114

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51-22-1508	NEW-P	91-16-114	51-27-002	NEW-P	91-16-117
51-22-1900	NEW-P	91-16-114	51-27-003	NEW-P	91-16-117
51-22-1903	NEW-P	91-16-114	51-27-004	NEW-P	91-16-117
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51-24-04000	NEW-P	91-16-115	82-50-021	AMD-P	91-17-057
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51-24-09000	NEW-P	91-16-115	106-08-020	NEW-P	91-19-016
51-24-09105	NEW-P	91-16-115	106-08-030	NEW-P	91-19-016
51-24-09107	NEW-P	91-16-115	106-08-040	NEW-P	91-19-016
51-24-09110	NEW-P	91-16-115	106-08-050	NEW-P	91-19-016
51-24-09117	NEW-P	91-16-115	106-08-060	NEW-P	91-19-016
51-24-10000	NEW-P	91-16-115	106-08-070	NEW-P	91-19-016
51-24-10201	NEW-P	91-16-115	106-08-080	AMD-P	91-19-016
51-24-10507	NEW-P	91-16-115	106-08-100	AMD-P	91-19-016
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51-24-25107	NEW-P	91-16-115	106-20-100	NEW-P	91-19-016
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51-24-80000	NEW-P	91-16-115	106-120-023	AMD	91-04-054
51-24-80101	NEW-P	91-16-115	106-120-024	AMD	91-04-054
51-24-80103	NEW-P	91-16-115	106-120-026	AMD	91-04-054
51-24-80108	NEW-P	91-16-115	106-120-027	AMD	91-04-054
51-24-80109	NEW-P	91-16-115	106-120-028	AMD	91-04-054
51-24-80110	NEW-P	91-16-115	106-120-033	AMD	91-04-054
51-24-80111	NEW-P	91-16-115	106-120-131	AMD	91-04-054
51-24-80113	NEW-P	91-16-115	106-120-132	AMD	91-04-054
51-24-80114	NEW-P	91-16-115	106-120-143	AMD	91-04-054
51-24-80120	NEW-P	91-16-115	106-122-100	NEW-P	91-19-016
51-24-80202	NEW-P	91-16-115	106-276-230	NEW-P	91-19-016
51-24-80301	NEW-P	91-16-115	113-10-010	DECOD	91-05-095
51-24-80303	NEW-P	91-16-115	113-10-020	DECOD	91-05-095
51-24-80305	NEW-P	91-16-115	113-10-030	DECOD	91-05-095
51-24-80315	NEW-P	91-16-115	113-10-040	DECOD	91-05-095
51-24-80401	NEW-P	91-16-115	113-10-050	DECOD	91-05-095
51-24-80402	NEW-P	91-16-115	113-10-060	DECOD	91-05-095
51-24-99300	NEW-P	91-16-115	113-10-070	DECOD	91-05-095
51-24-99350	NEW-P	91-16-115	113-10-090	DECOD	91-05-095
51-24-99351	NEW-P	91-16-115	113-10-100	DECOD	91-05-095
51-24-99352	NEW-P	91-16-115	113-10-110	DECOD	91-05-095
51-24-99500	NEW-P	91-16-115	113-12-010	DECOD	91-05-095
51-24-99510	NEW-P	91-16-115	113-12-075	DECOD	91-05-095
51-25-001	NEW-P	91-16-115	113-12-080	DECOD	91-05-095
51-25-002	NEW-P	91-16-115	113-12-085	DECOD	91-05-095
51-25-003	NEW-P	91-16-115	113-12-087	DECOD	91-05-095
51-25-007	NEW-P	91-16-115	113-12-101	DECOD	91-05-095
51-25-008	NEW-P	91-16-115	113-12-101	REP-P	91-06-090
51-26-001	NEW-P	91-16-116	113-12-103	DECOD	91-05-095
51-26-002	NEW-P	91-16-116	113-12-104	DECOD	91-05-095
51-26-003	NEW-P	91-16-116	113-12-115	DECOD	91-05-095
51-26-004	NEW-P	91-16-116	113-12-120	DECOD	91-05-095
51-26-008	NEW-P	91-16-116	113-12-150	DECOD	91-05-095
51-26-0300	NEW-P	91-16-116	113-12-165	DECOD	91-05-095
51-26-0310	NEW-P	91-16-116	113-12-170	DECOD	91-05-095
51-26-0315	NEW-P	91-16-116	113-12-175	DECOD	91-05-095
51-26-0400	NEW-P	91-16-116	113-12-180	DECOD	91-05-095
51-26-0401	NEW-P	91-16-116	113-12-190	DECOD	91-05-095
51-26-0500	NEW-P	91-16-116	113-12-195	DECOD	91-05-095
51-26-0503	NEW-P	91-16-116	113-12-197	DECOD	91-05-095
51-26-1000	NEW-P	91-16-116	113-12-200	DECOD	91-05-095
51-26-1004	NEW-P	91-16-116	113-12-210	DECOD	91-05-095
51-26-1800	NEW-P	91-16-116	113-12-220	DECOD	91-05-095
51-26-1801	NEW-P	91-16-116	113-12-230	DECOD	91-05-095
51-26-1802	NEW-P	91-16-116	113-12-300	DECOD	91-05-095
51-26-1803	NEW-P	91-16-116	113-12-310	DECOD	91-05-095
51-26-1804	NEW-P	91-16-116	113-12-320	DECOD	91-05-095
51-26-1805	NEW-P	91-16-116	113-12-330	DECOD	91-05-095
51-26-2200	NEW-P	91-16-116	113-12-340	DECOD	91-05-095
51-26-2300	NEW-P	91-16-116	113-12-350	DECOD	91-05-095
51-26-2301	NEW-P	91-16-116	114-12-011	DECOD	91-05-026
51-27-001	NEW-P	91-16-117	114-12-021	DECOD	91-05-026
114-12-031	DECOD	91-05-026			
114-12-041	DECOD	91-05-026			
114-12-115	DECOD	91-05-026			
114-12-126	DECOD	91-05-026			
114-12-132	DECOD	91-05-026			
114-12-136	DECOD	91-05-031			
114-12-150	DECOD	91-05-026			
114-12-155	DECOD	91-05-026			
114-12-164	DECOD	91-05-026			
114-12-170	DECOD	91-05-026			
114-12-180	DECOD	91-05-026			
114-12-190	DECOD	91-05-026			
114-12-200	DECOD	91-05-026			
131-16-005	AMD-P	91-09-036			
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131-16-010	AMD-P	91-09-036			
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131-16-015	AMD-P	91-09-036			
131-16-015	AMD-E	91-12-030			
131-16-015	AMD	91-13-048			
131-16-020	REP-E	91-06-069			
131-16-020	REP-P	91-09-036			
131-16-020	REP-E	91-12-030			
131-16-020	REP	91-13-048			
131-16-021	NEW-E	91-06-069			
131-16-021	AMD-E	91-09-008			
131-16-021	NEW-P	91-09-036			
131-16-021	NEW-E	91-12-030			
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131-16-030	REP-P	91-09-036			
131-16-030	REP-E	91-12-030			
131-16-030	REP	91-13-048			
131-16-031	NEW-P	91-09-036			
131-16-031	NEW-E	91-12-030			
131-16-031	NEW	91-13-048			
131-16-040	AMD-P	91-09-036			
131-16-040	AMD-E	91-12-030			
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131-16-050	AMD-P	91-09-036			
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131-16-062	NEW	91-13-048			
131-16-065	AMD-P	91-09-036			
131-16-065	AMD-E	91-12-030			
131-16-065	AMD	91-13-048			
131-16-066	AMD-P	91-09-036			
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131-16-066	REP-P	91-09-036			
131-16-069	REP-E	91-12-030			
131-16-069	REP	91-13-048			
131-16-070	AMD-P	91-15-094			
131-16-080	AMD-P	91-15-094			
131-16-091	AMD-P	91-15-094			
131-16-092	AMD-P	91-15-094			
131-16-093	AMD-P	91-15-094			
131-16-094	AMD-P	91-15-094			
131-16-095	NEW-P	91-15-094			
131-16-500	AMD-E	91-13-001			
131-16-500	AMD-P	91-15-092			
131-28-026	AMD-P	91-15-093			

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132N-156-330	AMD-P	91-15-071	136-400-030	NEW-P	91-18-042	173-19-280	AMD-P	91-03-141
132N-156-400	AMD-P	91-15-071	136-400-030	NEW-E	91-18-045	173-19-280	AMD-W	91-11-088
132N-156-420	AMD-P	91-15-071	136-400-040	NEW-P	91-18-042	173-19-280	AMD-P	91-14-100
132N-156-430	AMD-P	91-15-071	136-400-040	NEW-E	91-18-045	173-19-3203	AMD	91-03-147
132N-156-440	AMD-P	91-15-071	136-400-050	NEW-P	91-18-042	173-19-3204	AMD-P	91-14-052
132N-156-450	AMD-P	91-15-071	136-400-050	NEW-E	91-18-045	173-19-3205	AMD	91-03-146
132N-156-460	AMD-P	91-15-071	136-400-060	NEW-P	91-18-042	173-19-3206	AMD-P	91-17-080
132N-156-500	AMD-P	91-15-071	136-400-060	NEW-E	91-18-045	173-19-3208	AMD	91-03-148
132N-156-530	AMD-P	91-15-071	136-400-070	NEW-P	91-18-042	173-19-3209	AMD	91-04-070
132N-156-550	AMD-P	91-15-071	136-400-070	NEW-E	91-18-045	173-19-3210	AMD	91-04-071
132N-156-560	AMD-P	91-15-071	136-400-080	NEW-P	91-18-042	173-19-350	AMD-P	91-03-143
132N-156-570	AMD-P	91-15-071	136-400-080	NEW-E	91-18-045	173-19-350	AMD	91-12-052
132N-156-580	NEW-P	91-15-071	136-400-090	NEW-P	91-18-042	173-19-360	AMD	91-04-072
132N-156-610	AMD-P	91-15-071	136-400-090	NEW-E	91-18-045	173-19-360	AMD-P	91-05-063
132N-156-620	AMD-P	91-15-071	136-400-100	NEW-P	91-18-042	173-19-360	AMD-C	91-06-094
132N-156-630	AMD-P	91-15-071	136-400-100	NEW-E	91-18-045	173-19-360	AMD	91-12-054
132N-156-640	AMD-P	91-15-071	136-400-110	NEW-P	91-18-042	173-19-420	AMD-P	91-14-051
132N-156-650	AMD-P	91-15-071	136-400-110	NEW-E	91-18-045	173-19-4205	AMD-P	91-04-079
132N-156-700	AMD-P	91-15-071	136-400-120	NEW-P	91-18-042	173-19-4205	AMD	91-09-055
132N-156-730	AMD-P	91-15-071	136-400-120	NEW-E	91-18-045	173-160-040	AMD-E	91-04-073
132N-156-740	AMD-P	91-15-071	136-400-130	NEW-P	91-18-042	173-160-040	AMD-P	91-12-039
132N-156-750	AMD-P	91-15-071	136-400-130	NEW-E	91-18-045	173-160-040	AMD-E	91-12-041
132N-156-760	AMD-P	91-15-071	137-12A-010	AMD	91-10-018	173-160-040	AMD-C	91-15-104
132N-168-010	REP-P	91-15-072	137-12A-020	AMD	91-10-018	173-160-040	AMD-C	91-19-109
132N-168-010	REP	91-19-018	137-12A-030	AMD	91-10-018	173-166	AMD-C	91-02-099
132N-168-020	REP-P	91-15-072	137-12A-050	AMD	91-10-018	173-166	AMD	91-03-081
132N-168-020	REP	91-19-018	137-12A-060	AMD	91-10-018	173-166-010	AMD	91-03-081
132Q-03-005	NEW-P	91-14-057	137-12A-070	AMD	91-10-018	173-166-020	AMD	91-03-081
132Q-03-005	NEW	91-17-075	137-12A-090	AMD	91-10-018	173-166-030	AMD	91-03-081
132Q-03-010	NEW-P	91-14-057	139-05-230	AMD-P	91-10-089	173-166-040	AMD	91-03-081
132Q-03-010	NEW	91-17-075	139-05-230	AMD	91-14-011	173-166-050	AMD	91-03-081
132Q-03-020	NEW-P	91-14-057	139-10-212	AMD-P	91-10-088	173-166-060	AMD	91-03-081
132Q-03-020	NEW	91-17-075	139-10-212	AMD	91-14-010	173-166-070	AMD	91-03-081
132Q-03-030	NEW-P	91-14-057	143-06-130	AMD-P	91-04-090	173-166-080	NEW	91-03-081
132Q-03-030	NEW	91-17-075	143-06-130	AMD	91-07-033	173-166-090	NEW	91-03-081
132Q-06-016	NEW-P	91-14-060	154-300-005	NEW-P	91-02-098	173-166-100	NEW	91-03-081
132Q-06-016	NEW	91-17-078	154-300-005	NEW	91-05-084	173-166-110	NEW	91-03-081
132Q-108-010	NEW-P	91-14-058	154-300-010	NEW-P	91-02-098	173-166-120	NEW	91-03-081
132Q-108-010	NEW	91-17-076	154-300-010	NEW	91-05-084	173-166-130	NEW	91-03-081
132Q-108-020	NEW-P	91-14-058	154-300-020	NEW-P	91-02-098	173-166-140	NEW	91-03-081
132Q-108-020	NEW	91-17-076	154-300-020	NEW	91-05-084	173-181-010	NEW-P	91-14-110
132Q-108-030	NEW-P	91-14-058	154-300-030	NEW-P	91-02-098	173-181-020	NEW-P	91-14-110
132Q-108-030	NEW	91-17-076	154-300-030	NEW	91-05-084	173-181-030	NEW-P	91-14-110
132Q-108-040	NEW-P	91-14-058	154-300-040	NEW-P	91-02-098	173-181-035	NEW-P	91-14-110
132Q-108-040	NEW	91-17-076	154-300-040	NEW	91-05-084	173-181-040	NEW-P	91-14-110
132Q-108-050	NEW-P	91-14-058	154-300-050	NEW-P	91-02-098	173-181-045	NEW-P	91-14-110
132Q-108-050	NEW	91-17-076	154-300-050	NEW	91-05-084	173-181-050	NEW-P	91-14-110
132Q-108-060	NEW-P	91-14-058	154-300-060	NEW-P	91-02-098	173-181-060	NEW-P	91-14-110
132Q-108-060	NEW	91-17-076	154-300-060	NEW	91-05-084	173-181-065	NEW-P	91-14-110
132Q-108-070	NEW-P	91-14-058	154-300-070	NEW-P	91-02-098	173-181-070	NEW-P	91-14-110
132Q-108-070	NEW	91-17-076	154-300-070	NEW	91-05-084	173-181-075	NEW-P	91-14-110
132Q-108-080	NEW-P	91-14-058	154-300-080	NEW-P	91-02-098	173-181-080	NEW-P	91-14-110
132Q-108-080	NEW	91-17-076	154-300-080	NEW	91-05-084	173-181-085	NEW-P	91-14-110
132Q-108-090	NEW-P	91-14-058	154-300-090	NEW-P	91-02-098	173-181-090	NEW-P	91-14-110
132Q-108-090	NEW	91-17-076	154-300-090	NEW	91-05-084	173-181-092	NEW-P	91-14-110
132Q-108-100	NEW-P	91-14-058	154-300-100	NEW-P	91-02-098	173-181-094	NEW-P	91-14-110
132Q-108-100	NEW	91-17-076	154-300-100	NEW	91-05-084	173-181-096	NEW-P	91-14-110
132Q-135-050	NEW-P	91-14-059	154-300-110	NEW-P	91-02-098	173-181-098	NEW-P	91-14-110
132Q-135-050	NEW	91-17-077	154-300-110	NEW	91-05-084	173-201-010	REP-P	91-09-056
132S-30-036	AMD-P	91-02-101	154-300-120	NEW-P	91-02-098	173-201-010	REP-W	91-10-048
132S-30-036	AMD	91-08-001	154-300-120	NEW	91-05-084	173-201-010	REP-P	91-11-089
132Y-100-066	NEW-P	91-12-016	173-16-064	NEW-P	91-04-069	173-201-025	REP-P	91-09-056
132Y-100-072	AMD-P	91-12-016	173-16-064	NEW-W	91-05-042	173-201-025	REP-W	91-10-048
132Y-100-104	AMD-P	91-12-016	173-16-064	NEW	91-10-033	173-201-025	REP-P	91-11-089
132Y-400-010	NEW	91-05-012	173-19-120	AMD-W	91-02-112	173-201-035	REP-P	91-09-056
132Y-400-020	NEW	91-05-012	173-19-120	AMD-P	91-14-054	173-201-035	REP-W	91-10-048
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132Y-400-040	NEW	91-05-012	173-19-220	AMD-P	91-09-054	173-201-045	REP-P	91-09-056
136-20-020	AMD-P	91-18-044	173-19-220	AMD	91-18-081	173-201-045	REP-W	91-10-048
136-20-030	AMD-P	91-18-044	173-19-2207	AMD-P	91-03-144	173-201-045	REP-P	91-11-089
136-20-040	AMD-P	91-18-044	173-19-2207	AMD	91-12-053	173-201-047	REP-P	91-09-056
136-20-060	AMD-P	91-18-044	173-19-230	AMD	91-03-145	173-201-047	REP-W	91-10-048
136-40-030	AMD-P	91-18-043	173-19-250	AMD	91-03-149	173-201-047	REP-P	91-11-089
136-400-010	NEW-P	91-18-042	173-19-2516	AMD-P	91-14-053	173-201-070	REP-P	91-09-056
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136-400-020	NEW-P	91-18-042	173-19-2601	AMD-P	91-17-082	173-201-070	REP-P	91-11-089
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173-201-085	REP-P	91-09-056	173-204-300	NEW	91-08-019	173-303-103	AMD	91-07-005
173-201-085	REP-W	91-10-048	173-204-310	NEW	91-08-019	173-303-110	AMD	91-07-005
173-201-085	REP-P	91-11-089	173-204-315	NEW	91-08-019	173-303-120	AMD	91-07-005
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173-201-110	REP-P	91-09-056	173-204-415	NEW	91-08-019	173-303-230	AMD	91-07-005
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173-201-110	REP-P	91-11-089	173-204-500	NEW	91-08-019	173-303-360	AMD	91-07-005
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173-202-020	AMD-E	91-17-006	173-204-540	NEW	91-08-019	173-303-500	AMD	91-07-005
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173-203-010	NEW-W	91-10-048	173-204-560	NEW	91-08-019	173-303-515	RE-AD	91-07-005
173-203-010	NEW-P	91-11-089	173-204-570	NEW	91-08-019	173-303-520	RE-AD	91-07-005
173-203-020	NEW-P	91-09-056	173-204-580	NEW	91-08-019	173-303-525	AMD	91-07-005
173-203-020	NEW-W	91-10-048	173-204-590	NEW	91-08-019	173-303-550	AMD	91-07-005
173-203-020	NEW-P	91-11-089	173-204-600	NEW	91-08-019	173-303-560	RE-AD	91-07-005
173-203-030	NEW-P	91-09-056	173-204-610	NEW	91-08-019	173-303-600	AMD	91-07-005
173-203-030	NEW-W	91-10-048	173-204-620	NEW	91-08-019	173-303-610	AMD	91-07-005
173-203-030	NEW-P	91-11-089	173-224	PREP	91-15-106	173-303-620	AMD	91-07-005
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173-203-040	NEW-W	91-10-048	173-224-015	AMD-W	91-11-047	173-303-645	AMD	91-07-005
173-203-040	NEW-P	91-11-089	173-224-015	AMD-P	91-19-083	173-303-650	RE-AD	91-07-005
173-203-050	NEW-P	91-09-056	173-224-020	AMD-P	91-19-083	173-303-680	NEW	91-07-005
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173-203-060	NEW-P	91-09-056	173-224-030	AMD-P	91-19-083	173-303-805	AMD	91-07-005
173-203-060	NEW-W	91-10-048	173-224-040	AMD-P	91-03-080	173-303-806	AMD	91-07-005
173-203-060	NEW-P	91-11-089	173-224-040	AMD-W	91-11-047	173-303-807	AMD	91-07-005
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173-203-110	NEW-P	91-11-089	173-270-030	NEW-P	91-04-091	173-305-020	REP-E	91-03-139
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173-203-120	NEW-P	91-11-089	173-270-040	NEW	91-11-091	173-305-030	REP-E	91-03-139
173-203-130	NEW-P	91-09-056	173-270-050	NEW-P	91-04-091	173-305-030	AMD	91-08-040
173-203-130	NEW-W	91-10-048	173-270-050	NEW	91-11-091	173-305-03001	NEW-E	91-03-139
173-203-130	NEW-P	91-11-089	173-270-060	NEW-P	91-04-091	173-305-040	REP-E	91-03-139
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173-203-150	NEW-P	91-09-056	173-270-080	NEW-P	91-04-091	173-305-050	AMD	91-08-040
173-203-150	NEW-W	91-10-048	173-270-080	NEW	91-11-091	173-305-05001	NEW-E	91-03-139
173-203-150	NEW-P	91-11-089	173-270-090	NEW-P	91-04-091	173-305-060	REP-E	91-03-139
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173-203-160	NEW-W	91-10-048	173-270-100	NEW-P	91-04-091	173-305-070	REP-E	91-03-139
173-203-160	NEW-P	91-11-089	173-270-100	NEW	91-11-091	173-305-07001	NEW-E	91-03-139
173-203-170	NEW-P	91-09-056	173-300-070	AMD-P	91-09-053	173-305-080	REP-E	91-03-139
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173-331-220	NEW	91-05-020	173-400-200	NEW	91-05-064	173-460-030	NEW	91-13-079
173-331-300	NEW	91-05-020	173-400-205	NEW	91-05-064	173-460-040	NEW	91-13-079
173-331-400	NEW	91-05-020	173-400-210	NEW	91-05-064	173-460-050	NEW	91-13-079
173-331-410	NEW	91-05-020	173-400-220	NEW	91-05-064	173-460-060	NEW	91-13-079
173-331-500	NEW	91-05-020	173-400-230	NEW	91-05-064	173-460-070	NEW	91-13-079
173-331-600	NEW	91-05-020	173-400-240	NEW	91-05-064	173-460-080	NEW	91-13-079
173-340-120	AMD	91-04-019	173-400-250	NEW	91-05-064	173-460-090	NEW	91-13-079
173-340-200	AMD	91-04-019	173-400-260	NEW	91-05-064	173-460-100	NEW	91-13-079
173-340-210	AMD	91-04-019	173-403-010	REP	91-05-064	173-460-110	NEW	91-13-079
173-340-300	AMD	91-04-019	173-403-020	REP	91-05-064	173-460-120	NEW	91-13-079
173-340-350	AMD	91-04-019	173-403-030	REP	91-05-064	173-460-130	NEW	91-13-079
173-340-360	AMD	91-04-019	173-403-050	REP	91-05-064	173-460-140	NEW	91-13-079
173-340-420	AMD	91-04-019	173-403-060	REP	91-05-064	173-460-150	NEW	91-13-079
173-340-430	AMD	91-04-019	173-403-070	REP	91-05-064	173-460-160	NEW	91-13-079
173-340-440	NEW	91-04-019	173-403-075	REP	91-05-064	173-490-010	AMD	91-05-064
173-340-450	NEW	91-04-019	173-403-080	REP	91-05-064	173-490-020	AMD	91-05-064
173-340-700	AMD	91-04-019	173-403-090	REP	91-05-064	173-490-025	AMD	91-05-064
173-340-702	NEW	91-04-019	173-403-100	REP	91-05-064	173-490-030	AMD	91-05-064
173-340-704	NEW	91-04-019	173-403-110	REP	91-05-064	173-490-040	AMD	91-05-064
173-340-705	NEW	91-04-019	173-403-120	REP	91-05-064	173-490-070	REP	91-05-064
173-340-706	NEW	91-04-019	173-403-130	REP	91-05-064	173-490-071	REP	91-05-064
173-340-707	NEW	91-04-019	173-403-141	REP	91-05-064	173-490-080	AMD	91-05-064
173-340-708	NEW	91-04-019	173-403-145	REP	91-05-064	173-490-090	AMD	91-05-064
173-340-710	NEW	91-04-019	173-403-150	REP	91-05-064	173-490-120	REP	91-05-064
173-340-720	NEW	91-04-019	173-403-160	REP	91-05-064	173-490-130	REP	91-05-064
173-340-730	NEW	91-04-019	173-403-170	REP	91-05-064	173-490-135	REP	91-05-064
173-340-740	NEW	91-04-019	173-403-180	REP	91-05-064	173-490-140	REP	91-05-064
173-340-745	NEW	91-04-019	173-403-190	REP	91-05-064	173-490-150	REP	91-05-064
173-340-750	NEW	91-04-019	173-405-012	AMD	91-05-064	173-490-200	AMD	91-05-064
173-340-760	NEW	91-04-019	173-405-021	AMD	91-05-064	173-490-201	AMD	91-05-064
173-340-830	AMD	91-04-019	173-405-033	AMD	91-05-064	173-490-202	AMD	91-05-064
173-360-110	AMD-P	91-17-079	173-405-035	AMD	91-05-064	173-490-203	AMD	91-05-064
173-360-120	AMD-P	91-17-079	173-405-040	AMD	91-05-064	173-490-204	AMD	91-05-064
173-360-130	AMD-P	91-17-079	173-405-041	REP	91-05-064	173-490-205	AMD	91-05-064
173-360-200	AMD-P	91-17-079	173-405-045	AMD	91-05-064	173-490-207	AMD	91-05-064
173-360-220	NEW-W	91-04-022	173-405-061	AMD	91-05-064	173-490-208	AMD	91-05-064
173-360-230	NEW-W	91-04-022	173-405-072	AMD	91-05-064	173-491-010	NEW-P	91-02-107
173-360-305	AMD-P	91-17-079	173-405-077	AMD	91-05-064	173-491-010	NEW	91-14-101
173-360-310	AMD-P	91-17-079	173-405-078	AMD	91-05-064	173-491-015	NEW-P	91-02-107
173-360-330	AMD-P	91-17-079	173-405-086	AMD	91-05-064	173-491-015	NEW	91-14-101
173-360-345	AMD-P	91-17-079	173-405-087	AMD	91-05-064	173-491-020	NEW-P	91-02-107

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173-491-030	NEW	91-14-101	182-12-210	REP-P	91-04-086	192-32-015	NEW-E	91-14-116
173-491-040	NEW-P	91-02-107	182-12-210	REP	91-11-010	192-32-025	NEW-P	91-14-115
173-491-040	NEW	91-14-101	182-12-215	NEW-P	91-04-086	192-32-025	NEW-E	91-14-116
173-491-050	NEW-P	91-02-107	182-12-215	NEW	91-11-010	192-32-035	NEW-P	91-14-115
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173-500-080	NEW-E	91-04-080	182-16-010	NEW	91-14-025	192-32-040	NEW-P	91-14-115
173-500-080	NEW-P	91-12-038	182-16-020	NEW-P	91-04-087	192-32-040	NEW-E	91-14-116
173-500-080	NEW-E	91-12-042	182-16-020	NEW	91-14-025	192-32-045	NEW-P	91-14-115
173-500-080	NEW	91-18-011	182-16-030	NEW-P	91-04-087	192-32-045	NEW-E	91-14-116
173-548-050	AMD-E	91-04-073	182-16-030	NEW	91-14-025	192-32-050	NEW-P	91-14-115
173-548-050	AMD-P	91-12-039	182-16-040	NEW-P	91-04-087	192-32-050	NEW-E	91-14-116
173-548-050	AMD-E	91-12-041	182-16-040	NEW	91-14-025	192-32-055	NEW-P	91-14-115
173-548-050	AMD-C	91-15-104	182-16-050	NEW-P	91-04-087	192-32-055	NEW-E	91-14-116
173-548-050	AMD-C	91-19-109	182-16-050	NEW	91-14-025	192-32-065	NEW-P	91-14-115
178-01-010	NEW-E	91-18-003	182-18-005	NEW-P	91-05-079	192-32-065	NEW-E	91-14-116
180-25-025	AMD-P	91-08-070	182-18-005	NEW	91-17-043	192-32-075	NEW-P	91-14-115
180-25-025	AMD	91-12-058	182-18-010	NEW-P	91-05-079	192-32-075	NEW-E	91-14-116
180-26-020	AMD-P	91-08-071	182-18-010	NEW	91-17-043	192-32-085	NEW-P	91-14-115
180-26-020	AMD	91-12-057	182-18-020	NEW-P	91-05-079	192-32-085	NEW-E	91-14-116
180-26-057	AMD-E	91-15-030	182-18-020	NEW	91-17-043	192-32-095	NEW-P	91-14-115
180-26-057	AMD-P	91-17-073	182-18-030	NEW-P	91-05-079	192-32-095	NEW-E	91-14-116
180-26-058	NEW-E	91-15-030	182-18-030	NEW	91-17-043	192-32-105	NEW-P	91-14-115
180-26-058	NEW-P	91-17-073	182-18-040	NEW-P	91-05-079	192-32-105	NEW-E	91-14-116
180-26-060	AMD-P	91-08-067	182-18-040	NEW	91-17-043	192-32-115	NEW-P	91-14-115
180-26-060	AMD	91-12-055	182-18-050	NEW-P	91-05-079	192-32-115	NEW-E	91-14-116
180-27-018	AMD-P	91-08-068	182-18-050	NEW	91-17-043	196-24-060	AMD-P	91-07-064
180-27-018	AMD	91-12-059	182-18-060	NEW-P	91-05-079	196-24-060	AMD	91-11-075
180-27-032	NEW-P	91-08-069	182-18-060	NEW	91-17-043	196-24-095	AMD-P	91-05-078
180-27-032	NEW	91-12-056	182-18-070	NEW-P	91-05-079	196-24-095	AMD-C	91-06-018
180-27-058	AMD-P	91-08-068	182-18-070	NEW	91-17-043	196-24-095	AMD	91-11-099
180-27-058	AMD	91-12-059	182-18-080	NEW-P	91-05-079	196-24-097	NEW-P	91-05-078
180-27-115	AMD-P	91-08-068	182-18-080	NEW	91-17-043	196-24-097	NEW-C	91-06-018
180-27-115	AMD	91-12-059	182-18-090	NEW-P	91-05-079	196-24-097	NEW-W	91-11-098
180-29-107	AMD-P	91-08-067	182-18-090	NEW	91-17-043	196-24-098	PREP	91-05-041
180-29-107	AMD	91-12-055	182-18-100	NEW-P	91-05-079	196-26-020	AMD-P	91-07-065
180-29-1075	AMD-E	91-15-030	182-18-100	NEW	91-17-043	196-26-020	AMD	91-10-046
180-29-1075	AMD-P	91-17-073	182-18-110	NEW-P	91-05-079	196-26-020	AMD-P	91-19-091
180-29-1076	NEW-E	91-15-030	182-18-110	NEW	91-17-043	196-26-030	AMD-P	91-07-065
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180-29-116	NEW-E	91-15-030	182-18-130	NEW	91-17-043	204-24-050	AMD-P	91-10-053
180-29-116	NEW-P	91-17-073	182-18-140	NEW-P	91-05-079	204-24-050	AMD	91-14-004
180-33-013	NEW-P	91-08-070	182-18-140	NEW	91-17-043	204-53-010	NEW	91-05-019
180-33-013	NEW	91-12-058	182-18-150	NEW-P	91-05-079	204-88-030	AMD-P	91-10-015
180-33-015	AMD-P	91-08-070	182-18-150	NEW	91-17-043	204-88-030	AMD	91-14-003
180-33-015	AMD	91-12-058	182-18-160	NEW-P	91-05-079	212-12-010	AMD-W	91-05-043
180-33-020	AMD-P	91-08-070	182-18-160	NEW	91-17-043	212-54-001	REP-P	91-06-020
180-33-020	AMD	91-12-058	192-12	AMD-C	91-16-029	212-54-001	REP-E	91-06-021
180-33-023	NEW-P	91-08-070	192-12-300	AMD-E	91-03-054	212-54-001	REP	91-11-001
180-33-023	NEW	91-12-058	192-12-300	AMD-P	91-11-051	212-54-005	REP-P	91-06-020
180-33-035	AMD-P	91-08-070	192-12-300	AMD-E	91-11-052	212-54-005	REP-E	91-06-021
180-33-035	AMD	91-12-058	192-12-300	AMD	91-19-007	212-54-005	REP	91-11-001
180-44-050	AMD-P	91-05-068	192-12-305	REP-E	91-03-054	212-54-010	REP-P	91-06-020
180-44-050	AMD	91-08-055	192-12-305	AMD-P	91-11-051	212-54-010	REP-E	91-06-021
180-51-085	AMD	91-11-018	192-12-305	AMD-E	91-11-052	212-54-010	REP	91-11-001
180-55-005	AMD	91-04-015	192-12-305	AMD	91-19-007	212-54-015	REP-P	91-06-020
180-55-015	AMD	91-04-015	192-12-310	REP-E	91-03-054	212-54-015	REP-E	91-06-021
180-79-003	AMD	91-04-016	192-12-310	AMD-P	91-11-051	212-54-015	REP	91-11-001
180-79-080	AMD	91-04-016	192-12-310	AMD	91-19-007	212-54-020	REP-P	91-06-020
180-79-230	AMD	91-05-056	192-12-320	AMD-E	91-03-054	212-54-020	REP-E	91-06-021
180-79-236	NEW	91-05-056	192-12-320	AMD-P	91-11-051	212-54-020	REP	91-11-001
180-79-241	NEW	91-05-056	192-12-320	AMD-E	91-11-052	212-54-025	REP-P	91-06-020
180-85-005	AMD	91-04-016	192-12-320	AMD	91-19-007	212-54-025	REP-E	91-06-021
180-85-045	AMD	91-04-016	192-12-330	AMD-E	91-03-054	212-54-025	REP	91-11-001
180-86-100	AMD-P	91-05-024	192-12-330	AMD-P	91-11-051	212-54-030	REP-P	91-06-020
180-86-100	AMD	91-08-056	192-12-330	AMD-E	91-11-052	212-54-030	REP-E	91-06-021
182-08-111	REP-P	91-11-093	192-12-330	AMD	91-19-007	212-54-030	REP	91-11-001
182-08-111	REP-P	91-11-094	192-12-370	NEW-E	91-03-054	212-54-035	REP-P	91-06-020
182-08-220	AMD-P	91-11-093	192-12-370	NEW-P	91-11-051	212-54-035	REP-E	91-06-021
182-12-111	AMD-E	91-19-042	192-12-370	NEW-E	91-11-052	212-54-035	REP	91-11-001
182-12-115	AMD-P	91-11-096	192-12-380	NEW-P	91-18-071	212-54-040	REP-P	91-06-020
182-12-115	AMD	91-14-084	192-32-001	NEW-P	91-14-115	212-54-040	REP-E	91-06-021
182-12-127	REP-P	91-04-086	192-32-001	NEW-E	91-14-116	212-54-040	REP	91-11-001
182-12-127	REP	91-11-010	192-32-010	NEW-P	91-14-115	212-54-045	REP-P	91-06-020

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212-80-085	NEW	91-14-086	220-32-05700F	REP-E	91-10-058	220-48-029	AMD-P	91-09-064
212-80-090	NEW-P	91-10-083	220-32-05700G	NEW-E	91-08-065	220-48-029	AMD	91-13-051
212-80-090	NEW-E	91-10-084	220-32-05700G	REP-E	91-11-013	220-48-03200A	NEW-E	91-18-073
212-80-090	NEW	91-14-086	220-32-05700H	NEW-E	91-11-013	220-49-02300A	NEW-E	91-10-014
212-80-095	NEW-P	91-10-083	220-33-01000V	NEW-E	91-05-005	220-49-056	AMD-P	91-09-064
212-80-095	NEW-E	91-10-084	220-33-01000V	REP-E	91-05-036	220-49-056	AMD	91-12-051
212-80-095	NEW	91-14-086	220-33-01000W	NEW-E	91-05-036	220-49-063	AMD-P	91-02-108
212-80-100	NEW-P	91-10-083	220-33-01000X	NEW-E	91-17-056	220-49-063	AMD	91-05-016
212-80-100	NEW-E	91-10-084	220-33-01000X	REP-E	91-18-039	220-52-020	AMD-P	91-05-102
212-80-100	NEW	91-14-086	220-33-01000Y	NEW-E	91-19-023	220-52-020	AMD	91-10-024
212-80-105	NEW-P	91-10-083	220-33-01000Y	REP-E	91-19-072	220-52-030	AMD-P	91-05-102
212-80-105	NEW-E	91-10-084	220-33-01000Z	NEW-E	91-19-072	220-52-030	AMD	91-10-024
212-80-105	NEW	91-14-086	220-33-01000C	NEW-E	91-11-100	220-52-03000G	NEW-E	91-08-024
212-80-110	NEW-P	91-10-083	220-40-02700A	NEW-E	91-17-055	220-52-040	AMD-P	91-05-102
212-80-110	NEW-E	91-10-084	220-40-02700A	REP-E	91-19-047	220-52-040	AMD	91-10-024
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212-80-115	NEW-P	91-10-083	220-40-030	AMD-P	91-03-153	220-52-046	AMD	91-10-024
212-80-115	NEW-E	91-10-084	220-40-030	AMD	91-08-054	220-52-051	AMD-P	91-11-111
212-80-115	NEW	91-14-086	220-40-031	AMD-P	91-03-153	220-52-051	AMD-C	91-15-031
212-80-120	NEW-P	91-10-083	220-40-031	AMD	91-08-054	220-52-051	AMD	91-18-030
212-80-120	NEW-E	91-10-084	220-44-030	AMD-W	91-11-027	220-52-05100G	NEW-E	91-10-094
212-80-120	NEW	91-14-086	220-44-030	NEW-E	91-19-006	220-52-05100H	NEW-E	91-11-044
212-80-125	NEW-P	91-10-083	220-44-040	AMD-P	91-03-152	220-52-05100H	REP-E	91-15-096
212-80-125	NEW-E	91-10-084	220-44-050	AMD	91-07-050	220-52-05100I	NEW-E	91-15-096
212-80-125	NEW-W	91-14-085	220-44-050	AMD-W	91-11-027	220-52-060	AMD-P	91-05-102
212-80-130	NEW-P	91-10-083	220-44-05000I	REP-E	91-08-023	220-52-060	AMD	91-10-024
212-80-130	NEW-E	91-10-084	220-44-05000J	NEW-E	91-08-023	220-52-069	AMD-P	91-05-102
212-80-130	NEW	91-14-086	220-44-05000K	REP-E	91-10-012	220-52-069	AMD	91-10-024
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212-80-135	NEW-E	91-10-084	220-44-05000L	REP-E	91-11-077	220-52-071	AMD	91-10-024
212-80-135	NEW	91-14-086	220-44-05000L	NEW-E	91-11-077	220-52-071	AMD-P	91-11-111
220-12-020	AMD-P	91-05-102	220-44-05000M	REP-E	91-14-026	220-52-071	AMD-C	91-15-031
220-12-020	AMD	91-10-024	220-44-05000M	NEW-E	91-14-026	220-52-071	AMD	91-18-030
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220-24-02000F	REP-E	91-17-017	220-47-700	REP-E	91-16-027	220-55-075	AMD-P	91-03-153
220-24-02000G	NEW-E	91-17-017	220-47-701	NEW-E	91-16-027	220-55-075	AMD	91-08-054
220-24-02000G	REP-E	91-17-090	220-47-701	REP-E	91-16-069	220-55-080	AMD-P	91-03-153
220-24-02000H	NEW-E	91-17-090	220-47-702	NEW-E	91-16-069	220-55-080	AMD	91-08-054
220-24-02000H	REP-E	91-18-032	220-47-702	REP-E	91-17-007	220-55-086	AMD-P	91-03-153
220-24-02000I	NEW-E	91-18-032	220-47-703	NEW-E	91-17-007	220-55-086	AMD	91-08-054
220-24-02000I	REP-E	91-18-082	220-47-703	REP-E	91-17-039	220-55-125	AMD-P	91-03-153
220-24-02000J	NEW-E	91-18-082	220-47-704	NEW-E	91-17-039	220-55-125	AMD	91-08-054
220-24-02000J	REP-E	91-19-048	220-47-704	REP-E	91-18-010	220-56-100	AMD-P	91-03-153
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220-57-205	AMD-C	91-12-008	220-57-490	AMD-C	91-12-008	230-04-124	AMD-P	91-15-039
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230-04-320	AMD-E	91-17-049	230-30-080	AMD	91-05-047	232-28-61729	REP-P	91-12-049
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230-08-010	AMD	91-13-070	230-30-102	AMD-P	91-17-048	232-28-61802	REP-P	91-12-049
230-08-017	AMD-P	91-17-048	230-30-103	AMD-P	91-17-048	232-28-61803	REP-P	91-12-049
230-08-017	AMD-E	91-17-049	230-30-200	AMD-W	91-09-045	232-28-61804	REP-P	91-12-049
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230-08-060	AMD-E	91-15-041	230-40-125	AMD-C	91-03-049	232-28-61807	REP-P	91-12-049
230-08-060	AMD	91-19-093	230-40-125	AMD	91-05-047	232-28-61808	REP-P	91-12-049
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230-08-095	AMD-P	91-10-006	230-50-030	AMD	91-03-063	232-28-61812	REP-P	91-12-049
230-08-095	AMD	91-13-070	232-12-001	AMD-P	91-12-048	232-28-61813	REP-P	91-12-049
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230-08-180	AMD-E	91-15-041	232-12-004	AMD	91-11-006	232-28-61817	REP-P	91-12-049
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230-20-680	NEW	91-19-093	232-28-227	NEW	91-11-008	236-48-081	AMD	91-09-035
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236-54-030	REP-P	91-17-053	246-205-030	NEW	91-04-007	246-222-040	AMD-P	91-11-081
236-54-040	REP-P	91-17-053	246-205-040	NEW	91-04-007	246-222-040	AMD	91-15-112
236-54-050	REP-P	91-17-053	246-205-050	NEW	91-04-007	246-222-050	AMD-P	91-11-081
236-54-060	REP-P	91-17-053	246-205-060	NEW	91-04-007	246-222-050	AMD	91-15-112
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236-54-080	REP-P	91-17-053	246-205-080	NEW	91-04-007	246-222-060	AMD	91-15-112
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236-54-990	REP-P	91-17-053	246-220-010	AMD-P	91-11-081	246-224-020	AMD	91-15-083
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246-338-110	AMD-P	91-17-083	246-806-130	RECOD	91-05-026	246-824-050	AMD-P	91-05-087
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246-430-030	NEW-P	91-15-005	246-807-040	RECOD	91-05-095	246-826-990	AMD-P	91-08-078
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246-828-180	RECOD	91-11-031	246-839-010	RECOD	91-07-049	246-839-740	AMD-P	91-19-019
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246-828-190	RECOD	91-11-031	246-839-020	RECOD	91-07-049	246-839-760	RECOD	91-07-049
246-828-200	RECOD-P	91-07-058	246-839-020	AMD-P	91-19-019	246-839-760	AMD-P	91-19-019
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246-828-220	RECOD-P	91-07-058	246-839-050	RECOD	91-07-049	246-839-810	RECOD	91-07-049
246-828-220	RECOD	91-11-031	246-839-060	RECOD	91-07-049	246-839-820	RECOD	91-07-049
246-828-230	RECOD-P	91-07-058	246-839-060	AMD-P	91-19-019	246-839-830	RECOD	91-07-049
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246-828-250	RECOD	91-11-031	246-839-090	AMD-P	91-19-019	246-839-850	AMD-P	91-19-019
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246-828-260	RECOD	91-11-031	246-839-100	AMD-P	91-19-019	246-839-870	NEW	91-07-067
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246-828-270	RECOD	91-11-031	246-839-105	NEW-P	91-15-004	246-839-890	NEW	91-07-067
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246-828-300	RECOD	91-11-031	246-839-130	RECOD	91-07-049	246-841-410	RECOD	91-07-049
246-828-310	RECOD-P	91-07-058	246-839-300	RECOD	91-07-049	246-841-410	AMD-P	91-19-019
246-828-310	RECOD	91-11-031	246-839-310	RECOD	91-07-049	246-841-420	RECOD	91-07-049
246-828-320	RECOD-P	91-07-058	246-839-310	AMD-P	91-19-019	246-841-430	RECOD	91-07-049
246-828-320	RECOD	91-11-031	246-839-320	RECOD	91-07-049	246-841-430	AMD-P	91-19-019
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246-828-340	RECOD-P	91-07-058	246-839-330	AMD-P	91-19-019	246-841-450	RECOD	91-07-049
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246-838-060	AMD	91-13-023	246-839-505	RECOD	91-07-049	246-842-160	RECOD	91-07-049
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246-838-090	AMD	91-13-023	246-839-530	RECOD	91-07-049	246-842-190	RECOD	91-07-049
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263-12-070	AMD	91-13-038	275-26-055	AMD-P	91-10-035	275-36-050	REP	91-17-005
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263-12-080	AMD	91-13-038	275-26-065	AMD-P	91-10-035	275-36-065	REP	91-17-005
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296-22-195	AMD 91-07-008	296-23-20102	AMD 91-17-038	296-24-20700	AMD-P 91-17-068
296-22-200	AMD 91-07-008	296-23-204	AMD 91-07-008	296-24-19505	AMD 91-03-044
296-22-205	AMD-W 91-02-114	296-23-208	AMD 91-07-008	296-24-19509	AMD 91-03-044
296-22-205	AMD 91-07-008	296-23-212	AMD 91-07-008	296-24-200	AMD 91-03-044
296-22-210	AMD 91-07-008	296-23-216	AMD 91-07-008	296-24-23007	AMD-P 91-17-068
296-22-215	AMD 91-07-008	296-23-221	AMD 91-07-008	296-24-23023	AMD 91-03-044
296-22-220	AMD 91-07-008	296-23-224	AMD 91-07-008	296-24-23027	AMD 91-03-044
296-22-225	AMD 91-07-008	296-23-228	AMD 91-07-008	296-24-233	AMD-C 91-03-043
296-22-230	AMD 91-07-008	296-23-231	AMD 91-07-008	296-24-233	AMD-W 91-09-004
296-22-235	AMD 91-07-008	296-23-232	AMD 91-07-008	296-24-23303	NEW-C 91-03-043
296-22-245	AMD 91-07-008	296-23-50002	AMD 91-07-008	296-24-23303	NEW-W 91-09-004
296-22-250	AMD 91-07-008	296-23-725	AMD-P 91-12-060	296-24-23313	AMD-P 91-17-068
296-22-255	AMD 91-07-008	296-23-725	AMD 91-17-038	296-24-23533	NEW 91-03-044
296-22-260	AMD 91-07-008	296-23-980	AMD-P 91-12-060	296-24-24019	AMD-P 91-17-068
296-22-265	AMD 91-07-008	296-23-980	AMD 91-17-038	296-24-24519	AMD-P 91-17-068
296-22-270	AMD 91-07-008	296-23A-205	AMD-P 91-12-060	296-24-31503	AMD-P 91-17-068
296-22-275	AMD 91-07-008	296-23A-205	AMD-W 91-14-098	296-24-31505	AMD-P 91-17-068
296-22-280	AMD 91-07-008	296-23A-205	AMD 91-17-038	296-24-32003	AMD-P 91-17-068
296-22-285	AMD 91-07-008	296-23A-240	AMD 91-07-008	296-24-33009	AMD-P 91-17-068
296-22-290	AMD 91-07-008	296-23A-242	AMD 91-07-008	296-24-33011	AMD-P 91-17-068
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296-22-305	AMD 91-07-008	296-23A-248	AMD 91-07-008	296-24-33017	AMD-P 91-17-068
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296-24-47505	AMD-P	91-17-068	296-62-14515	AMD-P	91-17-068	
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296-115-060	AMD	91-03-044	296-155-500	AMD-P	91-17-068	308-17-020	NEW-P	91-19-085
296-115-070	AMD	91-03-044	296-155-505	AMD	91-03-044	308-17-030	NEW-P	91-19-085
296-115-100	AMD	91-03-044	296-155-505	AMD-P	91-17-068	308-17-100	NEW-P	91-19-085
296-116-185	AMD-P	91-03-075	296-155-50501	REP	91-03-044	308-17-105	NEW-P	91-19-085
296-116-185	AMD-E	91-08-004	296-155-50503	AMD	91-03-044	308-17-110	NEW-P	91-19-085
296-116-185	AMD	91-08-008	296-155-50505	AMD-P	91-17-068	308-17-120	NEW-P	91-19-085
296-116-300	AMD-P	91-08-003	296-155-510	AMD-P	91-17-068	308-17-130	NEW-P	91-19-085
296-116-300	AMD	91-11-074	296-155-525	AMD	91-03-044	308-17-140	NEW-P	91-19-085
296-116-315	NEW	91-06-033	296-155-530	AMD	91-03-044	308-17-150	NEW-P	91-19-085
296-127	AMD-C	91-03-113	296-155-59904	AMD-P	91-17-068	308-17-160	NEW-P	91-19-085
296-127-010	AMD-W	91-10-092	296-155-620	AMD	91-03-044	308-17-165	NEW-P	91-19-085
296-127-010	AMD-P	91-14-104	296-155-625	AMD	91-03-044	308-17-170	NEW-P	91-19-085
296-127-011	AMD-W	91-10-092	296-155-650	AMD	91-03-044	308-17-200	NEW-P	91-19-085
296-127-011	AMD-P	91-14-104	296-155-655	AMD	91-03-044	308-17-205	NEW-P	91-19-085
296-127-013	AMD-W	91-10-092	296-155-65505	REP	91-03-044	308-17-210	NEW-P	91-19-085
296-127-013	AMD-P	91-14-104	296-155-657	NEW	91-03-044	308-17-220	NEW-P	91-19-085
296-127-014	AMD-W	91-10-092	296-155-660	REP	91-03-044	308-17-230	NEW-P	91-19-085
296-127-014	AMD-P	91-14-104	296-155-66005	REP	91-03-044	308-17-240	NEW-P	91-19-085
296-127-015	AMD-W	91-10-092	296-155-66103	NEW	91-03-044	308-17-300	NEW-P	91-19-085

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
308-17-310	NEW-P	91-19-085	308-31-220	DECOD	91-03-095	308-50-240	DECOD	91-11-031
308-17-320	NEW-P	91-19-085	308-31-220	AMD-P	91-05-089	308-50-250	DECOD-P	91-07-058
308-18-010	NEW-P	91-19-084	308-31-230	DECOD	91-03-095	308-50-250	DECOD	91-11-031
308-18-020	NEW-P	91-19-084	308-31-230	AMD-P	91-05-089	308-50-260	DECOD-P	91-07-058
308-18-030	NEW-P	91-19-084	308-31-240	DECOD	91-03-095	308-50-260	DECOD	91-11-031
308-18-100	NEW-P	91-19-084	308-31-240	AMD-P	91-05-089	308-50-270	DECOD-P	91-07-058
308-18-105	NEW-P	91-19-084	308-31-250	DECOD	91-03-095	308-50-270	DECOD	91-11-031
308-18-110	NEW-P	91-19-084	308-31-250	AMD-P	91-05-089	308-50-280	DECOD-P	91-07-058
308-18-120	NEW-P	91-19-084	308-31-260	DECOD	91-03-095	308-50-280	DECOD	91-11-031
308-18-130	NEW-P	91-19-084	308-31-260	AMD-P	91-05-089	308-50-290	DECOD-P	91-07-058
308-18-140	NEW-P	91-19-084	308-31-270	DECOD	91-03-095	308-50-290	DECOD	91-11-031
308-18-145	NEW-P	91-19-084	308-31-270	AMD-P	91-05-089	308-50-295	AMD-P	91-07-057
308-18-150	NEW-P	91-19-084	308-31-280	DECOD	91-03-095	308-50-295	DECOD-P	91-07-058
308-18-160	NEW-P	91-19-084	308-31-280	AMD-P	91-05-089	308-50-295	AMD-W	91-07-059
308-18-165	NEW-P	91-19-084	308-31-500	DECOD	91-03-095	308-50-295	DECOD	91-11-031
308-18-170	NEW-P	91-19-084	308-31-500	AMD-P	91-05-089	308-50-295	AMD	91-11-032
308-18-200	NEW-P	91-19-084	308-31-510	DECOD	91-03-095	308-50-310	AMD-P	91-07-057
308-18-205	NEW-P	91-19-084	308-31-510	AMD-P	91-05-089	308-50-310	DECOD-P	91-07-058
308-18-210	NEW-P	91-19-084	308-31-520	DECOD	91-03-095	308-50-310	AMD-W	91-07-059
308-18-220	NEW-P	91-19-084	308-31-520	AMD-P	91-05-089	308-50-310	DECOD	91-11-031
308-18-230	NEW-P	91-19-084	308-31-530	DECOD	91-03-095	308-50-310	AMD	91-11-032
308-18-240	NEW-P	91-19-084	308-31-530	AMD-P	91-05-089	308-50-320	DECOD-P	91-07-058
308-18-300	NEW-P	91-19-084	308-31-540	DECOD	91-03-095	308-50-320	DECOD	91-11-031
308-18-310	NEW-P	91-19-084	308-31-540	AMD-P	91-05-089	308-50-330	DECOD-P	91-07-058
308-18-320	NEW-P	91-19-084	308-31-550	DECOD	91-03-095	308-50-330	DECOD	91-11-031
308-20-010	AMD-P	91-05-080	308-31-550	AMD-P	91-05-089	308-50-350	DECOD-P	91-07-058
308-20-010	AMD	91-11-042	308-31-560	DECOD	91-03-095	308-50-350	DECOD	91-11-031
308-20-020	AMD-P	91-05-080	308-31-560	AMD-P	91-05-089	308-50-380	DECOD-P	91-07-058
308-20-020	AMD	91-11-042	308-31-570	DECOD	91-03-095	308-50-380	DECOD	91-11-031
308-20-030	AMD-P	91-05-080	308-31-570	AMD-P	91-05-089	308-50-390	DECOD-P	91-07-058
308-20-030	AMD	91-11-042	308-42-075	AMD	91-05-004	308-50-390	DECOD	91-11-031
308-20-040	AMD-P	91-05-080	308-48-520	REP-W	91-09-043	308-50-400	DECOD-P	91-07-058
308-20-040	AMD	91-11-042	308-48-580	REP-W	91-09-043	308-50-400	DECOD	91-11-031
308-20-050	AMD-P	91-05-080	308-48-590	AMD-W	91-09-043	308-50-410	DECOD-P	91-07-058
308-20-050	AMD	91-11-042	308-48-600	REP-W	91-09-043	308-50-410	DECOD	91-11-031
308-20-070	AMD-P	91-05-080	308-48-600	AMD-P	91-15-048	308-50-420	DECOD-P	91-07-058
308-20-070	AMD	91-11-042	308-48-601	NEW-W	91-09-043	308-50-420	DECOD	91-11-031
308-20-080	AMD-P	91-05-080	308-48-610	NEW-W	91-09-043	308-50-430	DECOD-P	91-07-058
308-20-080	AMD	91-11-042	308-48-800	AMD-P	91-08-032	308-50-430	DECOD	91-11-031
308-20-090	AMD-P	91-05-080	308-48-800	AMD	91-11-023	308-50-440	AMD-P	91-08-078
308-20-090	AMD	91-11-042	308-50-010	DECOD-P	91-07-058	308-50-440	DECOD	91-11-030
308-20-095	NEW-P	91-05-080	308-50-010	DECOD	91-11-031	308-50-500	DECOD-P	91-07-058
308-20-095	NEW	91-11-042	308-50-020	DECOD-P	91-07-058	308-50-500	DECOD	91-11-031
308-20-105	AMD-P	91-05-080	308-50-020	DECOD	91-11-031	308-51-230	DECOD-W	91-09-044
308-20-105	AMD	91-11-042	308-50-035	DECOD-P	91-07-058	308-51-240	DECOD-W	91-09-044
308-20-110	AMD-P	91-05-080	308-50-035	DECOD	91-11-031	308-51-250	DECOD-W	91-09-044
308-20-110	AMD	91-11-042	308-50-040	DECOD-P	91-07-058	308-51-260	DECOD-W	91-09-044
308-20-140	AMD-P	91-05-080	308-50-040	DECOD	91-11-031	308-51-270	DECOD-W	91-09-044
308-20-140	AMD	91-11-042	308-50-090	DECOD-P	91-07-058	308-51-280	DECOD-W	91-09-044
308-20-175	NEW-P	91-05-080	308-50-090	DECOD	91-11-031	308-51-290	DECOD-W	91-09-044
308-20-175	NEW	91-11-042	308-50-100	DECOD-P	91-07-058	308-51-300	DECOD-W	91-09-044
308-31-001	DECOD	91-03-095	308-50-100	DECOD	91-11-031	308-51-310	DECOD-W	91-09-044
308-31-010	DECOD	91-03-095	308-50-110	DECOD-P	91-07-058	308-51-320	DECOD-W	91-09-044
308-31-010	AMD-P	91-05-089	308-50-110	DECOD	91-11-031	308-52-010	DECOD	91-06-030
308-31-020	DECOD	91-03-095	308-50-120	DECOD-P	91-07-058	308-52-030	DECOD	91-06-030
308-31-020	AMD-P	91-05-089	308-50-120	DECOD	91-11-031	308-52-040	DECOD	91-06-030
308-31-025	DECOD	91-03-095	308-50-130	DECOD-P	91-07-058	308-52-100	DECOD	91-06-030
308-31-025	AMD-P	91-05-089	308-50-130	DECOD	91-11-031	308-52-120	DECOD	91-06-030
308-31-030	DECOD	91-03-095	308-50-140	DECOD-P	91-07-058	308-52-132	DECOD	91-06-030
308-31-030	AMD-P	91-05-089	308-50-140	DECOD	91-11-031	308-52-135	AMD-E	91-04-033
308-31-040	DECOD	91-03-095	308-50-150	DECOD-P	91-07-058	308-52-135	AMD-P	91-04-055
308-31-040	AMD-P	91-05-089	308-50-150	DECOD	91-11-031	308-52-135	DECOD	91-06-030
308-31-050	DECOD	91-03-095	308-50-160	DECOD-P	91-07-058	308-52-136	DECOD	91-06-030
308-31-050	AMD-P	91-05-089	308-50-160	DECOD	91-11-031	308-52-138	DECOD	91-06-030
308-31-055	DECOD	91-05-029	308-50-170	DECOD-P	91-07-058	308-52-139	DECOD	91-06-030
308-31-057	DECOD	91-03-095	308-50-170	DECOD	91-11-031	308-52-140	DECOD	91-06-030
308-31-057	AMD-P	91-05-089	308-50-180	DECOD-P	91-07-058	308-52-141	DECOD	91-06-030
308-31-060	DECOD	91-03-095	308-50-180	DECOD	91-11-031	308-52-146	DECOD	91-06-030
308-31-060	AMD-P	91-05-089	308-50-190	DECOD-P	91-07-058	308-52-147	DECOD	91-06-030
308-31-100	DECOD	91-03-095	308-50-190	DECOD	91-11-031	308-52-148	DECOD	91-06-030
308-31-100	AMD-P	91-05-089	308-50-200	DECOD-P	91-07-058	308-52-149	DECOD	91-06-030
308-31-110	DECOD	91-03-095	308-50-200	DECOD	91-11-031	308-52-150	DECOD	91-06-030
308-31-110	AMD-P	91-05-089	308-50-210	DECOD-P	91-07-058	308-52-160	DECOD	91-06-030
308-31-120	DECOD	91-03-095	308-50-210	DECOD	91-11-031	308-52-165	DECOD	91-06-030
308-31-120	AMD-P	91-05-089	308-50-220	DECOD-P	91-07-058	308-52-190	DECOD	91-06-030
308-31-210	DECOD	91-03-095	308-50-220	DECOD	91-11-031	308-52-201	DECOD	91-06-030
308-31-210	AMD-P	91-05-089	308-50-240	DECOD-P	91-07-058	308-52-205	DECOD	91-06-030

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
308-52-211	DECOD	91-06-030	308-53-350	DECOD	91-06-025	308-77-100	AMD	91-03-018
308-52-215	DECOD	91-06-030	308-53-400	DECOD	91-06-025	308-77-250	AMD	91-03-017
308-52-221	DECOD	91-06-030	308-54-010	DECOD	91-06-060	308-91-030	AMD-E	91-02-109
308-52-255	DECOD	91-06-030	308-54-020	DECOD	91-06-060	308-91-030	AMD-P	91-02-110
308-52-260	DECOD	91-06-030	308-54-030	DECOD	91-06-060	308-91-030	AMD	91-06-093
308-52-260	AMD	91-06-038	308-54-040	DECOD	91-06-060	308-91-090	AMD-E	91-02-109
308-52-265	DECOD	91-06-030	308-54-050	DECOD	91-06-060	308-91-090	AMD-P	91-02-110
308-52-270	DECOD	91-06-030	308-54-060	DECOD	91-06-060	308-91-090	AMD	91-06-093
308-52-320	DECOD	91-06-030	308-54-070	DECOD	91-06-060	308-91-095	NEW-E	91-02-109
308-52-400	DECOD	91-06-030	308-54-080	DECOD	91-06-060	308-91-095	NEW-P	91-02-110
308-52-405	DECOD	91-06-030	308-54-090	DECOD	91-06-060	308-91-095	NEW	91-06-093
308-52-406	DECOD	91-06-030	308-54-095	DECOD	91-06-060	308-91-150	AMD-E	91-02-109
308-52-410	DECOD	91-06-030	308-54-100	DECOD	91-06-060	308-91-150	AMD-P	91-02-110
308-52-415	DECOD	91-06-030	308-54-110	DECOD	91-06-060	308-91-150	AMD	91-06-093
308-52-420	DECOD	91-06-030	308-54-120	DECOD	91-06-060	308-93-670	NEW	91-03-089
308-52-425	DECOD	91-06-030	308-54-125	DECOD	91-06-060	308-94-035	AMD-P	91-03-142
308-52-500	DECOD	91-06-030	308-54-130	DECOD	91-06-060	308-94-035	AMD	91-09-001
308-52-502	DECOD	91-06-030	308-54-150	DECOD	91-06-060	308-96A-005	AMD-P	91-11-084
308-52-504	DECOD	91-06-030	308-54-155	DECOD	91-06-060	308-96A-005	AMD	91-15-006
308-52-510	DECOD	91-06-030	308-54-160	DECOD	91-06-060	308-96A-046	AMD	91-04-025
308-52-515	DECOD	91-06-030	308-54-162	DECOD	91-06-060	308-96A-056	AMD	91-04-025
308-52-530	DECOD	91-06-030	308-54-170	DECOD	91-06-060	308-96A-057	NEW-P	91-11-084
308-52-540	DECOD	91-06-030	308-54-180	DECOD	91-06-060	308-96A-057	NEW	91-15-006
308-52-570	DECOD	91-06-030	308-54-200	DECOD	91-06-060	308-96A-065	AMD-P	91-11-084
308-52-580	DECOD	91-06-030	308-54-205	DECOD	91-06-060	308-96A-065	AMD	91-15-006
308-52-590	REP	91-06-027	308-54-220	DECOD	91-06-060	308-96A-070	AMD	91-04-025
308-52-600	DECOD	91-06-030	308-54-225	DECOD	91-06-060	308-96A-071	NEW-P	91-11-084
308-52-610	DECOD	91-06-030	308-54-230	DECOD	91-06-060	308-96A-071	NEW	91-15-006
308-52-620	DECOD	91-06-030	308-54-240	DECOD	91-06-060	308-96A-073	NEW	91-04-025
308-52-630	DECOD	91-06-030	308-54-250	DECOD	91-06-060	308-96A-074	NEW	91-04-025
308-52-640	DECOD	91-06-030	308-54-315	AMD-P	91-05-025	308-96A-075	AMD	91-04-025
308-52-650	DECOD	91-06-030	308-54-315	DECOD	91-06-058	308-96A-161	NEW-P	91-11-084
308-52-660	DECOD	91-06-030	308-54-320	DECOD	91-06-060	308-96A-161	NEW	91-15-006
308-52-680	DECOD	91-06-030	308-56A-090	NEW	91-03-088	308-96A-162	NEW-P	91-11-084
308-52-690	DECOD	91-06-030	308-56A-120	REP-P	91-11-084	308-96A-162	NEW	91-15-006
308-53	DECOD-C	91-03-116	308-56A-120	REP	91-15-006	308-96A-345	AMD	91-04-024
308-53-010	DECOD	91-06-025	308-56A-150	AMD	91-04-024	308-96A-350	AMD	91-04-024
308-53-020	DECOD	91-06-028	308-56A-460	AMD	91-04-025	308-96A-380	AMD	91-04-024
308-53-030	DECOD	91-06-025	308-57-005	NEW	91-04-026	308-96A-505	NEW	91-03-091
308-53-070	DECOD	91-06-025	308-57-010	NEW	91-04-026	308-96A-510	NEW	91-03-091
308-53-075	DECOD	91-06-025	308-57-020	NEW	91-04-026	308-96A-520	NEW	91-03-091
308-53-084	DECOD	91-06-025	308-57-030	NEW	91-04-026	308-96A-530	NEW	91-03-091
308-53-085	DECOD	91-06-025	308-57-110	NEW	91-04-026	308-96A-540	NEW	91-03-091
308-53-100	DECOD	91-06-025	308-57-120	NEW	91-04-026	308-96A-550	NEW	91-03-091
308-53-110	DECOD	91-06-025	308-57-130	NEW	91-04-026	308-96A-560	NEW	91-03-091
308-53-120	DECOD	91-06-025	308-57-140	NEW	91-04-026	308-120-100	DECOD	91-07-049
308-53-123	DECOD	91-06-025	308-57-210	NEW	91-04-026	308-120-100	AMD	91-07-067
308-53-125	DECOD	91-06-025	308-57-220	NEW	91-04-026	308-120-161	DECOD	91-07-049
308-53-135	DECOD	91-06-025	308-57-230	NEW	91-04-026	308-120-162	DECOD	91-07-049
308-53-140	DECOD	91-06-025	308-57-240	NEW	91-04-026	308-120-163	DECOD	91-07-049
308-53-145	DECOD	91-06-025	308-57-310	NEW	91-04-026	308-120-164	DECOD	91-07-049
308-53-146	DECOD	91-06-025	308-57-320	NEW	91-04-026	308-120-165	DECOD	91-07-049
308-53-150	DECOD	91-06-025	308-57-410	NEW	91-04-026	308-120-166	DECOD	91-07-049
308-53-151	DECOD	91-06-025	308-57-420	NEW	91-04-026	308-120-168	AMD	91-07-032
308-53-155	DECOD	91-06-025	308-57-430	NEW	91-04-026	308-120-168	DECOD	91-07-049
308-53-165	DECOD	91-06-025	308-57-440	NEW	91-04-026	308-120-170	DECOD	91-07-049
308-53-170	DECOD	91-06-025	308-58-010	AMD	91-04-025	308-120-180	DECOD	91-07-049
308-53-175	DECOD	91-06-025	308-58-020	AMD	91-04-025	308-120-185	DECOD	91-07-049
308-53-180	DECOD	91-06-025	308-61-175	AMD-P	91-13-035	308-120-186	DECOD	91-07-049
308-53-200	DECOD	91-06-025	308-61-185	AMD-P	91-13-035	308-120-270	DECOD	91-07-049
308-53-205	DECOD	91-06-025	308-66	AMD-P	91-14-097	308-120-275	DECOD	91-07-048
308-53-210	DECOD	91-06-025	308-66-120	AMD-P	91-14-097	308-120-300	DECOD	91-07-049
308-53-215	DECOD	91-06-025	308-66-135	AMD-P	91-14-097	308-120-305	DECOD	91-07-049
308-53-220	DECOD	91-06-025	308-66-140	AMD-P	91-14-097	308-120-315	DECOD	91-07-049
308-53-230	DECOD	91-06-025	308-66-152	AMD	91-03-019	308-120-325	DECOD	91-07-049
308-53-235	DECOD	91-06-025	308-66-155	AMD-P	91-14-097	308-120-335	DECOD	91-07-049
308-53-240	DECOD	91-06-025	308-66-156	NEW	91-03-092	308-120-338	DECOD	91-07-049
308-53-245	DECOD	91-06-025	308-66-160	AMD-P	91-14-097	308-120-345	DECOD	91-07-049
308-53-250	DECOD	91-06-025	308-66-165	NEW-P	91-14-097	308-120-360	DECOD	91-07-049
308-53-260	DECOD	91-06-025	308-66-170	AMD-P	91-14-097	308-120-365	REP	91-07-049
308-53-265	DECOD	91-06-025	308-66-190	AMD-P	91-14-097	308-120-400	DECOD	91-07-049
308-53-270	DECOD	91-06-025	308-66-212	AMD-P	91-14-097	308-120-410	DECOD	91-07-049
308-53-275	DECOD	91-06-025	308-66-213	REP-P	91-14-097	308-120-420	DECOD	91-07-049
308-53-280	DECOD	91-06-025	308-66-214	AMD-P	91-14-097	308-120-430	DECOD	91-07-049
308-53-320	DECOD	91-06-025	308-66-215	AMD-P	91-14-097	308-120-440	DECOD	91-07-049
308-53-330	DECOD	91-06-025	308-66-240	NEW-P	91-14-097	308-120-450	DECOD	91-07-049
308-53-340	DECOD	91-06-025	308-77-080	REP	91-03-018	308-120-505	DECOD	91-07-049

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
308-120-506	DECOD	91-07-049	308-122-525	DECOD	91-04-020
308-120-525	DECOD	91-07-049	308-122-530	DECOD	91-04-020
308-120-530	DECOD	91-07-049	308-122-535	DECOD	91-04-020
308-120-535	DECOD	91-07-049	308-122-540	DECOD	91-04-020
308-120-540	DECOD	91-07-049	308-122-545	DECOD	91-04-020
308-120-545	DECOD	91-07-049	308-122-600	DECOD	91-04-020
308-120-550	DECOD	91-07-049	308-122-610	DECOD	91-04-020
308-120-555	DECOD	91-07-049	308-122-620	DECOD	91-04-020
308-120-560	DECOD	91-07-049	308-122-630	DECOD	91-04-020
308-120-565	DECOD	91-07-049	308-122-640	DECOD	91-04-020
308-120-565	AMD	91-07-067	308-122-650	DECOD	91-04-020
308-120-570	DECOD	91-07-049	308-122-660	DECOD	91-04-020
308-120-575	DECOD	91-07-049	308-122-660	AMD	91-04-021
308-120-610	AMD	91-07-032	308-122-670	DECOD	91-04-020
308-120-620	DECOD	91-07-049	308-122-670	AMD	91-04-021
308-120-700	DECOD	91-07-049	308-122-680	DECOD	91-04-020
308-120-710	DECOD	91-07-049	308-122-690	DECOD	91-04-020
308-120-720	DECOD	91-07-049	308-122-695	DECOD	91-04-020
308-120-730	DECOD	91-07-049	308-122-700	DECOD	91-04-020
308-120-740	DECOD	91-07-049	308-122-710	DECOD	91-04-020
308-120-750	DECOD	91-07-049	308-122-720	DECOD	91-04-020
308-120-760	DECOD	91-07-049	308-124A-430	AMD-P	91-03-047
308-120-770	DECOD	91-07-049	308-124A-430	AMD	91-07-029
308-120-780	DECOD	91-07-049	308-124E-012	AMD-P	91-09-013
308-120-800	DECOD	91-07-049	308-124E-012	AMD	91-12-012
308-120-810	DECOD	91-07-049	308-124H-010	AMD-P	91-03-047
308-121-110	DECOD	91-07-049	308-124H-010	AMD	91-07-029
308-121-120	DECOD	91-07-049	308-124H-025	AMD-P	91-03-047
308-121-130	DECOD	91-07-049	308-124H-025	AMD	91-07-029
308-121-140	DECOD	91-07-049	308-124H-520	AMD-P	91-09-065
308-121-145	DECOD	91-07-049	308-124H-520	AMD	91-12-013
308-121-150	DECOD	91-07-049	308-124H-540	AMD-P	91-03-047
308-121-155	DECOD	91-07-049	308-124H-540	AMD	91-07-029
308-121-160	DECOD	91-07-049	308-124H-800	NEW-P	91-09-013
308-121-165	DECOD	91-07-049	308-124H-800	NEW	91-12-012
308-121-170	DECOD	91-07-049	308-125-010	NEW	91-04-074
308-121-175	DECOD	91-07-049	308-125-020	NEW	91-04-074
308-121-180	DECOD	91-07-049	308-125-030	NEW	91-04-074
308-122-001	DECOD	91-04-020	308-125-040	NEW	91-04-074
308-122-005	DECOD	91-04-020	308-125-050	NEW	91-04-074
308-122-006	DECOD	91-04-020	308-125-060	NEW	91-04-074
308-122-060	DECOD	91-04-020	308-125-070	NEW	91-04-074
308-122-200	DECOD	91-04-020	308-125-080	NEW	91-04-074
308-122-200	AMD	91-04-021	308-125-090	NEW	91-04-074
308-122-211	DECOD	91-04-020	308-125-100	NEW	91-04-074
308-122-215	DECOD	91-04-020	308-125-110	NEW	91-04-074
308-122-220	DECOD	91-04-020	308-125-120	NEW	91-04-074
308-122-225	DECOD	91-04-020	308-125-130	NEW	91-04-074
308-122-230	DECOD	91-04-020	308-125-140	NEW	91-04-074
308-122-235	DECOD	91-04-020	308-125-150	NEW	91-04-074
308-122-275	DECOD	91-05-028	308-125-160	NEW	91-04-074
308-122-280	DECOD	91-04-020	308-125-170	NEW	91-04-074
308-122-350	DECOD	91-04-020	308-125-180	NEW	91-04-074
308-122-360	DECOD	91-04-020	308-125-190	NEW	91-04-074
308-122-360	AMD	91-04-021	308-125-200	NEW	91-04-074
308-122-370	DECOD	91-04-020	308-125-210	NEW	91-04-074
308-122-380	REP	91-04-021	308-128B-080	AMD-P	91-08-049
308-122-380	DECOD-W	91-12-035	308-128B-080	AMD	91-11-066
308-122-390	REP	91-04-021	308-138-055	REP-P	91-03-117
308-122-390	DECOD-W	91-12-035	308-171-001	DECOD	91-05-027
308-122-400	REP	91-04-021	308-171-001	AMD-P	91-05-088
308-122-400	DECOD-W	91-12-035	308-171-002	DECOD	91-05-027
308-122-410	REP	91-04-021	308-171-003	DECOD	91-05-027
308-122-410	DECOD-W	91-12-035	308-171-010	DECOD	91-05-027
308-122-420	REP	91-04-021	308-171-010	AMD-P	91-05-088
308-122-420	DECOD-W	91-12-035	308-171-020	DECOD	91-05-027
308-122-430	DECOD	91-04-020	308-171-020	AMD-P	91-05-088
308-122-440	DECOD	91-04-020	308-171-040	DECOD	91-05-027
308-122-450	DECOD	91-04-020	308-171-041	DECOD	91-05-027
308-122-500	REP	91-04-021	308-171-041	AMD-P	91-05-088
308-122-500	DECOD-W	91-12-035	308-171-045	DECOD	91-05-027
308-122-505	DECOD	91-04-020	308-171-100	DECOD	91-05-027
308-122-510	DECOD	91-04-020	308-171-101	DECOD	91-05-027
308-122-515	DECOD	91-04-020	308-171-102	DECOD	91-05-027
308-122-515	AMD	91-04-021	308-171-103	DECOD	91-05-027
308-122-520	DECOD	91-04-020	308-171-103	AMD-P	91-05-088
308-122-520	AMD	91-04-021	308-171-104	DECOD	91-05-027
308-171-200	DECOD	91-05-027	308-171-200	DECOD	91-05-027
308-171-201	DECOD	91-05-027	308-171-202	DECOD	91-05-027
308-171-300	DECOD	91-05-027	308-171-300	DECOD	91-05-027
308-171-301	DECOD	91-05-027	308-171-301	DECOD	91-05-027
308-171-302	DECOD	91-05-027	308-171-302	DECOD	91-05-027
308-171-310	DECOD	91-05-027	308-171-310	DECOD	91-05-027
308-171-320	DECOD	91-05-027	308-171-320	DECOD	91-05-027
308-171-330	DECOD	91-05-027	308-171-330	DECOD	91-05-027
308-173-220	DECOD	91-07-049	308-173-220	DECOD	91-07-049
308-173-230	DECOD	91-07-049	308-173-230	DECOD	91-07-049
308-173-240	DECOD	91-07-049	308-173-240	DECOD	91-07-049
308-173-245	DECOD	91-07-049	308-173-245	DECOD	91-07-049
308-173-250	DECOD	91-07-049	308-173-250	DECOD	91-07-049
308-173-255	DECOD	91-07-049	308-173-255	DECOD	91-07-049
308-173-265	DECOD	91-07-049	308-173-265	DECOD	91-07-049
308-173-270	DECOD	91-07-049	308-173-270	DECOD	91-07-049
308-173-275	DECOD	91-07-049	308-173-275	DECOD	91-07-049
308-173-280	DECOD	91-07-049	308-173-280	DECOD	91-07-049
314-12-035	AMD-P	91-16-081	314-12-035	AMD-P	91-16-081
314-12-035	AMD-W	91-19-096	314-12-035	AMD-W	91-19-096
314-12-035	AMD-P	91-19-097	314-12-035	AMD-P	91-19-097
314-12-141	NEW-P	91-16-082	314-12-141	NEW-P	91-16-082
314-12-141	NEW	91-19-071	314-12-141	NEW	91-19-071
314-16-125	AMD-P	91-05-085	314-16-125	AMD-P	91-05-085
314-16-125	AMD-C	91-09-005	314-16-125	AMD-C	91-09-005
314-16-125	AMD-W	91-10-045	314-16-125	AMD-W	91-10-045
314-16-125	AMD-P	91-16-083	314-16-125	AMD-P	91-16-083
314-16-125	AMD	91-19-098	314-16-125	AMD	91-19-098
314-16-250	AMD-P	91-16-081	314-16-250	AMD-P	91-16-081
314-16-250	AMD	91-19-070	314-16-250	AMD	91-19-070
314-20-020	AMD-P	91-05-086	314-20-020	AMD-P	91-05-086
314-20-020	AMD	91-08-022	314-20-020	AMD	91-08-022
314-24-230	NEW-P	91-19-014	314-24-230	NEW-P	91-19-014
314-24-240	NEW-P	91-19-014	314-24-240	NEW-P	91-19-014
314-24-250	NEW-P	91-19-014	314-24-250	NEW-P	91-19-014
314-26-010	AMD-P	91-16-081	314-26-010	AMD-P	91-16-081
314-26-010	AMD	91-19-070	314-26-010	AMD	91-19-070
314-52-015	AMD-C	91-03-007	314-52-015	AMD-C	91-03-007
314-52-015	AMD-W	91-04-085	314-52-015	AMD-W	91-04-085
314-64-030	REP-P	91-16-081	314-64-030	REP-P	91-16-081
314-64-030	REP	91-19-070	314-64-030	REP	91-19-070
314-64-050	AMD-P	91-16-081	314-64-050	AMD-P	91-16-081
314-64-050	AMD	91-19-070	314-64-050	AMD	91-19-070
315-04-190	AMD-P	91-16-084	315-04-190	AMD-P	91-16-084
315-04-205	NEW-P	91-07-070	315-04-205	NEW-P	91-07-070
315-04-205	NEW	91-11-033	315-04-205	NEW	91-11-033
315-06-095	NEW-P	91-16-084	315-06-095	NEW-P	91-16-084
315-06-120	AMD	91-03-036	315-06-120	AMD	91-03-036
315-06-125	AMD-P	91-16-084	315-06-125	AMD-P	91-16-084
315-10-080	NEW-P	91-16-084	315-10-080	NEW-P	91-16-084
315-11-200	REP	91-03-034	315-11-200	REP	91-03-034
315-11-201	REP	91-03-034	315-11-201	REP	91-03-034
315-11-202	REP	91-03-034	315-11-202	REP	91-03-034
315-11-210	REP	91-03-034	315-11-210	REP	91-03-034
315-11-211	REP	91-03-034	315-11-211	REP	91-03-034
315-11-212	REP	91-03-034	315-11-212	REP	91-03-034
315-11-220	REP	91-03-034	315-11-220	REP	91-03-034
315-11-221	REP	91-03-034	315-11-221	REP	91-03-034
315-11-222	REP	91-03-034	315-11-222	REP	91-03-034
315-11-230	REP	91-03-034	315-11-230	REP	91-03-034
315-11-231	REP	91-03-034	315-11-231	REP	91-03-034
315-11-232	REP	91-03-034	315-11-232	REP	91-03-034
315-11-240	REP	91-03-034	315-11-240	REP	91-03-034
315-11-241	REP	91-03-034	315-11-241	REP	91-03-034
315-11-242	REP	91-03-034	315-11-242	REP	91-03-034
315-11-250	REP	91-03-034	315-11-250	REP	91-03-034
315-11-251	REP	91-03-034	315-11-251	REP	91-03-034
315-11-252	REP	91-03-034	315-11-252	REP	91-03-034
315-11-260	REP	91-03-034	315-11-260	REP	91-03-034
315-11-261	REP	91-03-034	315-11-261	REP	91-03-034
315-11-262	REP	91-03-034	315-11-262	REP	91-03-034
315-11-270	REP	91-03-034	315-11-270	REP	91-03-034
315-11-271	REP	91-03-034	315-11-271	REP	91-03-034
315-11-272	REP	91-03-034	315-11-272	REP	91-03-034

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
332-08-390	REP-P	91-08-066	332-10-135	REP	91-14-014	352-44-080	AMD	91-19-068
332-08-390	REP	91-13-059	332-10-140	AMD-P	91-09-060	352-44-090	AMD-P	91-16-096
332-08-400	REP-P	91-08-066	332-10-140	AMD	91-14-014	352-44-090	AMD	91-19-068
332-08-400	REP	91-13-059	332-10-145	NEW-P	91-09-060	352-75	AMD-P	91-11-058
332-08-405	NEW-P	91-08-066	332-10-145	NEW	91-14-014	352-75	AMD	91-15-103
332-08-405	NEW	91-13-059	332-24-005	AMD-P	91-15-107	352-75-010	AMD-P	91-11-058
332-08-410	REP-P	91-08-066	332-24-201	AMD-P	91-15-107	352-75-010	AMD	91-15-103
332-08-410	REP	91-13-059	332-24-211	AMD-P	91-15-107	352-75-020	AMD-P	91-11-058
332-08-420	REP-P	91-08-066	332-24-225	REP-E	91-14-083	352-75-020	AMD	91-15-103
332-08-420	REP	91-13-059	332-24-225	REP-P	91-15-107	352-75-030	AMD-P	91-11-058
332-08-430	REP-P	91-08-066	332-24-231	AMD-P	91-15-107	352-75-030	AMD	91-15-103
332-08-430	REP	91-13-059	332-24-234	AMD-P	91-15-107	352-75-040	AMD-P	91-11-058
332-08-440	REP-P	91-08-066	332-24-238	AMD-P	91-15-107	352-75-040	AMD	91-15-103
332-08-440	REP	91-13-059	332-24-301	AMD-P	91-15-107	352-75-050	AMD-P	91-11-058
332-08-450	REP-P	91-08-066	332-24-405	AMD-P	91-15-107	352-75-050	AMD	91-15-103
332-08-450	REP	91-13-059	332-24-409	NEW-P	91-15-107	352-75-060	AMD-P	91-11-058
332-08-460	REP-P	91-08-066	332-24-600	AMD-P	91-15-107	352-75-060	AMD	91-15-103
332-08-460	REP	91-13-059	332-26-010	NEW-E	91-15-001	352-75-070	AMD-P	91-11-058
332-08-470	REP-P	91-08-066	332-26-020	NEW-E	91-15-001	352-75-070	AMD	91-15-103
332-08-470	REP	91-13-059	332-26-040	NEW-E	91-15-001	352-75-080	AMD-P	91-11-058
332-08-480	REP-P	91-08-066	332-26-050	NEW-E	91-15-001	352-75-080	AMD	91-15-103
332-08-480	REP	91-13-059	332-26-060	NEW-E	91-15-001	352-75-090	AMD-P	91-11-058
332-08-500	REP-P	91-08-066	332-26-080	NEW-E	91-09-029	352-75-090	AMD	91-15-103
332-08-500	REP	91-13-059	332-26-081	NEW-E	91-10-067	356-05-173	NEW-P	91-16-045
332-08-505	NEW-P	91-08-066	332-26-082	NEW-E	91-14-083	356-05-260	AMD-P	91-16-046
332-08-505	NEW	91-13-059	332-26-083	NEW-E	91-14-083	356-05-327	AMD-P	91-16-044
332-08-510	REP-P	91-08-066	332-30-106	AMD-P	91-18-059	356-05-493	NEW-P	91-16-043
332-08-510	REP	91-13-059	332-30-106	AMD-W	91-18-072	356-06-040	AMD-C	91-03-068
332-08-515	NEW-P	91-08-066	332-30-106	AMD-P	91-19-099	356-06-040	AMD-W	91-05-081
332-08-515	NEW	91-13-059	332-30-122	AMD-P	91-18-059	356-06-055	AMD-P	91-15-077
332-08-520	REP-P	91-08-066	332-30-122	AMD-W	91-18-072	356-06-110	NEW-P	91-10-062
332-08-520	REP	91-13-059	332-30-122	AMD-P	91-19-099	356-06-110	NEW-C	91-13-040
332-08-525	NEW-P	91-08-066	332-48-010	REP-P	91-15-107	356-06-110	NEW-C	91-15-074
332-08-525	NEW	91-13-059	332-48-020	REP-P	91-15-107	356-09-020	AMD-P	91-16-051
332-08-530	REP-P	91-08-066	332-52-065	AMD-P	91-13-090	356-09-050	AMD-P	91-16-047
332-08-530	REP	91-13-059	332-52-065	AMD-C	91-17-031	356-10-050	AMD	91-03-070
332-08-535	NEW-P	91-08-066	332-100-030	AMD-P	91-18-059	356-15-020	AMD-P	91-04-046
332-08-535	NEW	91-13-059	332-100-030	AMD-W	91-18-072	356-15-020	AMD-C	91-07-054
332-08-540	REP-P	91-08-066	332-100-030	AMD-P	91-19-099	356-15-020	AMD-W	91-09-037
332-08-540	REP	91-13-059	332-100-050	AMD-P	91-18-059	356-15-061	AMD-E	91-15-079
332-08-545	NEW-P	91-08-066	332-100-050	AMD-W	91-18-072	356-15-061	AMD-P	91-16-089
332-08-545	NEW	91-13-059	332-100-050	AMD-P	91-19-099	356-15-063	AMD-E	91-15-079
332-08-550	REP-P	91-08-066	332-130-020	AMD-P	91-15-060	356-15-063	AMD-P	91-16-089
332-08-550	REP	91-13-059	332-130-020	AMD	91-19-013	356-15-080	AMD	91-03-069
332-08-560	REP-P	91-08-066	332-130-060	AMD-P	91-15-060	356-15-080	AMD-E	91-15-027
332-08-560	REP	91-13-059	332-130-060	AMD	91-19-013	356-15-080	AMD-P	91-15-075
332-08-570	REP-P	91-08-066	352-12-010	AMD-P	91-03-142	356-15-130	AMD	91-05-083
332-08-570	REP	91-13-059	352-12-010	AMD-W	91-16-078	356-15-130	AMD-P	91-10-063
332-08-580	REP-P	91-08-066	352-12-020	AMD-P	91-03-142	356-15-130	AMD	91-13-034
332-08-580	REP	91-13-059	352-12-020	AMD	91-09-001	356-15-130	AMD	91-15-021
332-08-590	REP-P	91-08-066	352-12-030	AMD-P	91-03-142	356-18-110	AMD-P	91-16-050
332-08-590	REP	91-13-059	352-12-030	AMD	91-09-001	356-18-112	AMD-C	91-05-082
332-10-020	AMD-P	91-09-060	352-32-010	AMD-P	91-03-142	356-18-112	AMD	91-07-055
332-10-020	AMD	91-14-014	352-32-010	AMD	91-09-001	356-18-116	AMD-P	91-16-042
332-10-030	AMD-P	91-09-060	352-32-035	AMD-P	91-03-142	356-18-230	NEW-P	91-10-066
332-10-030	AMD	91-14-014	352-32-035	AMD	91-09-001	356-18-230	NEW-E	91-11-043
332-10-035	REP-P	91-09-060	352-32-045	AMD-P	91-03-142	356-18-230	NEW-E	91-13-043
332-10-035	REP	91-14-014	352-32-045	AMD	91-09-001	356-18-230	NEW	91-14-044
332-10-040	AMD-P	91-09-060	352-32-200	AMD-P	91-03-140	356-22-090	AMD-P	91-16-049
332-10-040	AMD	91-14-014	352-32-200	AMD	91-07-014	356-22-120	AMD-P	91-12-034
332-10-045	REP-P	91-09-060	352-32-210	AMD-P	91-03-140	356-22-120	AMD	91-15-078
332-10-045	REP	91-14-014	352-32-210	AMD	91-07-014	356-22-130	AMD	91-03-071
332-10-050	AMD-P	91-09-060	352-32-250	AMD-P	91-03-142	356-22-230	AMD-C	91-03-068
332-10-050	AMD	91-14-014	352-32-250	AMD	91-09-001	356-22-230	AMD-W	91-05-081
332-10-060	AMD-P	91-09-060	352-32-25001	AMD-P	91-19-095	356-26-040	AMD-P	91-10-064
332-10-060	AMD	91-14-014	352-32-25002	AMD-P	91-19-095	356-26-040	AMD	91-13-041
332-10-070	AMD-P	91-09-060	352-32-252	AMD-P	91-03-142	356-30-067	AMD-P	91-15-076
332-10-070	AMD	91-14-014	352-32-252	AMD	91-09-001	356-30-120	AMD-P	91-18-083
332-10-080	AMD-P	91-09-060	352-32-270	AMD-P	91-03-142	356-30-260	AMD-C	91-05-082
332-10-080	AMD	91-14-014	352-32-270	AMD	91-09-001	356-30-260	AMD	91-07-055
332-10-100	AMD-P	91-09-060	352-44-010	AMD-P	91-16-096	356-30-260	AMD-P	91-15-076
332-10-100	AMD	91-14-014	352-44-010	AMD	91-19-068	356-30-290	AMD-P	91-15-076
332-10-120	AMD-P	91-09-060	352-44-060	AMD-P	91-16-096	356-30-300	AMD-P	91-16-048
332-10-120	AMD	91-14-014	352-44-060	AMD	91-19-068	356-30-305	AMD-C	91-05-082
332-10-130	AMD-P	91-09-060	352-44-070	AMD-P	91-16-096	356-30-305	AMD	91-07-055
332-10-130	AMD	91-14-014	352-44-070	AMD	91-19-068	356-30-305	AMD-P	91-15-076
332-10-135	REP-P	91-09-060	352-44-080	AMD-P	91-16-096	356-30-320	AMD-P	91-10-065

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
356-30-320	AMD 91-13-042	360-10-050	AMD-P 91-05-091	360-13-030	DECOD 91-18-057
360-08	DECOD-W 91-06-037	360-10-050	AMD 91-11-041	360-13-045	DECOD-P 91-14-033
360-08-005	DECOD-P 91-14-033	360-10-050	DECOD-P 91-14-033	360-13-045	DECOD 91-18-057
360-08-005	DECOD 91-18-057	360-10-050	DECOD 91-18-057	360-13-055	DECOD-P 91-14-033
360-08-010	DECOD-P 91-14-033	360-10-060	AMD-P 91-05-091	360-13-055	DECOD 91-18-057
360-08-010	DECOD 91-18-057	360-10-060	AMD 91-11-041	360-13-066	DECOD-P 91-14-033
360-08-040	DECOD-P 91-14-033	360-10-060	DECOD-P 91-14-033	360-13-066	DECOD 91-18-057
360-08-040	DECOD 91-18-057	360-10-060	DECOD 91-18-057	360-13-100	DECOD-P 91-14-033
360-08-050	DECOD-P 91-14-033	360-10-080	DECOD-P 91-14-033	360-13-100	DECOD 91-18-057
360-08-050	DECOD 91-18-057	360-10-080	DECOD 91-18-057	360-15	DECOD-W 91-06-037
360-08-060	DECOD-P 91-14-033	360-11	DECOD-W 91-06-037	360-15-010	DECOD-P 91-14-033
360-08-060	DECOD 91-18-057	360-11-005	NEW-P 91-19-026	360-15-010	DECOD 91-18-057
360-08-230	DECOD-P 91-14-033	360-11-010	DECOD-P 91-14-033	360-15-020	DECOD-P 91-14-033
360-08-230	DECOD 91-18-057	360-11-010	DECOD 91-18-057	360-15-020	DECOD 91-18-057
360-08-240	DECOD-P 91-14-033	360-11-010	AMD-P 91-19-026	360-15-030	DECOD-P 91-14-033
360-08-240	DECOD 91-18-057	360-11-020	DECOD-P 91-14-033	360-15-030	DECOD 91-18-057
360-08-250	DECOD-P 91-14-033	360-11-020	DECOD 91-18-057	360-15-040	DECOD-P 91-14-033
360-08-250	DECOD 91-18-057	360-11-020	AMD-P 91-19-026	360-15-040	DECOD 91-18-057
360-08-260	DECOD-P 91-14-033	360-11-023	DECOD-P 91-14-033	360-15-050	DECOD-P 91-14-033
360-08-260	DECOD 91-18-057	360-11-023	DECOD 91-18-057	360-15-050	DECOD 91-18-057
360-08-270	DECOD-P 91-14-033	360-11-023	AMD-P 91-19-026	360-15-060	DECOD-P 91-14-033
360-08-270	DECOD 91-18-057	360-11-027	DECOD-P 91-14-033	360-15-060	DECOD 91-18-057
360-08-280	DECOD-P 91-14-033	360-11-027	DECOD 91-18-057	360-15-070	DECOD-P 91-14-033
360-08-280	DECOD 91-18-057	360-11-027	AMD-P 91-19-026	360-15-070	DECOD 91-18-057
360-08-290	DECOD-P 91-14-033	360-11-030	DECOD-P 91-14-033	360-16	DECOD-W 91-06-037
360-08-290	DECOD 91-18-057	360-11-030	DECOD 91-18-057	360-16-005	DECOD-P 91-14-033
360-08-300	DECOD-P 91-14-033	360-11-030	AMD-P 91-19-026	360-16-005	DECOD 91-18-057
360-08-300	DECOD 91-18-057	360-11-033	DECOD-P 91-14-033	360-16-011	DECOD-P 91-14-033
360-08-310	DECOD-P 91-14-033	360-11-033	DECOD 91-18-057	360-16-010	DECOD 91-18-057
360-08-310	DECOD 91-18-057	360-11-033	REP-P 91-19-026	360-16-020	DECOD-P 91-14-033
360-08-320	DECOD-P 91-14-033	360-11-037	DECOD-P 91-14-033	360-16-020	DECOD 91-18-057
360-08-320	DECOD 91-18-057	360-11-037	DECOD 91-18-057	360-16-025	DECOD-P 91-14-033
360-08-330	DECOD-P 91-14-033	360-11-037	REP-P 91-19-026	360-16-025	DECOD 91-18-057
360-08-330	DECOD 91-18-057	360-11-040	DECOD-P 91-14-033	360-16-040	DECOD-P 91-14-033
360-08-340	DECOD-P 91-14-033	360-11-040	DECOD 91-18-057	360-16-040	DECOD 91-18-057
360-08-340	DECOD 91-18-057	360-11-040	AMD-P 91-19-026	360-16-050	DECOD-P 91-14-033
360-08-350	DECOD-P 91-14-033	360-11-045	DECOD-P 91-14-033	360-16-050	DECOD 91-18-057
360-08-350	DECOD 91-18-057	360-11-045	DECOD 91-18-057	360-16-070	DECOD-P 91-14-033
360-08-360	DECOD-P 91-14-033	360-11-045	REP-P 91-19-026	360-16-070	DECOD 91-18-057
360-08-360	DECOD 91-18-057	360-11-060	DECOD-P 91-14-033	360-16-094	DECOD-P 91-14-033
360-08-370	DECOD-P 91-14-033	360-11-060	DECOD 91-18-057	360-16-094	DECOD 91-18-057
360-08-370	DECOD 91-18-057	360-11-060	REP-P 91-19-026	360-16-096	DECOD-P 91-14-033
360-08-380	DECOD-P 91-14-033	360-11-065	NEW-P 91-19-026	360-16-096	DECOD 91-18-057
360-08-380	DECOD 91-18-057	360-11-070	DECOD-P 91-14-033	360-16-098	DECOD-P 91-14-033
360-08-390	DECOD-P 91-14-033	360-11-070	DECOD 91-18-057	360-16-098	DECOD 91-18-057
360-08-390	DECOD 91-18-057	360-11-070	AMD-P 91-19-026	360-16-120	DECOD-P 91-14-033
360-08-400	DECOD-P 91-14-033	360-12	DECOD-W 91-06-037	360-16-120	DECOD 91-18-057
360-08-400	DECOD 91-18-057	360-12-015	DECOD-P 91-14-033	360-16-150	DECOD-P 91-14-033
360-08-420	DECOD-P 91-14-033	360-12-015	DECOD 91-18-057	360-16-150	DECOD 91-18-057
360-08-420	DECOD 91-18-057	360-12-050	DECOD-P 91-14-033	360-16-180	DECOD-P 91-14-033
360-08-520	DECOD-P 91-14-033	360-12-050	DECOD 91-18-057	360-16-180	DECOD 91-18-057
360-08-520	DECOD 91-18-057	360-12-065	DECOD-P 91-14-033	360-16-200	DECOD-P 91-14-033
360-08-530	DECOD-P 91-14-033	360-12-065	DECOD 91-18-057	360-16-200	DECOD 91-18-057
360-08-530	DECOD 91-18-057	360-12-110	DECOD-P 91-14-033	360-16-210	DECOD-P 91-14-033
360-08-540	DECOD-P 91-14-033	360-12-110	DECOD 91-18-057	360-16-210	DECOD 91-18-057
360-08-540	DECOD 91-18-057	360-12-120	DECOD-P 91-14-033	360-16-220	DECOD-P 91-14-033
360-08-550	DECOD-P 91-14-033	360-12-120	DECOD 91-18-057	360-16-220	DECOD 91-18-057
360-08-550	DECOD 91-18-057	360-12-125	DECOD-P 91-14-033	360-16-230	DECOD-P 91-14-033
360-08-560	DECOD-P 91-14-033	360-12-120	DECOD 91-18-057	360-16-230	DECOD 91-18-057
360-08-560	DECOD 91-18-057	360-12-128	AMD-P 91-08-078	360-16-235	DECOD-P 91-14-033
360-08-570	DECOD-P 91-14-033	360-12-128	AMD 91-13-002	360-16-235	DECOD 91-18-057
360-08-570	DECOD 91-18-057	360-12-128	DECOD-P 91-15-003	360-16-245	DECOD-P 91-14-033
360-08-580	DECOD-P 91-14-033	360-12-128	DECOD 91-19-028	360-16-245	DECOD 91-18-057
360-08-580	DECOD 91-18-057	360-12-130	DECOD-P 91-14-033	360-16-255	DECOD-P 91-14-033
360-08-590	DECOD-P 91-14-033	360-12-130	DECOD 91-18-057	360-16-255	DECOD 91-18-057
360-08-590	DECOD 91-18-057	360-12-140	DECOD-P 91-14-033	360-16-265	DECOD-P 91-14-033
360-10	DECOD-W 91-06-037	360-12-140	DECOD 91-18-057	360-16-265	DECOD 91-18-057
360-10-010	DECOD-P 91-14-033	360-12-150	DECOD-P 91-14-033	360-16-270	DECOD-P 91-14-033
360-10-010	DECOD 91-18-057	360-12-150	DECOD 91-18-057	360-16-270	DECOD 91-18-057
360-10-020	DECOD-P 91-14-033	360-12-160	DECOD-P 91-14-033	360-16-290	DECOD-P 91-14-033
360-10-020	DECOD 91-18-057	360-12-160	DECOD 91-18-057	360-16-290	DECOD 91-18-057
360-10-030	AMD-P 91-05-091	360-13	DECOD-W 91-06-037	360-16-300	DECOD-P 91-14-033
360-10-030	AMD 91-11-041	360-13-010	DECOD-P 91-14-033	360-16-300	DECOD 91-18-057
360-10-030	DECOD-P 91-14-033	360-13-010	DECOD 91-18-057	360-16A	DECOD-W 91-06-037
360-10-030	DECOD 91-18-057	360-13-020	DECOD-P 91-14-033	360-16A-010	DECOD-P 91-14-033
360-10-040	DECOD-P 91-14-033	360-13-020	DECOD 91-18-057	360-16A-010	DECOD 91-18-057
360-10-040	DECOD 91-18-057	360-13-030	DECOD-P 91-14-033	360-16A-020	DECOD-P 91-14-033

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
360-16A-020	DECOD 91-18-057	360-20-210	DECOD-P 91-14-033	360-36-010	DECOD-P 91-14-033
360-16A-030	DECOD-P 91-14-033	360-20-210	DECOD 91-18-057	360-36-010	DECOD 91-18-057
360-16A-030	DECOD 91-18-057	360-20-220	NEW-P 91-07-056	360-36-010	AMD-P 91-19-027
360-16A-040	DECOD-P 91-14-033	360-21	DECOD-W 91-06-037	360-36-020	DECOD-P 91-14-033
360-16A-040	DECOD 91-18-057	360-21-010	DECOD-P 91-14-033	360-36-020	DECOD 91-18-057
360-16A-060	DECOD-P 91-14-033	360-21-010	DECOD 91-18-057	360-36-115	DECOD-P 91-14-033
360-16A-060	DECOD 91-18-057	360-21-020	DECOD-P 91-14-033	360-36-115	DECOD 91-18-057
360-16A-070	DECOD-P 91-14-033	360-21-020	DECOD 91-18-057	360-36-115	AMD-P 91-19-027
360-16A-070	DECOD 91-18-057	360-21-030	DECOD-P 91-14-033	360-36-210	DECOD-P 91-14-033
360-16A-080	DECOD-P 91-14-033	360-21-030	DECOD 91-18-057	360-36-210	DECOD 91-18-057
360-16A-080	DECOD 91-18-057	360-21-040	DECOD-P 91-14-033	360-36-250	DECOD-P 91-14-033
360-16A-090	DECOD-P 91-14-033	360-21-040	DECOD 91-18-057	360-36-250	DECOD 91-18-057
360-16A-090	DECOD 91-18-057	360-21-050	DECOD-P 91-14-033	360-36-260	DECOD-P 91-14-033
360-16A-100	DECOD-P 91-14-033	360-21-050	DECOD 91-18-057	360-36-260	DECOD 91-18-057
360-16A-100	DECOD 91-18-057	360-21-060	DECOD-P 91-14-033	360-36-270	DECOD-P 91-14-033
360-17	DECOD-W 91-06-037	360-21-060	DECOD 91-18-057	360-36-270	DECOD 91-18-057
360-17-010	AMD-W 91-05-049	360-21-070	DECOD-P 91-14-033	360-36-400	DECOD-P 91-14-033
360-17-010	DECOD-P 91-14-033	360-21-070	DECOD 91-18-057	360-36-400	DECOD 91-18-057
360-17-010	DECOD 91-18-057	360-21-080	DECOD-P 91-14-033	360-36-410	DECOD-P 91-14-033
360-17-020	DECOD-P 91-14-033	360-21-080	DECOD 91-18-057	360-36-410	DECOD 91-18-057
360-17-020	DECOD 91-18-057	360-21-090	DECOD-P 91-14-033	360-36-410	AMD-P 91-19-027
360-17-030	DECOD-P 91-14-033	360-21-090	DECOD 91-18-057	360-36-411	DECOD-P 91-14-033
360-17-030	DECOD 91-18-057	360-23	DECOD-W 91-06-037	360-36-411	DECOD 91-18-057
360-17-040	AMD-W 91-05-049	360-23-010	DECOD-P 91-14-033	360-36-412	DECOD-P 91-14-033
360-17-040	DECOD-P 91-14-033	360-23-010	DECOD 91-18-057	360-36-412	DECOD 91-18-057
360-17-040	DECOD 91-18-057	360-23-020	DECOD-P 91-14-033	360-36-413	DECOD-P 91-14-033
360-17-050	DECOD-P 91-14-033	360-23-020	DECOD 91-18-057	360-36-413	DECOD 91-18-057
360-17-050	DECOD 91-18-057	360-23-030	DECOD-P 91-14-033	360-36-420	DECOD-P 91-14-033
360-17-055	DECOD-P 91-14-033	360-23-030	DECOD 91-18-057	360-36-420	DECOD 91-18-057
360-17-055	DECOD 91-18-057	360-23-050	DECOD-P 91-14-033	360-36-420	AMD-P 91-19-027
360-17-060	DECOD-P 91-14-033	360-23-050	DECOD 91-18-057	360-36-425	DECOD-P 91-14-033
360-17-060	DECOD 91-18-057	360-28-010	DECOD-P 91-14-033	360-36-425	DECOD 91-18-057
360-17-070	AMD-W 91-05-049	360-28-010	DECOD 91-18-057	360-36-430	DECOD-P 91-14-033
360-17-070	DECOD-P 91-14-033	360-32	DECOD-W 91-06-037	360-36-430	DECOD 91-18-057
360-17-070	DECOD 91-18-057	360-32-050	DECOD-P 91-14-033	360-36-430	AMD-P 91-19-027
360-17-075	NEW-W 91-05-049	360-32-050	DECOD 91-18-057	360-36-440	DECOD-P 91-14-033
360-17-080	DECOD-P 91-14-033	360-32-055	DECOD-P 91-14-033	360-36-440	DECOD 91-18-057
360-17-080	DECOD 91-18-057	360-32-055	DECOD 91-18-057	360-36-440	AMD-P 91-19-027
360-17-090	DECOD-P 91-14-033	360-32-060	DECOD-P 91-14-033	360-36-450	DECOD-P 91-14-033
360-17-090	DECOD 91-18-057	360-32-060	DECOD 91-18-057	360-36-450	DECOD 91-18-057
360-17-095	NEW-W 91-05-049	360-33	DECOD-W 91-06-037	360-36-451	DECOD-P 91-14-033
360-17-100	AMD-W 91-05-049	360-33-050	DECOD-P 91-14-033	360-36-451	DECOD 91-18-057
360-17-100	DECOD-P 91-14-033	360-33-050	DECOD 91-18-057	360-36-500	DECOD-P 91-14-033
360-17-100	DECOD 91-18-057	360-35-010	NEW 91-04-056	360-36-500	DECOD 91-18-057
360-18	DECOD-W 91-06-037	360-35-010	DECOD-P 91-14-033	360-38	DECOD-W 91-06-037
360-18-010	DECOD-P 91-15-003	360-35-010	DECOD 91-18-057	360-38-010	DECOD-P 91-14-033
360-18-010	DECOD 91-19-028	360-35-020	NEW 91-04-056	360-38-010	DECOD 91-18-057
360-18-020	AMD-P 91-08-078	360-35-020	DECOD-P 91-14-033	360-38-020	DECOD-P 91-14-033
360-18-020	AMD 91-13-002	360-35-020	DECOD 91-18-057	360-38-020	DECOD 91-18-057
360-18-020	DECOD-P 91-15-003	360-35-030	NEW 91-04-056	360-38-030	DECOD-P 91-14-033
360-18-020	DECOD 91-19-028	360-35-030	DECOD-P 91-14-033	360-38-030	DECOD 91-18-057
360-18-025	DECOD-P 91-15-003	360-35-030	DECOD 91-18-057	360-40	DECOD-W 91-06-037
360-18-025	DECOD 91-19-028	360-35-040	NEW 91-04-056	360-40-010	DECOD-P 91-14-033
360-19	DECOD-W 91-06-037	360-35-040	DECOD-P 91-14-033	360-40-010	DECOD 91-18-057
360-19-010	DECOD-P 91-14-033	360-35-040	DECOD 91-18-057	360-40-040	DECOD-P 91-14-033
360-19-010	DECOD 91-18-057	360-35-050	NEW 91-04-056	360-40-040	DECOD 91-18-057
360-19-020	DECOD-P 91-14-033	360-35-050	DECOD-P 91-14-033	360-40-070	DECOD-P 91-14-033
360-19-020	DECOD 91-18-057	360-35-050	DECOD 91-18-057	360-40-070	DECOD 91-18-057
360-19-030	DECOD-P 91-14-033	360-35-060	NEW 91-04-056	360-44	DECOD-W 91-06-037
360-19-030	DECOD 91-18-057	360-35-060	DECOD-P 91-14-033	360-44-010	DECOD-P 91-14-033
360-19-040	DECOD-P 91-14-033	360-35-060	DECOD 91-18-057	360-44-010	DECOD 91-18-057
360-19-040	DECOD 91-18-057	360-35-070	NEW 91-04-056	360-44-020	DECOD-P 91-14-033
360-19-050	DECOD-P 91-14-033	360-35-070	DECOD-P 91-14-033	360-44-020	DECOD 91-18-057
360-19-050	DECOD 91-18-057	360-35-070	DECOD 91-18-057	360-44-030	DECOD-P 91-14-033
360-19-060	DECOD-P 91-14-033	360-35-080	NEW 91-04-056	360-44-030	DECOD 91-18-057
360-19-060	DECOD 91-18-057	360-35-080	DECOD-P 91-14-033	360-44-040	DECOD-P 91-14-033
360-19-070	DECOD-P 91-14-033	360-35-080	DECOD 91-18-057	360-44-040	DECOD 91-18-057
360-19-070	DECOD 91-18-057	360-35-090	NEW 91-04-056	360-44-050	DECOD-P 91-14-033
360-19-080	DECOD-P 91-14-033	360-35-090	DECOD-P 91-14-033	360-44-050	DECOD 91-18-057
360-19-080	DECOD 91-18-057	360-35-090	DECOD 91-18-057	360-44-060	DECOD-P 91-14-033
360-19-090	DECOD-P 91-14-033	360-35-100	NEW 91-04-056	360-44-060	DECOD 91-18-057
360-19-090	DECOD 91-18-057	360-35-100	DECOD-P 91-14-033	360-44-070	DECOD-P 91-14-033
360-19-100	DECOD-P 91-14-033	360-35-100	DECOD 91-18-057	360-44-070	DECOD 91-18-057
360-19-100	DECOD 91-18-057	360-35-110	NEW 91-04-056	360-44-080	DECOD-P 91-14-033
360-20	DECOD-W 91-06-037	360-35-110	DECOD-P 91-14-033	360-44-080	DECOD 91-18-057
360-20-100	DECOD-P 91-14-033	360-35-110	DECOD 91-18-057	360-44-090	DECOD-P 91-14-033
360-20-100	DECOD 91-18-057	360-36	DECOD-W 91-06-037	360-44-090	DECOD 91-18-057

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
360-44-100	DECOD-P 91-14-033	360-48-080	DECOD-P 91-14-033	371-08-001	NEW 91-03-028
360-44-100	DECOD 91-18-057	360-48-080	DECOD 91-18-057	371-08-002	NEW 91-03-028
360-44-110	DECOD-P 91-14-033	360-49	DECOD-W 91-06-037	371-08-005	AMD 91-03-028
360-44-110	DECOD 91-18-057	360-49-010	DECOD-P 91-14-033	371-08-010	AMD 91-03-028
360-44-120	DECOD-P 91-14-033	360-49-010	DECOD 91-18-057	371-08-015	REP 91-03-028
360-44-120	DECOD 91-18-057	360-49-020	DECOD-P 91-14-033	371-08-020	AMD 91-03-028
360-44-130	DECOD-P 91-14-033	360-49-020	DECOD 91-18-057	371-08-030	AMD 91-03-028
360-44-130	DECOD 91-18-057	360-49-040	DECOD-P 91-14-033	371-08-031	REP 91-03-028
360-44-140	DECOD-P 91-14-033	360-49-040	DECOD 91-18-057	371-08-032	AMD 91-03-028
360-44-140	DECOD 91-18-057	360-49-050	NEW-P 91-05-090	371-08-033	NEW 91-03-028
360-44-150	DECOD-P 91-14-033	360-49-050	NEW 91-13-004	371-08-035	AMD 91-03-028
360-44-150	DECOD 91-18-057	360-49-050	DECOD-P 91-14-033	371-08-040	AMD 91-03-028
360-44-990	DECOD-P 91-14-033	360-49-050	DECOD 91-18-057	371-08-045	REP 91-03-028
360-44-990	DECOD 91-18-057	360-52	DECOD-W 91-06-037	371-08-065	AMD 91-03-028
360-45-010	DECOD-P 91-14-033	360-52-010	DECOD-P 91-14-033	371-08-071	AMD 91-03-028
360-45-010	DECOD 91-18-057	360-52-010	DECOD 91-18-057	371-08-075	AMD 91-03-028
360-46	DECOD-W 91-06-037	360-52-020	DECOD-P 91-14-033	371-08-080	AMD 91-03-028
360-46-010	DECOD-P 91-14-033	360-52-020	DECOD 91-18-057	371-08-085	AMD 91-03-028
360-46-010	DECOD 91-18-057	360-52-030	DECOD-P 91-14-033	371-08-095	REP 91-03-028
360-46-020	DECOD-P 91-14-033	360-52-030	DECOD 91-18-057	371-08-100	AMD 91-03-028
360-46-020	DECOD 91-18-057	360-52-040	DECOD-P 91-14-033	371-08-102	REP 91-03-028
360-46-030	DECOD-P 91-14-033	360-52-040	DECOD 91-18-057	371-08-104	AMD 91-03-028
360-46-030	DECOD 91-18-057	360-52-050	DECOD-P 91-14-033	371-08-105	REP 91-03-028
360-46-040	DECOD-P 91-14-033	360-52-050	DECOD 91-18-057	371-08-106	NEW 91-03-028
360-46-040	DECOD 91-18-057	360-52-060	DECOD-P 91-14-033	371-08-110	REP 91-03-028
360-46-050	DECOD-P 91-14-033	360-52-060	DECOD 91-18-057	371-08-115	REP 91-03-028
360-46-050	DECOD 91-18-057	360-52-070	DECOD-P 91-14-033	371-08-120	REP 91-03-028
360-46-060	DECOD-P 91-14-033	360-52-070	DECOD 91-18-057	371-08-125	AMD 91-03-028
360-46-060	DECOD 91-18-057	360-52-080	DECOD-P 91-14-033	371-08-130	AMD 91-03-028
360-46-070	DECOD-P 91-14-033	360-52-080	DECOD 91-18-057	371-08-131	REP 91-03-028
360-46-070	DECOD 91-18-057	360-52-090	DECOD-P 91-14-033	371-08-132	REP 91-03-028
360-46-081	DECOD-P 91-14-033	360-52-090	DECOD 91-18-057	371-08-135	REP 91-03-028
360-46-081	DECOD 91-18-057	360-52-100	DECOD-P 91-14-033	371-08-140	AMD 91-03-028
360-46-082	DECOD-P 91-14-033	360-52-100	DECOD 91-18-057	371-08-144	AMD 91-03-028
360-46-082	DECOD 91-18-057	360-52-110	DECOD-P 91-14-033	371-08-146	NEW 91-03-028
360-46-090	DECOD-P 91-14-033	360-52-110	DECOD 91-18-057	371-08-147	NEW 91-03-028
360-46-090	DECOD 91-18-057	360-52-120	NEW-P 91-05-092	371-08-148	NEW 91-03-028
360-46-100	DECOD-P 91-14-033	360-52-120	NEW 91-11-040	371-08-155	AMD 91-03-028
360-46-100	DECOD 91-18-057	360-52-120	DECOD-P 91-14-033	371-08-156	AMD 91-03-028
360-46-110	DECOD-P 91-14-033	360-52-120	DECOD 91-18-057	371-08-160	REP 91-03-028
360-46-110	DECOD 91-18-057	360-54	DECOD-W 91-06-037	371-08-162	NEW 91-03-028
360-46-120	DECOD-P 91-14-033	360-54-010	DECOD-P 91-14-033	371-08-163	REP 91-03-028
360-46-120	DECOD 91-18-057	360-54-010	DECOD 91-18-057	371-08-165	AMD 91-03-028
360-46-130	DECOD-P 91-14-033	360-54-020	DECOD-P 91-14-033	371-08-175	REP 91-03-028
360-46-130	DECOD 91-18-057	360-54-020	DECOD 91-18-057	371-08-180	AMD 91-03-028
360-46-140	DECOD-P 91-14-033	360-54-030	DECOD-P 91-14-033	371-08-183	AMD 91-03-028
360-46-140	DECOD 91-18-057	360-54-030	DECOD 91-18-057	371-08-184	NEW 91-03-028
360-46-150	DECOD-P 91-14-033	360-54-040	DECOD-P 91-14-033	371-08-186	AMD 91-03-028
360-46-150	DECOD 91-18-057	360-54-040	DECOD 91-18-057	371-08-187	AMD 91-03-028
360-46-160	DECOD-P 91-14-033	360-54-050	DECOD-P 91-14-033	371-08-188	AMD 91-03-028
360-46-160	DECOD 91-18-057	360-54-050	DECOD 91-18-057	371-08-189	AMD 91-03-028
360-47	DECOD-W 91-06-037	360-60	DECOD-W 91-06-037	371-08-190	REP 91-03-028
360-47-010	DECOD-P 91-14-033	360-60-010	DECOD-P 91-14-033	371-08-195	AMD 91-03-028
360-47-010	DECOD 91-18-057	360-60-010	DECOD 91-18-057	371-08-196	AMD 91-03-028
360-47-020	DECOD-P 91-14-033	360-60-020	DECOD-P 91-14-033	371-08-200	AMD 91-03-028
360-47-020	DECOD 91-18-057	360-60-020	DECOD 91-18-057	371-08-201	REP 91-03-028
360-47-030	DECOD-P 91-14-033	360-60-030	DECOD-P 91-14-033	371-08-205	REP 91-03-028
360-47-030	DECOD 91-18-057	360-60-030	DECOD 91-18-057	371-08-210	REP 91-03-028
360-47-040	DECOD-P 91-14-033	360-60-040	DECOD-P 91-14-033	371-08-215	AMD 91-03-028
360-47-040	DECOD 91-18-057	360-60-040	DECOD 91-18-057	371-08-220	AMD 91-03-028
360-47-050	DECOD-P 91-14-033	365-90-010	AMD 91-04-017	371-08-230	AMD 91-03-028
360-47-050	DECOD 91-18-057	365-90-020	AMD 91-04-017	371-08-240	AMD 91-03-028
360-48	DECOD-W 91-06-037	365-90-030	REP 91-04-017	371-08-245	REP 91-03-028
360-48-010	DECOD-P 91-14-033	365-90-040	AMD 91-04-017	371-12	REP-C 91-03-027
360-48-010	DECOD 91-18-057	365-90-050	REP 91-04-017	371-12-010	REP 91-03-028
360-48-020	DECOD-P 91-14-033	365-90-070	AMD 91-04-017	371-12-020	REP 91-03-028
360-48-020	DECOD 91-18-057	365-90-080	AMD 91-04-017	371-12-030	REP 91-03-028
360-48-030	DECOD-P 91-14-033	365-90-090	AMD 91-04-017	371-12-040	REP 91-03-028
360-48-030	DECOD 91-18-057	365-190-010	NEW 91-07-041	371-12-050	REP 91-03-028
360-48-040	DECOD-P 91-14-033	365-190-020	NEW 91-07-041	371-12-060	REP 91-03-028
360-48-040	DECOD 91-18-057	365-190-030	NEW 91-07-041	371-12-070	REP 91-03-028
360-48-050	DECOD-P 91-14-033	365-190-040	NEW 91-07-041	371-12-080	REP 91-03-028
360-48-050	DECOD 91-18-057	365-190-050	NEW 91-07-041	371-12-090	REP 91-03-028
360-48-060	DECOD-P 91-14-033	365-190-060	NEW 91-07-041	371-12-100	REP 91-03-028
360-48-060	DECOD 91-18-057	365-190-070	NEW 91-07-041	371-12-110	REP 91-03-028
360-48-070	DECOD-P 91-14-033	365-190-080	NEW 91-07-041	371-12-120	REP 91-03-028
360-48-070	DECOD 91-18-057	371-08	AMD-C 91-03-027	371-12-130	REP 91-03-028

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374-50-020	NEW-P 91-08-033	381-30-080	NEW 91-14-029	381-70-140	NEW 91-14-029
374-50-030	NEW-P 91-08-033	381-30-090	NEW 91-14-029	381-70-150	NEW 91-14-029
374-50-040	NEW-P 91-08-033	381-30-100	NEW 91-14-029	381-70-160	NEW 91-14-029
374-50-050	NEW-P 91-08-033	381-30-110	NEW 91-14-029	381-70-170	NEW 91-14-029
374-50-060	NEW-P 91-08-033	381-30-120	NEW 91-14-029	381-70-180	NEW 91-14-029
374-50-070	NEW-P 91-08-033	381-30-130	NEW 91-14-029	381-70-190	NEW 91-14-029
374-50-080	NEW-P 91-08-033	381-30-140	NEW 91-14-029	381-70-200	NEW 91-14-029
374-50-090	NEW-P 91-08-033	381-30-150	NEW 91-14-029	381-70-210	NEW 91-14-029
381-10-010	NEW-P 91-10-009	381-30-160	NEW 91-14-029	381-70-220	NEW 91-14-029
381-10-010	NEW 91-14-028	381-30-170	NEW 91-14-029	381-70-230	NEW 91-14-029
381-10-020	NEW-P 91-10-009	381-30-180	NEW 91-14-029	381-70-240	NEW 91-14-029
381-10-020	NEW 91-14-028	381-40-010	NEW 91-14-029	381-70-250	NEW 91-14-029
381-10-030	NEW-P 91-10-009	381-40-020	NEW 91-14-029	381-70-260	NEW 91-14-029
381-10-030	NEW 91-14-028	381-40-030	NEW 91-14-029	381-70-270	NEW 91-14-029
381-10-040	NEW-P 91-10-009	381-40-040	NEW 91-14-029	381-70-280	NEW 91-14-029
381-10-040	NEW 91-14-028	381-40-050	NEW 91-14-029	381-70-290	NEW 91-14-029
381-10-050	NEW-P 91-10-009	381-40-060	NEW 91-14-029	381-70-300	NEW 91-14-029
381-10-050	NEW 91-14-028	381-40-070	NEW 91-14-029	381-70-310	NEW 91-14-029
381-10-060	NEW-P 91-10-009	381-40-080	NEW 91-14-029	381-70-320	NEW 91-14-029
381-10-060	NEW 91-14-028	381-40-090	NEW 91-14-029	381-70-330	NEW 91-14-029
381-10-070	NEW-P 91-10-009	381-40-100	NEW 91-14-029	381-70-340	NEW 91-14-029
381-10-070	NEW 91-14-028	381-40-110	NEW 91-14-029	381-70-350	NEW 91-14-029
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381-10-090	NEW-P 91-10-009	381-40-140	NEW 91-14-029	381-70-380	NEW 91-14-029
381-10-090	NEW 91-14-028	381-40-150	NEW 91-14-029	381-70-390	NEW 91-14-029
381-10-100	NEW-P 91-10-009	381-40-160	NEW 91-14-029	381-70-400	NEW 91-14-029
381-10-100	NEW 91-14-028	381-40-170	NEW 91-14-029	381-70-410	NEW 91-14-029
381-10-110	NEW-P 91-10-009	381-50-010	NEW 91-14-029	381-70-420	NEW 91-14-029
381-10-110	NEW 91-14-028	381-50-020	NEW 91-14-029	381-70-430	NEW 91-14-029
381-10-120	NEW-P 91-10-009	381-50-030	NEW 91-14-029	381-70-440	NEW 91-14-029
381-10-120	NEW 91-14-028	381-50-040	NEW 91-14-029	381-80-010	NEW 91-14-029
381-10-130	NEW-P 91-10-009	381-50-050	NEW 91-14-029	381-80-020	NEW 91-14-029
381-10-130	NEW 91-14-028	381-50-060	NEW 91-14-029	381-80-030	NEW 91-14-029
381-10-140	NEW-P 91-10-009	381-50-070	NEW 91-14-029	381-80-040	NEW 91-14-029
381-10-140	NEW 91-14-028	381-50-080	NEW 91-14-029	381-80-050	NEW 91-14-029
381-10-150	NEW-P 91-10-009	381-50-090	NEW 91-14-029	381-80-060	NEW 91-14-029
381-10-150	NEW 91-14-028	381-50-100	NEW 91-14-029	388-11-055	AMD-P 91-18-049
381-10-160	NEW-P 91-10-009	381-50-110	NEW 91-14-029	388-11-055	AMD-E 91-18-053
381-10-160	NEW 91-14-028	381-50-120	NEW 91-14-029	388-11-055	AMD-W 91-19-001
381-10-170	NEW-P 91-10-009	381-50-130	NEW 91-14-029	388-11-140	AMD-P 91-18-049
381-10-170	NEW 91-14-028	381-50-140	NEW 91-14-029	388-11-140	AMD-E 91-18-053
381-20-010	NEW-P 91-10-009	381-50-150	NEW 91-14-029	388-11-140	AMD-W 91-19-001
381-20-010	NEW 91-14-028	381-50-160	NEW 91-14-029	388-11-200	AMD-P 91-18-049
381-20-020	NEW-P 91-10-009	381-50-170	NEW 91-14-029	388-11-200	AMD-E 91-18-053
381-20-020	NEW 91-14-028	381-50-180	NEW 91-14-029	388-11-200	AMD-W 91-19-001
381-20-030	NEW-P 91-10-009	381-60-010	NEW 91-14-029	388-11-205	AMD-P 91-18-049
381-20-030	NEW 91-14-028	381-60-020	NEW 91-14-029	388-11-205	AMD-E 91-18-053
381-20-040	NEW-P 91-10-009	381-60-030	NEW 91-14-029	388-11-205	AMD-W 91-19-001
381-20-040	NEW 91-14-028	381-60-040	NEW 91-14-029	388-11-210	AMD-P 91-18-049
381-20-050	NEW-P 91-10-009	381-60-050	NEW 91-14-029	388-11-210	AMD-E 91-18-053
381-20-050	NEW 91-14-028	381-60-060	NEW 91-14-029	388-11-210	AMD-W 91-19-001
381-20-060	NEW-P 91-10-009	381-60-070	NEW 91-14-029	388-11-220	AMD-P 91-06-040
381-20-060	NEW 91-14-028	381-60-080	NEW 91-14-029	388-11-220	AMD-E 91-06-048
381-20-070	NEW-P 91-10-009	381-60-090	NEW 91-14-029	388-11-220	AMD 91-10-027
381-20-070	NEW 91-14-028	381-60-100	NEW 91-14-029	388-14-030	AMD-P 91-14-121
381-20-080	NEW-P 91-10-009	381-60-110	NEW 91-14-029	388-14-030	AMD-E 91-14-123
381-20-080	NEW 91-14-028	381-60-120	NEW 91-14-029	388-14-030	AMD 91-17-063
381-20-090	NEW-P 91-10-009	381-60-130	NEW 91-14-029	388-14-275	AMD-P 91-06-097
381-20-090	NEW 91-14-028	381-60-140	NEW 91-14-029	388-14-275	AMD 91-10-026
381-20-100	NEW-P 91-10-009	381-60-150	NEW 91-14-029	388-14-385	AMD-P 91-04-002
381-20-100	NEW 91-14-028	381-60-160	NEW 91-14-029	388-14-385	AMD-E 91-04-003
381-20-110	NEW-P 91-10-009	381-60-170	NEW 91-14-029	388-14-385	AMD 91-09-018
381-20-110	NEW 91-14-028	381-60-180	NEW 91-14-029	388-14-415	AMD-P 91-04-002
381-20-120	NEW-P 91-10-009	381-70-010	NEW 91-14-029	388-14-415	AMD-E 91-04-003
381-20-120	NEW 91-14-028	381-70-020	NEW 91-14-029	388-14-415	AMD 91-09-018
381-20-130	NEW-P 91-10-009	381-70-030	NEW 91-14-029	388-14-435	NEW-P 91-04-002
381-20-130	NEW 91-14-028	381-70-040	NEW 91-14-029	388-14-435	NEW-E 91-04-003
381-20-140	NEW-P 91-10-009	381-70-050	NEW 91-14-029	388-14-435	NEW 91-09-018
381-20-140	NEW 91-14-028	381-70-060	NEW 91-14-029	388-14-440	NEW-P 91-04-002
381-30-010	NEW 91-14-029	381-70-070	NEW 91-14-029	388-14-440	NEW-E 91-04-003
381-30-020	NEW 91-14-029	381-70-080	NEW 91-14-029	388-14-440	NEW 91-09-018
381-30-030	NEW 91-14-029	381-70-090	NEW 91-14-029	388-14-445	NEW-P 91-04-002
381-30-040	NEW 91-14-029	381-70-100	NEW 91-14-029	388-14-445	NEW-E 91-04-003
381-30-050	NEW 91-14-029	381-70-110	NEW 91-14-029	388-14-445	NEW 91-09-018
381-30-060	NEW 91-14-029	381-70-120	NEW 91-14-029	388-14-450	NEW-P 91-04-002

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388-14-450	NEW	91-09-018	388-37-115	AMD-E	91-15-002	388-53A-070	REP-P	91-12-066
388-15-208	AMD-S	91-04-039	388-37-115	AMD-P	91-15-063	388-53A-070	REP	91-15-087
388-15-208	AMD	91-08-011	388-37-115	AMD-W	91-16-036	388-53A-080	REP-P	91-12-066
388-15-209	AMD-S	91-04-039	388-37-115	AMD-P	91-16-037	388-53A-080	REP	91-15-087
388-15-209	AMD	91-08-011	388-37-115	AMD-E	91-16-039	388-53A-090	REP-P	91-12-066
388-15-212	AMD-S	91-04-039	388-37-115	AMD-W	91-16-073	388-53A-090	REP	91-15-087
388-15-212	AMD	91-08-011	388-37-115	AMD-P	91-16-074	388-53A-100	REP-P	91-12-066
388-15-215	AMD-S	91-04-039	388-37-115	AMD-E	91-16-075	388-53A-100	REP	91-15-087
388-15-215	AMD	91-08-011	388-42-150	AMD	91-06-005	388-53A-110	REP-P	91-12-066
388-15-216	AMD-S	91-04-039	388-44-145	AMD-C	91-03-039	388-53A-110	REP	91-15-087
388-15-216	AMD	91-08-011	388-44-145	AMD-C	91-04-047	388-53A-120	REP-P	91-12-066
388-15-820	AMD-E	91-16-066	388-44-145	AMD-C	91-06-055	388-53A-120	REP	91-15-087
388-15-840	AMD-P	91-16-056	388-49-020	AMD	91-09-070	388-53A-130	REP-P	91-12-066
388-15-840	AMD-E	91-16-066	388-49-020	AMD-P	91-05-074	388-53A-130	REP	91-15-087
388-15-850	AMD-P	91-16-056	388-49-020	AMD	91-10-096	388-53A-140	REP-P	91-12-066
388-15-850	AMD-E	91-16-066	388-49-020	AMD-P	91-13-104	388-53A-140	REP	91-15-087
388-15-860	AMD-P	91-16-056	388-49-020	AMD	91-16-065	388-62-020	AMD-P	91-14-119
388-15-860	AMD-E	91-16-066	388-49-030	AMD-P	91-11-109	388-62-020	AMD	91-17-060
388-15-870	AMD-P	91-16-056	388-49-030	AMD	91-14-081	388-62-025	NEW-P	91-14-119
388-15-870	AMD-E	91-16-066	388-49-040	AMD-P	91-11-110	388-62-025	NEW	91-17-060
388-15-880	AMD-P	91-16-056	388-49-040	AMD	91-14-082	388-62-035	AMD-P	91-14-119
388-15-880	AMD-E	91-16-066	388-49-080	AMD-P	91-09-031	388-62-035	AMD	91-17-060
388-24-050	AMD-E	91-04-042	388-49-080	AMD-E	91-09-032	388-62-050	REP-P	91-14-119
388-24-050	AMD-P	91-04-043	388-49-120	AMD	91-12-043	388-62-050	REP	91-17-060
388-24-050	AMD-C	91-08-010	388-49-120	AMD-P	91-11-110	388-62-070	AMD-P	91-14-119
388-24-050	AMD-W	91-08-063	388-49-190	AMD	91-14-082	388-62-070	AMD	91-17-060
388-24-050	AMD-P	91-09-068	388-49-190	AMD-P	91-05-073	388-62-075	AMD-P	91-14-119
388-24-050	AMD-E	91-09-069	388-49-190	AMD	91-10-098	388-62-075	AMD	91-17-060
388-24-050	AMD	91-12-044	388-49-270	AMD-P	91-13-098	388-62-080	AMD-P	91-14-119
388-24-070	AMD-P	91-13-101	388-49-270	AMD	91-16-063	388-62-080	AMD	91-17-060
388-24-070	AMD	91-16-062	388-49-310	AMD-P	91-07-069	388-62-095	AMD-P	91-14-119
388-24-074	AMD-P	91-13-099	388-49-310	AMD	91-11-019	388-62-095	AMD	91-17-060
388-24-074	AMD	91-16-058	388-49-330	AMD-P	91-05-075	388-62-100	REP-P	91-14-119
388-28-435	AMD-P	91-10-074	388-49-330	AMD	91-10-099	388-62-100	REP	91-17-060
388-28-435	AMD-E	91-10-078	388-49-410	AMD-P	91-05-071	388-62-115	REP-P	91-14-119
388-28-435	AMD	91-13-082	388-49-410	AMD	91-10-097	388-62-115	REP	91-17-060
388-28-482	AMD-P	91-10-075	388-49-420	AMD-P	91-05-071	388-62-130	REP-P	91-14-119
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390-20-0101	AMD	91-09-021	392-115-085	NEW	91-07-007	392-121-535	NEW	91-07-006
390-20-052	AMD-P	91-13-089	392-115-090	NEW-P	91-03-001	392-121-540	NEW	91-07-006
390-20-052	AMD	91-16-072	392-115-090	NEW	91-07-007	392-121-545	NEW	91-07-006
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390-28-060	AMD-P	91-19-039	392-115-110	NEW-P	91-03-001	392-122-120	AMD	91-03-118
390-28-080	AMD-P	91-19-039	392-115-110	NEW	91-07-007	392-122-125	REP	91-03-118
390-37-060	AMD-P	91-13-089	392-115-115	NEW-P	91-03-001	392-122-145	AMD	91-03-118
390-37-060	AMD	91-16-072	392-115-115	NEW	91-07-007	392-122-165	NEW	91-03-118
390-37-085	NEW-P	91-15-025	392-115-120	NEW-P	91-03-001	392-122-200	AMD	91-03-118
390-37-085	NEW-W	91-15-051	392-115-120	NEW	91-07-007	392-122-206	NEW	91-03-118
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392-122-235	AMD	91-03-118	392-140-346	NEW	91-02-094	392-142-260	AMD-P	91-19-077
392-122-240	REP	91-03-118	392-140-347	NEW	91-02-094	392-143-030	AMD-P	91-19-078
392-122-245	REP	91-03-118	392-140-348	NEW	91-02-094	392-143-031	NEW-P	91-19-078
392-122-250	REP	91-03-118	392-140-349	NEW	91-02-094	392-143-032	NEW-P	91-19-078
392-122-265	REP-W	91-13-071	392-140-350	NEW	91-02-094	392-143-080	NEW-P	91-19-078
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392-122-610	AMD	91-03-118	392-140-354	NEW	91-02-094	392-145-020	AMD-P	91-19-079
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392-122-800	AMD	91-03-118	392-140-356	NEW	91-02-094	392-145-030	AMD	91-06-032
392-122-805	AMD	91-03-118	392-140-357	NEW	91-02-094	392-145-030	AMD-W	91-16-032
392-122-910	NEW	91-03-118	392-140-358	NEW	91-02-094	392-151-003	NEW-P	91-10-085
392-123-180	AMD-P	91-19-076	392-140-359	NEW	91-02-094	392-151-003	NEW	91-15-016
392-125-014	NEW-P	91-03-050	392-140-360	NEW	91-02-094	392-151-005	AMD-P	91-10-085
392-125-014	NEW	91-07-063	392-140-361	NEW	91-02-094	392-151-005	AMD	91-15-016
392-125-015	AMD-P	91-03-050	392-140-362	NEW	91-02-094	392-151-010	AMD-P	91-10-085
392-125-015	AMD	91-07-063	392-140-362	NEW	91-02-094	392-151-010	AMD	91-15-016
392-125-020	AMD-P	91-03-050	392-140-364	NEW	91-02-094	392-151-015	AMD-P	91-10-085
392-125-020	AMD	91-07-063	392-140-365	NEW	91-02-094	392-151-015	AMD	91-15-016
392-125-025	AMD-P	91-03-050	392-140-366	NEW	91-02-094	392-151-017	NEW-P	91-10-085
392-125-025	AMD	91-07-063	392-140-367	NEW	91-02-094	392-151-017	NEW	91-15-016
392-125-026	NEW-P	91-03-050	392-140-368	NEW	91-02-094	392-151-020	AMD-P	91-10-085
392-125-026	NEW	91-07-063	392-140-369	NEW	91-02-094	392-151-020	AMD	91-15-016
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392-125-027	NEW	91-07-063	392-140-371	NEW	91-02-094	392-151-035	AMD	91-15-016
392-125-030	AMD-P	91-03-050	392-140-372	NEW	91-02-094	392-151-040	AMD-P	91-10-085
392-125-030	AMD	91-07-063	392-140-373	NEW	91-02-094	392-151-040	AMD	91-15-016
392-125-085	AMD-P	91-03-050	392-140-374	NEW	91-02-094	392-151-045	AMD-P	91-10-085
392-125-085	AMD	91-07-063	392-140-375	NEW	91-02-094	392-151-045	AMD	91-15-016
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392-127-004	AMD	91-16-011	392-140-377	NEW	91-02-094	392-151-050	AMD	91-15-016
392-127-006	AMD-P	91-12-006	392-140-378	NEW	91-02-094	392-151-055	AMD-P	91-10-085
392-127-006	AMD	91-16-011	392-140-379	NEW	91-02-094	392-151-055	AMD	91-15-016
392-127-011	AMD-P	91-12-006	392-140-380	NEW	91-02-094	392-151-060	AMD-P	91-10-085
392-127-011	AMD	91-16-011	392-140-381	NEW	91-02-094	392-151-060	AMD	91-15-016
392-127-700	NEW	91-03-129	392-140-381	NEW	91-02-094	392-151-060	AMD	91-15-016
392-127-703	NEW	91-03-129	392-140-390	NEW	91-02-094	392-151-095	AMD-P	91-10-085
392-127-705	NEW	91-03-129	392-140-391	NEW	91-02-094	392-151-095	AMD	91-15-016
392-127-710	NEW	91-03-129	392-140-392	NEW	91-02-094	392-151-105	AMD-P	91-10-085
392-127-715	NEW	91-03-129	392-140-393	NEW	91-02-094	392-151-105	AMD	91-15-016
392-127-720	NEW	91-03-129	392-140-400	REP-P	91-19-094	392-151-120	AMD-P	91-10-085
392-127-725	NEW	91-03-129	392-140-401	REP-P	91-19-094	392-151-120	AMD	91-15-016
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392-127-735	NEW	91-03-129	392-140-403	REP-P	91-19-094	392-151-125	AMD	91-15-016
392-127-740	NEW	91-03-129	392-140-404	REP-P	91-19-094	392-151-130	AMD-P	91-10-085
392-127-745	NEW	91-03-129	392-140-405	REP-P	91-19-094	392-151-130	AMD	91-15-016
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392-127-755	NEW	91-03-129	392-140-407	REP-P	91-19-094	392-151-135	AMD	91-15-016
392-127-760	NEW	91-03-129	392-140-408	REP-P	91-19-094	392-151-140	AMD-P	91-10-085
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392-127-775	NEW	91-03-129	392-140-411	REP-P	91-19-094	392-151-145	REP	91-15-016
392-127-780	NEW	91-03-129	392-140-412	REP-P	91-19-094	392-151-150	REP-P	91-10-085
392-127-785	NEW	91-03-129	392-140-413	REP-P	91-19-094	392-151-150	REP	91-15-016
392-127-790	NEW	91-03-129	392-140-414	REP-P	91-19-094	392-160	AMD-C	91-11-028
392-127-795	NEW	91-03-129	392-140-415	REP-P	91-19-094	392-160-015	AMD-P	91-07-062
392-127-800	NEW	91-03-129	392-140-416	REP-P	91-19-094	392-160-015	AMD	91-17-008
392-127-805	NEW	91-03-129	392-140-417	REP-P	91-19-094	392-160-020	AMD-P	91-07-062
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392-127-815	NEW	91-03-129	392-140-419	REP-P	91-19-094	392-160-040	AMD-P	91-07-062
392-127-820	NEW	91-03-129	392-140-420	REP-P	91-19-094	392-160-040	AMD	91-17-008
392-127-825	NEW	91-03-129	392-140-421	REP-P	91-19-094	392-160-040	AMD	91-17-008
392-127-830	NEW	91-03-129	392-140-422	REP-P	91-19-094	392-162-095	AMD-P	91-13-052
392-140-224	AMD-P	91-09-026	392-140-423	REP-P	91-19-094	392-162-095	AMD	91-18-005
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392-140-257	AMD-P	91-04-089	392-142-005	AMD	91-16-011	392-163-340	AMD	91-18-040
392-140-257	AMD	91-08-039	392-142-095	AMD-P	91-12-006	392-163-345	AMD-P	91-14-037
392-140-336	AMD-P	91-12-006	392-142-095	AMD	91-16-011	392-163-345	AMD	91-18-040
392-140-336	AMD	91-16-011	392-142-155	AMD-P	91-19-077	392-163-355	AMD-P	91-14-037
392-140-337	AMD-P	91-12-006	392-142-165	AMD-P	91-19-077	392-163-355	AMD	91-18-040
392-140-337	AMD	91-16-011	392-142-215	REP-P	91-19-077	392-163-435	AMD-P	91-14-037
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392-191-007	AMD-P	91-12-006	400-12-410	AMD-P	91-15-090	415-114-010	NEW	91-11-061
392-191-007	AMD	91-16-011	400-12-415	NEW-P	91-15-090	415-114-010	RE-AD	91-13-049
392-191-030	AMD-P	91-12-006	400-12-420	AMD-P	91-15-090	415-114-010	REP-P	91-16-091
392-191-030	AMD	91-16-011	400-12-500	AMD-P	91-15-090	415-114-010	REP	91-19-062
392-191-035	AMD-P	91-12-006	400-12-510	REP-P	91-15-090	415-114-020	NEW-P	91-06-089
392-191-035	AMD	91-16-011	400-12-515	NEW-P	91-15-090	415-114-020	NEW-C	91-10-108
392-191-040	AMD-P	91-12-006	400-12-520	REP-P	91-15-090	415-114-020	NEW	91-11-061
392-191-040	AMD	91-16-011	400-12-525	NEW-P	91-15-090	415-114-020	RE-AD	91-13-049
392-191-060	REP-P	91-10-104	400-12-530	REP-P	91-15-090	415-114-020	REP-P	91-16-091
392-191-060	REP	91-16-026	400-12-535	NEW-P	91-15-090	415-114-020	REP	91-19-062
392-191-065	REP-P	91-10-104	400-12-540	REP-P	91-15-090	415-114-030	NEW-P	91-06-089
392-191-065	REP	91-16-026	400-12-545	NEW-P	91-15-090	415-114-030	NEW-C	91-10-108
392-191-070	REP-P	91-10-104	400-12-550	REP-P	91-15-090	415-114-030	NEW	91-11-061
392-191-070	REP	91-16-026	400-12-555	NEW-P	91-15-090	415-114-030	RE-AD	91-13-049
392-191-075	REP-P	91-10-104	400-12-560	REP-P	91-15-090	415-114-030	REP-P	91-16-091
392-191-075	AMD-P	91-12-006	400-12-565	NEW-P	91-15-090	415-114-030	REP	91-19-062
392-191-075	AMD	91-16-011	400-12-570	REP-P	91-15-090	415-114-040	NEW-P	91-06-089
392-191-075	REP	91-16-026	400-12-600	REP-P	91-15-090	415-114-040	NEW-C	91-10-108
392-191-080	REP-P	91-10-104	400-12-605	NEW-P	91-15-090	415-114-040	NEW	91-11-061
392-191-080	REP	91-16-026	400-12-610	REP-P	91-15-090	415-114-040	AMD	91-13-049
392-191-085	REP-P	91-10-104	400-12-615	NEW-P	91-15-090	415-114-040	REP-P	91-16-091
392-191-085	AMD-P	91-12-006	400-12-620	REP-P	91-15-090	415-114-040	REP	91-19-062
392-191-085	AMD	91-16-011	400-12-625	NEW-P	91-15-090	415-114-050	NEW-P	91-06-089
392-191-085	REP	91-16-026	400-12-630	REP-P	91-15-090	415-114-050	NEW-C	91-10-108
392-191-090	REP-P	91-10-104	400-12-635	NEW-P	91-15-090	415-114-050	NEW	91-11-061
392-191-090	REP	91-16-026	400-12-640	REP-P	91-15-090	415-114-050	RE-AD	91-13-049
392-191-095	REP-P	91-10-104	400-12-650	REP-P	91-15-090	415-114-050	REP-P	91-16-091
392-191-095	REP	91-16-026	400-12-660	REP-P	91-15-090	415-114-050	REP	91-19-062
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392-192-005	AMD	91-16-011	402-70-010	AMD-W	91-08-059	415-114-055	NEW	91-13-049
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392-192-040	AMD	91-16-011	402-70-030	AMD-W	91-08-059	415-114-055	REP	91-19-062
392-196-005	AMD-E	91-18-020	402-70-040	NEW-W	91-08-059	415-114-060	NEW-P	91-06-089
392-196-045	AMD-E	91-18-020	402-70-045	NEW-W	91-08-059	415-114-060	NEW-C	91-10-108
392-196-080	AMD-E	91-18-020	402-70-050	AMD-W	91-08-059	415-114-060	RE-AD	91-11-061
392-196-085	AMD-E	91-18-020	402-70-055	NEW-W	91-08-059	415-114-060	RE-AD	91-13-049
392-196-090	REP-E	91-18-020	402-70-060	NEW-W	91-08-059	415-114-060	REP-P	91-16-091
392-196-100	AMD-E	91-18-020	402-70-062	NEW-W	91-08-059	415-114-060	REP	91-19-062
392-198-005	NEW-P	91-14-035	402-70-064	NEW-W	91-08-059	415-114-070	NEW-C	91-10-108
392-198-005	NEW	91-18-006	402-70-066	NEW-W	91-08-059	415-114-070	NEW	91-13-049
392-198-010	NEW-P	91-14-035	402-70-068	NEW-W	91-08-059	415-114-070	REP-P	91-16-091
392-198-010	NEW	91-18-006	402-70-070	AMD-W	91-08-059	415-114-070	REP	91-19-062
392-198-015	NEW-P	91-14-035	402-70-077	NEW-W	91-08-059	415-114-100	NEW-P	91-16-091
392-198-015	NEW	91-18-006	402-70-080	AMD-W	91-08-059	415-114-100	NEW	91-19-062
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392-198-030	NEW	91-18-006	415-06-090	AMD	91-19-061	415-114-400	NEW	91-19-062
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392-202-080	AMD-P	91-14-036	415-100-045	NEW	91-03-013	415-114-500	NEW	91-19-062
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392-202-110	AMD-P	91-14-036	415-100-055	NEW	91-03-013	415-114-550	NEW	91-19-062
392-202-115	AMD-P	91-14-036	415-104-108	AMD-P	91-16-094	415-114-600	NEW-P	91-16-091
392-202-120	AMD-P	91-14-036	415-104-108	AMD	91-19-063	415-114-600	NEW	91-19-062
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399-30-040	AMD-P	91-14-093	415-104-205	NEW	91-03-014	415-114-700	NEW	91-19-062
399-30-042	AMD-P	91-14-093	415-104-211	NEW	91-03-014	415-115-010	NEW-P	91-10-109
399-30-045	AMD-P	91-14-093	415-104-215	NEW	91-03-014	415-115-010	NEW	91-13-030
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400-12-110	AMD-P	91-15-090	415-112-330	AMD-P	91-18-070	415-115-050	NEW	91-13-030
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400-12-200	AMD-P	91-15-090	415-112-535	NEW-P	91-18-070	415-115-060	NEW	91-13-030
400-12-210	AMD-P	91-15-090	415-112-540	AMD-P	91-18-070	415-115-070	NEW-P	91-10-109
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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
415-115-090	NEW	91-13-030	417-06-160	NEW-E	91-13-021	434-40-080	AMD-E	91-14-080
415-115-100	NEW-P	91-10-109	417-06-160	NEW-P	91-15-028	434-40-080	AMD-P	91-17-046
415-115-100	NEW	91-13-030	417-06-170	NEW-E	91-13-021	434-40-180	AMD-E	91-14-080
415-115-110	NEW-P	91-10-109	417-06-170	NEW-P	91-15-028	434-40-180	AMD-P	91-17-046
415-115-110	NEW	91-13-030	419-14-030	AMD-P	91-03-107	434-42-900	NEW-P	91-03-125
415-115-120	NEW-P	91-10-109	419-14-030	AMD	91-06-063	434-42-900	NEW-E	91-03-126
415-115-120	NEW	91-13-030	419-14-040	AMD-P	91-03-107	434-42-900	REP-E	91-07-002
415-116-010	NEW-P	91-10-107	419-14-040	AMD	91-06-063	434-42-900	NEW-W	91-07-003
415-116-010	NEW	91-13-029	419-14-090	AMD-P	91-03-107	434-42-905	NEW-P	91-03-125
415-116-020	NEW-P	91-10-107	419-14-090	AMD	91-06-063	434-42-905	NEW-E	91-03-126
415-116-020	NEW	91-13-029	419-14-100	AMD-P	91-03-107	434-42-905	REP-E	91-07-002
415-116-030	NEW-P	91-10-107	419-14-100	AMD	91-06-063	434-42-905	NEW-W	91-07-003
415-116-030	NEW	91-13-029	419-14-110	AMD-P	91-03-107	434-42-910	NEW-P	91-03-125
415-116-040	NEW-P	91-10-107	419-14-110	AMD	91-06-063	434-42-910	NEW-E	91-03-126
415-116-040	NEW	91-13-029	419-18-030	AMD-P	91-03-106	434-42-910	REP-E	91-07-002
415-116-050	NEW-P	91-10-107	419-18-030	AMD	91-06-062	434-42-910	NEW-W	91-07-003
415-116-050	NEW	91-13-029	419-18-040	AMD-P	91-03-106	434-42-915	NEW-P	91-03-125
417-01-100	NEW-E	91-09-052	419-18-040	AMD	91-06-062	434-42-915	NEW-E	91-03-126
417-01-100	NEW-P	91-15-028	419-18-050	AMD-P	91-03-106	434-42-915	REP-E	91-07-002
417-01-105	NEW-E	91-09-052	419-18-050	AMD	91-06-062	434-42-915	NEW-W	91-07-003
417-01-105	NEW-P	91-15-028	419-18-060	AMD-P	91-03-106	434-42-920	NEW-P	91-03-125
417-01-110	NEW-E	91-09-052	419-18-060	AMD	91-06-062	434-42-920	NEW-E	91-03-126
417-01-110	NEW-P	91-15-028	419-18-070	AMD-P	91-03-106	434-42-920	REP-E	91-07-002
417-01-115	NEW-E	91-09-052	419-18-070	AMD	91-06-062	434-42-920	NEW-W	91-07-003
417-01-115	NEW-P	91-15-028	434-15-010	REP-P	91-17-054	434-42-925	NEW-P	91-03-125
417-01-120	NEW-E	91-09-052	434-15-020	REP-P	91-17-054	434-42-925	NEW-E	91-03-126
417-01-120	NEW-P	91-15-028	434-15-030	REP-P	91-17-054	434-42-925	REP-E	91-07-002
417-01-125	NEW-E	91-09-052	434-15-040	REP-P	91-17-054	434-42-925	NEW-W	91-07-003
417-01-125	NEW-P	91-15-028	434-15-050	REP-P	91-17-054	434-42-930	NEW-P	91-03-125
417-01-130	NEW-E	91-09-052	434-15-060	REP-P	91-17-054	434-42-930	NEW-E	91-03-126
417-01-130	NEW-P	91-15-028	434-15-070	REP-P	91-17-054	434-42-930	REP-E	91-07-002
417-01-135	NEW-E	91-09-052	434-15-080	REP-P	91-17-054	434-42-930	NEW-W	91-07-003
417-01-135	NEW-P	91-15-028	434-15-090	REP-P	91-17-054	434-42-935	NEW-P	91-03-125
417-01-140	NEW-E	91-09-052	434-15-100	REP-P	91-17-054	434-42-935	NEW-E	91-03-126
417-01-140	NEW-P	91-15-028	434-15-110	REP-P	91-17-054	434-42-935	REP-E	91-07-002
417-01-145	NEW-E	91-09-052	434-15-120	REP-P	91-17-054	434-42-935	NEW-W	91-07-003
417-01-145	NEW-P	91-15-028	434-15-130	REP-P	91-17-054	434-42-935	NEW-P	91-03-125
417-01-150	NEW-E	91-09-052	434-15-140	REP-P	91-17-054	434-42-940	NEW-E	91-03-126
417-01-150	NEW-P	91-15-028	434-15-150	REP-P	91-17-054	434-42-940	REP-E	91-07-002
417-01-155	NEW-E	91-09-052	434-15-190	REP-P	91-17-054	434-42-940	NEW-W	91-07-003
417-01-155	NEW-P	91-15-028	434-15-99001	REP-P	91-17-054	434-42-945	NEW-P	91-03-125
417-02-100	NEW-E	91-13-020	434-26-005	NEW-P	91-13-022	434-42-945	NEW-E	91-03-126
417-02-100	NEW-P	91-15-028	434-26-005	NEW	91-18-013	434-42-945	REP-E	91-07-002
417-02-105	NEW-E	91-13-020	434-26-010	NEW-P	91-13-022	434-42-945	NEW-W	91-07-003
417-02-105	NEW-P	91-15-028	434-26-010	NEW	91-18-013	434-42-950	NEW-P	91-03-125
417-02-110	NEW-E	91-13-020	434-26-015	NEW-P	91-13-022	434-42-950	NEW-E	91-03-126
417-02-110	NEW-P	91-15-028	434-26-015	NEW	91-18-013	434-42-950	REP-E	91-07-002
417-02-115	NEW-E	91-13-020	434-26-020	NEW-P	91-13-022	434-42-950	NEW-W	91-07-003
417-02-115	NEW-P	91-15-028	434-26-020	NEW	91-18-013	434-42-955	NEW-P	91-03-125
417-02-120	NEW-E	91-13-020	434-26-025	NEW-P	91-13-022	434-42-955	NEW-E	91-03-126
417-02-120	NEW-P	91-15-028	434-26-025	NEW	91-18-013	434-42-955	REP-E	91-07-002
417-02-125	NEW-E	91-13-020	434-26-030	NEW-P	91-13-022	434-42-955	NEW-W	91-07-003
417-02-125	NEW-P	91-15-028	434-26-030	NEW	91-18-013	434-42-960	NEW-P	91-03-125
417-02-130	NEW-E	91-13-020	434-26-035	NEW-P	91-13-022	434-42-960	NEW-E	91-03-126
417-02-130	NEW-P	91-15-028	434-26-035	NEW	91-18-013	434-42-960	REP-E	91-07-002
417-02-135	NEW-E	91-13-020	434-26-040	NEW-P	91-13-022	434-42-960	NEW-W	91-07-003
417-02-135	NEW-P	91-15-028	434-26-040	NEW	91-18-013	434-42-965	NEW-P	91-03-125
417-02-140	NEW-E	91-13-020	434-26-045	NEW-P	91-13-022	434-42-965	NEW-E	91-03-126
417-02-140	NEW-P	91-15-028	434-26-045	NEW	91-18-013	434-42-965	REP-E	91-07-002
417-02-145	NEW-E	91-13-020	434-26-050	NEW-P	91-13-022	434-42-965	NEW-W	91-07-003
417-02-145	NEW-P	91-15-028	434-26-050	NEW	91-18-013	434-42-970	NEW-P	91-03-125
417-02-150	NEW-E	91-13-020	434-26-055	NEW-P	91-13-022	434-42-970	NEW-E	91-03-126
417-02-150	NEW-P	91-15-028	434-26-055	NEW	91-18-013	434-42-970	REP-E	91-07-002
417-02-155	NEW-E	91-13-020	434-26-060	NEW-P	91-13-022	434-42-970	NEW-W	91-07-003
417-02-155	NEW-P	91-15-028	434-26-060	NEW	91-18-013	434-42-975	NEW-P	91-03-125
417-06-100	NEW-E	91-13-021	434-26-065	NEW-P	91-13-022	434-42-975	NEW-E	91-03-126
417-06-100	NEW-P	91-15-028	434-26-065	NEW	91-18-013	434-42-975	REP-E	91-07-002
417-06-110	NEW-E	91-13-021	434-26-900	NEW-P	91-13-022	434-42-975	NEW-W	91-07-003
417-06-110	NEW-P	91-15-028	434-26-900	NEW	91-18-013	434-42-980	NEW-P	91-03-125
417-06-120	NEW-E	91-13-021	434-40-010	AMD-E	91-14-080	434-42-980	NEW-E	91-03-126
417-06-120	NEW-P	91-15-028	434-40-010	AMD-P	91-17-046	434-42-980	REP-E	91-07-002
417-06-130	NEW-E	91-13-021	434-40-050	AMD-E	91-14-080	434-42-980	NEW-W	91-07-003
417-06-130	NEW-P	91-15-028	434-40-050	AMD-P	91-17-046	434-42-985	NEW-P	91-03-125
417-06-140	NEW-E	91-13-021	434-40-060	AMD-E	91-14-080	434-42-985	NEW-E	91-03-126
417-06-140	NEW-P	91-15-028	434-40-060	AMD-P	91-17-046	434-42-985	REP-E	91-07-002
417-06-150	NEW-E	91-13-021	434-40-070	AMD-E	91-14-080	434-42-985	NEW-W	91-07-003
417-06-150	NEW-P	91-15-028	434-40-070	AMD-P	91-17-046	434-75-010	NEW-P	91-13-016

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
434-75-010	NEW	91-18-012	434-840-070	NEW-P	91-17-046	446-75-010	NEW-P	91-07-045
434-75-020	NEW-P	91-13-016	434-840-080	NEW-P	91-17-046	446-75-010	NEW-E	91-07-046
434-75-020	NEW	91-18-012	434-840-090	NEW-P	91-17-046	446-75-010	NEW	91-11-046
434-75-030	NEW-P	91-13-016	434-840-100	NEW-P	91-17-046	446-75-020	NEW-P	91-07-045
434-75-030	NEW	91-18-012	434-840-110	NEW-P	91-17-046	446-75-020	NEW-E	91-07-046
434-75-040	NEW-P	91-13-016	434-840-120	NEW-P	91-17-046	446-75-020	NEW	91-11-046
434-75-040	NEW	91-18-012	434-840-130	NEW-P	91-17-046	446-75-030	NEW-P	91-07-045
434-75-050	NEW-P	91-13-016	434-840-200	NEW-P	91-17-046	446-75-030	NEW-E	91-07-046
434-75-050	NEW	91-18-012	434-840-210	NEW-P	91-17-046	446-75-030	NEW	91-11-046
434-75-060	NEW-P	91-13-016	434-840-220	NEW-P	91-17-046	446-75-040	NEW-P	91-07-045
434-75-060	NEW	91-18-012	434-840-230	NEW-P	91-17-046	446-75-040	NEW-E	91-07-046
434-75-070	NEW-P	91-13-016	434-840-240	NEW-P	91-17-046	446-75-040	NEW	91-11-046
434-75-070	NEW	91-18-012	434-840-300	NEW-P	91-17-046	446-75-050	NEW-P	91-07-045
434-75-080	NEW-P	91-13-016	434-840-310	NEW-P	91-17-046	446-75-050	NEW-E	91-07-046
434-75-080	NEW	91-18-012	434-840-320	NEW-P	91-17-046	446-75-050	NEW	91-11-046
434-75-090	NEW-P	91-13-016	434-840-330	NEW-P	91-17-046	446-75-060	NEW-P	91-07-045
434-75-090	NEW	91-18-012	434-840-340	NEW-P	91-17-046	446-75-060	NEW-E	91-07-046
434-75-100	NEW-P	91-13-016	434-840-350	NEW-P	91-17-046	446-75-060	NEW	91-11-046
434-75-100	NEW	91-18-012	434-840-360	NEW-P	91-17-046	446-75-070	NEW-P	91-07-045
434-75-110	NEW-P	91-13-016	434-840-370	NEW-P	91-17-046	446-75-070	NEW-E	91-07-046
434-75-110	NEW	91-18-012	434-840-900	NEW-E	91-14-079	446-75-070	NEW	91-11-046
434-75-120	NEW-P	91-13-016	434-840-901	NEW-E	91-14-079	446-75-080	NEW-P	91-07-045
434-75-120	NEW	91-18-012	434-840-902	NEW-E	91-14-079	446-75-080	NEW-E	91-07-046
434-75-130	NEW-P	91-13-016	434-840-903	NEW-E	91-14-079	446-75-080	NEW	91-11-046
434-75-130	NEW	91-18-012	434-840-904	NEW-E	91-14-079	448-12-010	REP-S	91-03-123
434-75-140	NEW-P	91-13-016	434-840-905	NEW-E	91-14-079	448-12-010	REP	91-06-022
434-75-140	NEW	91-18-012	434-840-906	NEW-E	91-14-079	448-12-015	REP-S	91-03-123
434-75-150	NEW-P	91-13-016	434-840-907	NEW-E	91-14-079	448-12-015	REP	91-06-022
434-75-150	NEW	91-18-012	434-840-908	NEW-E	91-14-079	448-12-016	REP-S	91-03-123
434-75-160	NEW-P	91-13-016	434-840-909	NEW-E	91-14-079	448-12-016	REP	91-06-022
434-75-160	NEW	91-18-012	434-840-910	NEW-E	91-14-079	448-12-020	REP-S	91-03-123
434-75-170	NEW-P	91-13-016	434-840-920	NEW-E	91-14-079	448-12-020	REP	91-06-022
434-75-170	NEW	91-18-012	434-840-921	NEW-E	91-14-079	448-12-030	REP-S	91-03-123
434-75-180	NEW-P	91-13-016	434-840-922	NEW-E	91-14-079	448-12-030	REP	91-06-022
434-75-180	NEW	91-18-012	434-840-923	NEW-E	91-14-079	448-12-040	REP-S	91-03-123
434-75-190	NEW-P	91-13-016	434-840-930	NEW-E	91-14-079	448-12-040	REP	91-06-022
434-75-190	NEW	91-18-012	434-840-931	NEW-E	91-14-079	448-12-050	REP-S	91-03-123
434-75-200	NEW-P	91-13-016	434-840-932	NEW-E	91-14-079	448-12-050	REP	91-06-022
434-75-200	NEW	91-18-012	434-840-933	NEW-E	91-14-079	448-12-055	REP-S	91-03-123
434-75-210	NEW-P	91-13-016	434-840-934	NEW-E	91-14-079	448-12-055	REP	91-06-022
434-75-210	NEW	91-18-012	434-840-940	NEW-E	91-14-079	448-12-060	REP-S	91-03-123
434-75-220	NEW-P	91-13-016	434-840-941	NEW-E	91-14-079	448-12-060	REP	91-06-022
434-75-220	NEW	91-18-012	434-840-942	NEW-E	91-14-079	448-12-070	REP-S	91-03-123
434-75-230	NEW-P	91-13-016	434-840-943	NEW-E	91-14-079	448-12-070	REP	91-06-022
434-75-230	NEW	91-18-012	434-840-944	NEW-E	91-14-079	448-12-075	REP-S	91-03-123
434-75-240	NEW-P	91-13-016	434-840-945	NEW-E	91-14-079	448-12-075	REP	91-06-022
434-75-240	NEW	91-18-012	434-840-946	NEW-E	91-14-079	448-12-080	REP-S	91-03-123
434-75-250	NEW-P	91-13-016	434-840-947	NEW-E	91-14-079	448-12-080	REP	91-06-022
434-75-250	NEW	91-18-012	440-44-050	REP-W	91-08-059	448-12-090	REP-S	91-03-123
434-75-260	NEW-P	91-13-016	440-44-057	REP-W	91-08-059	448-12-090	REP	91-06-022
434-75-260	NEW	91-18-012	440-44-058	REP-W	91-08-059	448-12-100	REP-S	91-03-123
434-75-270	NEW-P	91-13-016	440-44-059	REP-W	91-08-059	448-12-100	REP	91-06-022
434-75-270	NEW	91-18-012	440-44-060	REP-W	91-08-059	448-12-210	REP-S	91-03-123
434-75-280	NEW-P	91-13-016	440-44-062	REP-W	91-08-059	448-12-210	REP	91-06-022
434-75-280	NEW	91-18-012	440-44-085	REP-P	91-15-061	448-12-220	REP-S	91-03-123
434-75-290	NEW-P	91-13-016	440-44-085	REP-E	91-15-064	448-12-220	REP	91-06-022
434-75-290	NEW	91-18-012	440-44-085	REP	91-19-025	448-12-230	REP-S	91-03-123
434-75-300	NEW-P	91-13-016	446-16-080	AMD-P	91-16-099	448-12-230	REP	91-06-022
434-75-300	NEW	91-18-012	446-20-020	AMD-P	91-19-012	448-12-240	REP-S	91-03-123
434-75-310	NEW-P	91-13-016	446-20-280	AMD-P	91-19-012	448-12-240	REP	91-06-022
434-75-310	NEW	91-18-012	446-20-285	AMD-P	91-19-012	448-12-250	AMD-P	91-03-123
434-75-320	NEW-P	91-13-016	446-20-290	AMD-P	91-19-012	448-12-250	REP	91-06-022
434-75-320	NEW	91-18-012	446-20-310	AMD-P	91-19-012	448-12-260	REP-S	91-03-123
434-75-330	NEW-P	91-13-016	446-20-500	AMD-P	91-15-045	448-12-260	REP	91-06-022
434-75-330	NEW	91-18-012	446-20-510	AMD-P	91-15-045	448-12-270	REP-S	91-03-123
434-75-340	NEW-P	91-13-016	446-20-515	AMD-P	91-15-045	448-12-270	REP	91-06-022
434-75-340	NEW	91-18-012	446-20-530	AMD-P	91-19-012	448-12-280	REP-S	91-03-123
434-75-350	NEW-P	91-13-016	446-65	AMD-P	91-16-098	448-12-280	REP	91-06-022
434-75-350	NEW	91-18-012	446-65	AMD-W	91-19-107	448-12-290	REP-S	91-03-123
434-840-001	NEW-P	91-17-046	446-65-005	NEW-E	91-06-050	448-12-290	REP	91-06-022
434-840-005	NEW-P	91-17-046	446-65-005	NEW	91-06-066	448-12-300	REP-S	91-03-123
434-840-010	NEW-P	91-17-046	446-65-005	AMD-P	91-16-098	448-12-300	REP	91-06-022
434-840-020	NEW-P	91-17-046	446-65-005	AMD-W	91-19-107	448-12-320	REP-S	91-03-123
434-840-030	NEW-P	91-17-046	446-65-010	NEW-E	91-06-050	448-12-320	REP	91-06-022
434-840-040	NEW-P	91-17-046	446-65-010	NEW	91-06-066	448-12-330	REP-S	91-03-123
434-840-050	NEW-P	91-17-046	446-65-010	AMD-P	91-16-098	448-12-330	REP	91-06-022
434-840-060	NEW-P	91-17-046	446-65-010	AMD-W	91-19-107	448-12-340	REP-S	91-03-123

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
448-12-340	REP	91-06-022	456-09-325	AMD-P	91-04-084
448-13-010	NEW-S	91-03-123	456-09-325	AMD	91-07-038
448-13-010	NEW	91-06-022	456-09-365	AMD-P	91-04-084
448-13-020	NEW-S	91-03-123	456-09-365	AMD	91-07-038
448-13-020	NEW	91-06-022	456-10-360	AMD-P	91-04-083
448-13-020	AMD-E	91-18-033	456-10-360	AMD	91-07-039
448-13-020	AMD-P	91-18-034	456-10-547	NEW-P	91-04-083
448-13-030	NEW-S	91-03-123	456-10-547	NEW	91-07-039
448-13-030	NEW	91-06-022	458-12-251	PREP	91-18-025
448-13-040	NEW-S	91-03-123	458-14-010	REP	91-07-040
448-13-040	NEW	91-06-022	458-14-020	REP	91-07-040
448-13-040	AMD-P	91-18-034	458-14-030	REP	91-07-040
448-13-040	AMD-E	91-18-033	458-14-040	REP	91-07-040
448-13-050	NEW-S	91-03-123	458-14-045	REP	91-07-040
448-13-050	NEW	91-06-022	458-14-050	REP	91-07-040
448-13-060	NEW-S	91-03-123	458-14-052	REP	91-07-040
448-13-060	NEW	91-06-022	458-14-055	REP	91-07-040
448-13-070	NEW-S	91-03-123	458-14-060	REP	91-07-040
448-13-070	NEW	91-06-022	458-14-062	REP	91-07-040
448-13-080	NEW-S	91-03-123	458-14-065	REP	91-07-040
448-13-080	NEW	91-06-022	458-14-070	REP	91-07-040
448-13-080	AMD-E	91-18-033	458-14-075	REP	91-07-040
448-13-080	AMD-P	91-18-034	458-14-080	REP	91-07-040
448-13-090	NEW-S	91-03-123	458-14-085	REP	91-07-040
448-13-090	NEW	91-06-022	458-14-086	REP	91-07-040
448-13-100	NEW-S	91-03-123	458-14-090	REP	91-07-040
448-13-100	NEW	91-06-022	458-14-091	REP	91-07-040
448-13-110	NEW-S	91-03-123	458-14-092	REP	91-07-040
448-13-110	NEW	91-06-022	458-14-094	REP	91-07-040
448-13-120	NEW-S	91-03-123	458-14-098	REP	91-07-040
448-13-120	NEW	91-06-022	458-14-100	REP	91-07-040
448-13-130	NEW-S	91-03-123	458-14-110	REP	91-07-040
448-13-130	NEW	91-06-022	458-14-115	REP	91-07-040
448-13-140	NEW-S	91-03-123	458-14-120	REP	91-07-040
448-13-140	NEW	91-06-022	458-14-121	REP	91-07-040
448-13-150	NEW-S	91-03-123	458-14-122	REP	91-07-040
448-13-150	NEW	91-06-022	458-14-125	REP	91-07-040
448-13-160	NEW-S	91-03-123	458-14-126	REP	91-07-040
448-13-160	NEW	91-06-022	458-14-130	REP	91-07-040
448-13-170	NEW-S	91-03-123	458-14-135	REP	91-07-040
448-13-170	NEW	91-06-022	458-14-140	REP	91-07-040
448-13-170	AMD-E	91-18-033	458-14-145	REP	91-07-040
448-13-170	AMD-P	91-18-034	458-14-150	REP	91-07-040
448-13-180	NEW-S	91-03-123	458-14-152	REP	91-07-040
448-13-180	NEW	91-06-022	458-14-155	REP	91-07-040
448-13-190	NEW-S	91-03-123	458-16-013	AMD-E	91-13-074
448-13-190	NEW	91-06-022	458-16-020	AMD-E	91-13-074
448-13-200	NEW-S	91-03-123	458-18-010	AMD-E	91-13-075
448-13-200	NEW	91-06-022	458-18-020	AMD-E	91-13-075
448-13-210	NEW-S	91-03-123	458-18-220	AMD-P	91-10-070
448-13-210	NEW	91-06-022	458-18-220	AMD	91-15-024
448-13-220	NEW-S	91-03-123	458-20-105	AMD-E	91-14-050
448-13-220	NEW	91-06-022	458-20-105	PREP	91-17-029
448-14-010	REP-P	91-03-124	458-20-109	PREP	91-03-057
448-14-020	REP-W	91-16-077	458-20-109	AMD-P	91-11-005
448-14-020	REP-P	91-03-124	458-20-110	PREP	91-03-058
448-14-020	REP-W	91-16-077	458-20-110	AMD-P	91-11-004
448-14-030	REP-P	91-03-124	458-20-126	PREP	91-04-062
448-14-030	REP-W	91-16-077	458-20-126	AMD-P	91-11-002
448-15-010	NEW-P	91-03-124	458-20-126	AMD	91-15-022
448-15-010	NEW-W	91-16-077	458-20-127	PREP	91-08-044
448-15-020	NEW-P	91-03-124	458-20-151	PREP	91-04-061
448-15-020	NEW-W	91-16-077	458-20-151	AMD-P	91-11-003
448-15-030	NEW-P	91-03-124	458-20-151	AMD	91-15-023
448-15-030	NEW-W	91-16-077	458-20-163	AMD	91-05-040
448-15-040	NEW-P	91-03-124	458-20-164	AMD-E	91-14-049
448-15-040	NEW-W	91-16-077	458-20-164	PREP	91-17-028
448-15-050	NEW-P	91-03-124	458-20-166	PREP	91-08-045
448-15-050	NEW-W	91-16-077	458-20-169	PREP	91-12-062
448-15-060	NEW-P	91-03-124	458-20-169	AMD-P	91-17-084
448-15-060	NEW-W	91-16-077	458-20-169	AMD-E	91-17-085
448-15-070	NEW-P	91-03-124	458-20-18601	NEW-E	91-14-027
448-15-070	NEW-W	91-16-077	458-20-18601	PREP	91-17-030
448-15-080	NEW-P	91-03-124	458-20-18801	PREP	91-12-002
448-15-080	NEW-W	91-16-077	458-20-193A	PREP	91-13-073
456-09-210	AMD-P	91-04-084	458-20-193B	PREP	91-13-073
456-09-210	AMD	91-07-038	458-20-199	PREP	91-08-043
458-20-227	AMD	91-05-039			
458-20-228	PREP	91-16-008			
458-20-22802	PREP	91-17-026			
458-20-229	PREP	91-16-009			
458-20-237	AMD	91-05-038			
458-20-255	AMD-E	91-12-003			
458-20-255	PREP	91-12-063			
458-20-255	AMD-P	91-16-010			
458-20-615	PREP	91-17-027			
458-30-262	AMD	91-04-001			
458-40-615	NEW-E	91-16-053			
458-40-660	AMD-P	91-06-052			
458-40-660	AMD-E	91-06-053			
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458-50-085	PREP	91-18-025			
460-11A-010	NEW-P	91-14-089			
460-11A-010	NEW	91-18-014			
460-11A-020	NEW-P	91-14-089			
460-11A-020	NEW	91-18-014			
460-11A-030	NEW-P	91-14-089			
460-11A-030	NEW	91-18-014			
460-11A-040	NEW-P	91-14-089			
460-11A-040	NEW	91-18-014			
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460-16A-200	NEW	91-04-008			
460-16A-205	NEW	91-04-008			
460-17A-030	AMD	91-04-009			
460-17A-070	AMD	91-04-009			
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460-31A-415	REP	91-04-012			
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460-31A-550	REP	91-04-012			
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460-31A-565	REP	91-04-012			
460-31A-570	REP	91-04-012			
460-31A-575	REP	91-04-012			
460-31A-580	REP	91-04-012			
460-31A-585	REP	91-04-012			
460-31A-590	REP	91-04-012			
460-31A-595	REP	91-04-012			
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460-31A-605	REP	91-04-012			
460-31A-610	REP	91-04-012			
460-31A-615	REP	91-04-012			
460-31A-620	REP	91-04-012			
460-31A-625	REP	91-04-012			
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460-31A-640	REP	91-04-012	460-46A-095	AMD	91-04-011	468-54-040	AMD-P	91-12-031
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460-31A-655	REP	91-04-012	463-10-010	AMD	91-03-090	468-54-050	AMD	91-18-023
460-31A-660	REP	91-04-012	463-14-030	AMD	91-03-090	468-54-065	AMD-P	91-12-031
460-31A-665	REP	91-04-012	463-14-080	AMD	91-03-090	468-54-065	AMD	91-18-023
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460-31A-685	REP	91-04-012	463-28-060	AMD	91-03-090	468-70-030	AMD	91-17-012
460-31A-690	REP	91-04-012	463-28-080	AMD	91-03-090	468-70-050	AMD-P	91-13-024
460-31A-695	REP	91-04-012	463-38-041	AMD	91-03-090	468-70-050	AMD	91-17-012
460-31A-700	REP	91-04-012	463-38-042	AMD	91-03-090	468-70-060	AMD-P	91-13-024
460-31A-705	REP	91-04-012	463-38-063	AMD	91-03-090	468-70-060	AMD	91-17-012
460-31A-710	REP	91-04-012	463-39-130	REP	91-03-090	468-70-070	AMD-P	91-13-024
460-31A-715	REP	91-04-012	463-39-150	AMD	91-03-090	468-70-070	AMD	91-17-012
460-31A-720	REP	91-04-012	463-42-680	NEW-P	91-03-132	468-300-010	AMD-P	91-14-031
460-31A-725	REP	91-04-012	463-42-680	NEW	91-09-040	468-300-010	AMD-E	91-14-032
460-31A-730	REP	91-04-012	463-43-060	AMD	91-03-090	468-300-010	AMD	91-18-022
460-34A-010	REP	91-04-012	463-47-060	AMD	91-03-090	468-300-020	AMD-P	91-14-031
460-34A-015	REP	91-04-012	463-50-030	AMD	91-03-090	468-300-020	AMD-E	91-14-032
460-34A-020	REP	91-04-012	463-54-070	AMD	91-03-090	468-300-020	AMD	91-18-022
460-34A-025	REP	91-04-012	463-58-030	AMD	91-03-090	468-300-040	AMD-P	91-14-031
460-34A-030	REP	91-04-012	467-01-010	AMD-P	91-19-066	468-300-040	AMD-E	91-14-032
460-34A-035	REP	91-04-012	467-01-020	NEW-P	91-19-066	468-300-040	AMD	91-18-022
460-34A-037	REP	91-04-012	467-01-030	NEW-P	91-19-066	468-300-070	AMD-P	91-14-031
460-34A-040	REP	91-04-012	467-01-040	NEW-P	91-19-066	468-300-070	AMD-E	91-14-032
460-34A-045	REP	91-04-012	467-01-050	NEW-P	91-19-066	468-300-070	AMD	91-18-022
460-34A-050	REP	91-04-012	467-01-060	NEW-P	91-19-066	478-116-020	AMD-P	91-06-092
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460-34A-060	REP	91-04-012	467-02-030	AMD-P	91-19-066	478-116-020	AMD	91-12-047
460-34A-065	REP	91-04-012	467-02-040	REP-P	91-19-066	478-116-055	AMD-P	91-06-092
460-34A-070	REP	91-04-012	467-02-050	AMD-P	91-19-066	478-116-055	AMD	91-11-029
460-34A-075	REP	91-04-012	467-02-060	REP-P	91-19-066	478-116-055	AMD	91-12-047
460-34A-080	REP	91-04-012	467-02-070	AMD-P	91-19-066	478-116-080	AMD-P	91-06-092
460-34A-085	REP	91-04-012	467-02-080	AMD-P	91-19-066	478-116-080	AMD	91-11-029
460-34A-090	REP	91-04-012	467-02-100	REP-P	91-19-066	478-116-080	AMD	91-12-047
460-34A-095	REP	91-04-012	467-02-120	AMD-P	91-19-066	478-116-085	REP-P	91-06-092
460-34A-100	REP	91-04-012	467-02-130	AMD-P	91-19-066	478-116-085	REP	91-11-029
460-34A-105	REP	91-04-012	468-16-010	NEW	91-04-014	478-116-085	REP	91-12-047
460-34A-110	REP	91-04-012	468-16-020	NEW	91-04-014	478-116-088	NEW-P	91-06-092
460-34A-112	REP	91-04-012	468-16-030	NEW	91-04-014	478-116-088	NEW	91-11-029
460-34A-115	REP	91-04-012	468-16-040	NEW	91-04-014	478-116-090	AMD-P	91-06-092
460-34A-120	REP	91-04-012	468-16-050	NEW	91-04-014	478-116-090	AMD	91-11-029
460-34A-125	REP	91-04-012	468-16-060	NEW	91-04-014	478-116-090	AMD	91-12-047
460-34A-130	REP	91-04-012	468-16-070	NEW	91-04-014	478-116-090	AMD-P	91-06-092
460-34A-135	REP	91-04-012	468-16-080	NEW	91-04-014	478-116-110	AMD-P	91-06-092
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460-36A-100	REP	91-04-012	468-16-100	NEW	91-04-014	478-116-110	AMD	91-12-047
460-36A-105	REP	91-04-012	468-16-110	NEW	91-04-014	478-116-130	AMD-P	91-06-092
460-36A-110	REP	91-04-012	468-16-120	NEW	91-04-014	478-116-130	AMD	91-11-029
460-36A-115	REP	91-04-012	468-16-130	NEW	91-04-014	478-116-130	AMD	91-12-047
460-36A-120	REP	91-04-012	468-16-140	NEW	91-04-014	478-116-160	AMD-P	91-06-092
460-36A-125	REP	91-04-012	468-16-150	NEW	91-04-014	478-116-160	AMD	91-11-029
460-36A-130	REP	91-04-012	468-16-160	NEW	91-04-014	478-116-160	AMD	91-12-047
460-36A-135	REP	91-04-012	468-16-170	NEW	91-04-014	478-116-210	AMD-P	91-06-092
460-36A-140	REP	91-04-012	468-16-180	NEW	91-04-014	478-116-210	AMD	91-11-029
460-36A-145	REP	91-04-012	468-16-190	NEW	91-04-014	478-116-210	AMD	91-12-047
460-36A-150	REP	91-04-012	468-16-200	NEW	91-04-014	478-116-230	AMD-P	91-06-092
460-36A-155	REP	91-04-012	468-16-210	NEW	91-04-014	478-116-230	AMD	91-11-029
460-36A-160	REP	91-04-012	468-38-035	REP-P	91-06-078	478-116-230	AMD	91-12-047
460-36A-165	REP	91-04-012	468-38-035	REP	91-10-023	478-116-240	AMD-P	91-06-092
460-36A-170	REP	91-04-012	468-38-050	AMD-P	91-06-078	478-116-240	AMD	91-11-029
460-36A-175	REP	91-04-012	468-38-050	AMD	91-10-023	478-116-240	AMD	91-12-047
460-36A-180	REP	91-04-012	468-38-190	AMD-P	91-06-079	478-116-250	AMD-P	91-06-092
460-36A-185	REP	91-04-012	468-38-190	AMD	91-10-022	478-116-250	AMD	91-11-029
460-36A-190	REP	91-04-012	468-38-260	AMD-P	91-06-078	478-116-250	AMD	91-12-047
460-36A-195	REP	91-04-012	468-38-260	AMD	91-10-023	478-116-260	AMD-P	91-06-092
460-42A-081	AMD	91-04-010	468-38-260	AMD	91-10-054	478-116-260	AMD	91-11-029
460-46A-020	AMD	91-04-011	468-38-370	REP-P	91-06-078	478-116-260	AMD	91-12-047
460-46A-040	AMD	91-04-011	468-38-370	REP	91-10-023	478-116-300	AMD-P	91-06-092
460-46A-050	AMD	91-04-011	468-38-400	REP-P	91-06-078	478-116-300	AMD	91-11-029
460-46A-055	NEW	91-04-011	468-38-400	REP	91-10-023	478-116-300	AMD	91-12-047
460-46A-061	NEW	91-04-011	468-38-410	REP-P	91-06-078	478-116-360	AMD-P	91-06-092
460-46A-065	NEW	91-04-011	468-38-410	REP	91-10-023	478-116-360	AMD	91-11-029
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478-116-450	AMD	91-11-029	479-02-030	NEW	91-13-056	480-70-330	AMD	91-03-053
478-116-450	AMD	91-12-047	479-02-050	NEW-P	91-10-037	480-70-340	AMD	91-03-053
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478-116-463	NEW-P	91-06-092	479-02-060	NEW	91-13-056	480-70-390	AMD	91-03-053
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478-116-470	AMD-W	91-19-080	479-02-080	NEW-P	91-10-037	480-70-420	AMD	91-03-053
478-116-520	AMD-P	91-06-092	479-02-080	NEW	91-13-056	480-70-440	AMD	91-03-053
478-116-520	AMD	91-11-029	479-02-090	NEW-P	91-10-037	480-70-500	AMD	91-03-053
478-116-520	AMD	91-12-047	479-02-090	NEW	91-13-056	480-70-570	AMD	91-03-053
478-116-540	AMD-P	91-06-092	479-02-100	NEW-P	91-10-037	480-70-700	NEW-P	91-10-080
478-116-540	AMD-W	91-19-080	479-02-100	NEW	91-13-056	480-70-700	NEW-W	91-14-013
478-116-584	AMD-P	91-06-092	479-02-110	NEW-P	91-10-037	480-70-710	NEW-P	91-10-080
478-116-584	AMD	91-11-029	479-02-110	NEW	91-13-056	480-70-710	NEW-W	91-14-013
478-116-584	AMD	91-12-047	479-02-120	NEW-P	91-10-037	480-70-720	NEW-P	91-10-080
478-116-586	AMD-P	91-06-092	479-02-120	NEW	91-13-056	480-70-720	NEW-W	91-14-013
478-116-586	AMD	91-11-029	479-02-130	NEW-P	91-10-037	480-80-047	NEW-P	91-03-051
478-116-586	AMD	91-12-047	479-02-130	NEW	91-13-056	480-80-047	NEW-W	91-03-120
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478-116-588	AMD	91-11-029	479-02-140	NEW	91-13-056	480-80-047	NEW	91-13-003
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